

0803

**BOX:**

107

**FOLDER:**

1147

**DESCRIPTION:**

Hand, John

**DATE:**

07/10/83



1147

POOR QUALITY ORIGINAL

0804

68P  
J.P.  
Counsel,  
Filed 10 day of July 1883  
Pleads Not guilty

INDICTMENT.  
Grand Larceny in the Second degree.  
(MONEY)  
53  
THE PEOPLE  
vs.  
John  
1st Mad & Oland  
Chgo. Me. 14

JOHN McKEON,  
District Attorney,  
P. 2 Sept 7/83  
Plead P.P.  
A TRUE BILL  
Every year.

S. W. Connerbrook  
Foreman  
only to remain in office  
44 Oct 11/83  
and 11/16. Indictment 7/83

off for term on application  
of Defendants Counsel  
July 12/83

0805

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 Brand

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

John Brand

of the crime of GRAND LARCENY IN THE SECOND DEGREE, committed as follows:

The said John Brand

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

one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars; one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars; three 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 the denomination of five dollars, and of the value of five dollars each; five 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 the denomination of two dollars, and of the value of two dollars each; five 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 the denomination of one dollar, and of the value of one dollar each; one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars; one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars; three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each; one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars; one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar,

one pocket book of the value of one dollar, one watch of the value of seventy five dollars, one ring of the value of two dollars and ten cents and ten keys of the value of ten cents each

of the goods, chattels, and personal property of one George A. Brown

then and there being found,

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

JOHN McKEON, District Attorney.

0806

James Farrington } 9th  
alias }  
John Hand } 2<sup>d</sup> offense

Patrick Hayes 219 N. Houston  
Amplified - driver for ABE  
& Co. on Texas State Highway  
North 27th  
officer took Campbell  
in the act of taking  
prop from wagon on  
Bway on White street

OK

0807

20 office

James - Gordon Brown

~~George -~~

Gilbert Lewis office

Penetration office

George Clark

0000

*July 1 PM.*  
*Service for return*

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

*James H. DeWitt*  
*599 Avenue St.*  
*John Hand*  
*Carney*  
*Grand*

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

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

*Ed Smith* Magistrate.  
*Gilbert Dean* Officer.  
Precinct \_\_\_\_\_

Witnesses  
*Richard T. Selus*  
*16 1/2 Hamilton Street.*

No. \_\_\_\_\_ Street,  
No. \_\_\_\_\_ Street,  
§ \_\_\_\_\_ to answer.  
*507*  
*DeWitt*



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

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

Dated *July 2* 188 *Solomon B. Sturik* 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.

0809

Sec. 198-200

CITY AND COUNTY OF NEW YORK, ss.

*J.M.* District Police Court.

*John Hand* 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 Hand*

Question. How old are you?

Answer.

*24 Years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*284 Madison Street & about four months*

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 of the charge*  
*John Hand*

Taken before me this

*John Hand*  
188  
Justice

08 10

CITY AND COUNTY }  
OF NEW YORK, } ss.

Bernard Nealis

aged 31 years, occupation Truckman of No.

1012 Hamilton Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of George H. Brown

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

Sworn to before me, this

2

day of

July

188

3

Bernard Nealis

John Smith  
Police Justice.

0811

1st

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY OF NEW YORK, ss

of No. 59 Ann Street, 50 Years old. Mechanic

being duly sworn, deposes and says, that on the 30<sup>th</sup> day of June 188 8

at the \_\_\_\_\_ City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent on the day time with intent to deprive the true owner

the following property, viz :

A pocket-book containing about eighteen dollars lawful money of the United States - A gold watch - a pocket-knife and a bunch of keys collectively of the value of about one hundred dollars

the property of deponent

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

from the fact that on the aforesaid day he came to deponent's office in which clothes were hanging containing said property and soon after he left the place deponent discovered the loss of the same that in the same pocket which held the pocket-book was a knife the one here shown which deponent identifies as informed by one Bernard Neales that he received the knife from the deponent who also informed Neales that he the deponent had made a gold watch by a recent transaction

Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 1888  
Police Justice,

08 12

BOX:

107

FOLDER:

1147

DESCRIPTION:

Hausmann, Eugene

DATE:

07/03/83



1147

08 13

14

Counsel,  
Filed *3* day of *July* 188*3*  
Pleads

INDICTMENT.  
 Grand Larceny in the *5<sup>th</sup>* *Class* degree.  
 (MONEY)  
*and* *Receiving - stolen goods*  
 [529-531-550]

THE PEOPLE  
 vs. *F*  
*Eugene*  
*Hansmann*

JOHN McKEON,  
District Attorney.

A True Bill.

*W. Comstock*  
*July 5/83.* Foreman  
*Henry G. Tracy*  
 State Referee  
*Elmura.*

0814

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

Eugene Hausmann

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

Eugene Hausmann  
of the crime of GRAND LARCENY IN THE Second DEGREE, committed as follows:

The said Eugene Hausmann

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

one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars  
; two 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 the denomination of ten dollars, and of the value of ten dollars each; four 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 the denomination of five dollars, and of the value of five dollars each; ten 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 the denomination of two dollars, and of the value of two dollars each; ten 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 the denomination of one dollar, and of the value of one dollar each; one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars; two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each; four promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each; one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars; one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar,

one pocket book of the value of one dollar, one gold coin of the United States of the kind known as half eagles of the value of five dollars, two gold coins of the United States of the kind known as quarter eagles of the value of two dollars and fifty cents each, two rings of the value of six dollars each, three written instruments and evidences of contract of the kind commonly called pawn tickets of the value of six dollars each, and two handkerchiefs of the value of fifty cents each

of the goods, chattels, and personal property of one Minna Winter  
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.

~~JOHN McKEON, District Attorney~~

08 15

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

Eugene Dransmann \_\_\_\_\_

\_\_\_\_\_ of the CRIME OF RECEIVING STOLEN GOODS,  
committed as follows:

The said Eugene Dransmann \_\_\_\_\_

late of the First Ward of the City of New York, in the County of New York  
aforesaid, on the twentieth day of June in the year of our Lord  
one thousand eight hundred and eighty-three, at the Ward, City and County  
aforesaid, with force and arms, one pocket book of the  
value of one dollar, two handkerchiefs  
of the value of fifty cents each,  
and three written instruments and  
evidence of contract of the kind  
commonly called pawn tickets, of  
the value of six dollars each \_\_\_\_\_

of the goods, chattels and personal property of \_\_\_\_\_

Mina Winter \_\_\_\_\_

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

Winter \_\_\_\_\_

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

Dransmann \_\_\_\_\_

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

**JOHN McKEON, District Attorney.**

0815

Police Court - 3rd District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

571  
3rd District

James Smith  
Magistrate

48 Ely St  
Coral Gables

10  
Officer

March 25  
1883

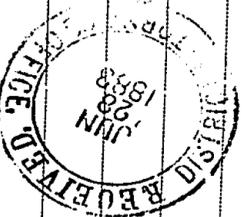
Smith  
10  
Officer

Witnesses

No. Street

No. Street

No. Street  
\$ 1000 to answer  
98



Street

Smith

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 Eugen Hausmann

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 25 1883 James Smith Police Justice.

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

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

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

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

0017

Sec. 198--200.

3 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Eugene Hansmann 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.

Eugene Hansmann

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

Germany

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

Answer.

48 Chrystie Street, 5 days

Question. What is your business or profession?

Answer.

Salesman

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 dont desire to say anything

Eugene Hansmann.

Taken before me this

day of June

1888

August Gorman  
Police Justice.

0018

3 District Police Court.

Affidavit—Larceny.

CITY AND COUNTY OF NEW YORK

34 years of age Chambermaid of No. 48 Chrystie Street,

Prima Plurima

being duly sworn, deposes and says, that on the 20 day of June 1883

at the day time in the City of New York,

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

the following property, viz: One pocket book containing good and lawful money of the issue of the United States consisting of Treasury Notes of various denominations and value of thirty five dollars and two gold coin of the value of two <sup>50</sup>/<sub>100</sub> Dollars each and one gold coin of the value of five dollars, said money being in all of the value of forty five dollars — two gold Ring of the value of twelve dollars — three pawn tickets representing three gold Ring two Silver Handkerchiefs of the value of ten dollars and one dollar. said property being in all of the value of fifty eight 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 Eugene Hausmann (now here)

From the fact that said Eugene was employed at the premises 48 Chrystie Street where deponent is also employed, that he left his employment on said day without giving any notice and that when he was gone deponent discovered that his trunk was broken open and his property taken stolen and carried away. That when deponent

Prima Plurima

Prima Plurima

Prima Plurima

08 19

Caused his arrest the case pocket  
book, and Handkerchief and three  
pawntickets representing three Rings  
were found in his possession.  
Deponent Examined the Rings in the  
jewelryshop and fully identified  
the same as a portion of her stolen  
property.

Sworn to before me this  
25<sup>th</sup> day of June 1883  
Miner Winstanley  
Magistrate  
Thos Garner Police Justice

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

AFFIDAVIT—Larceny.

vs.

188

Dated

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0820

BOX:

107

FOLDER:

1147

DESCRIPTION:

Hanson, Aaron

DATE:

07/03/83



1147

0021

Day of Trial,  
Counsel,  
Filed, 3 day of July 1883  
Pleads *Not guilty.*

*John* vs. THE PEOPLE  
vs. *R.*  
Aron Hanson  
*A.H.*

Assault in the First Degree. *DS*  
[219ms 218]

JOHN MCKEON,  
District Attorney.

A TRUE BILL.

*E. M. Comstock*

Foreman.

July 10-1883  
Tried & convicted A.B. day  
Pen. One year.

0822

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Aaron Dawson

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

of the CRIME OF *Assault in the first degree*, committed as follows:

The said Aaron Dawson

late of the City of New York, in the County of New York, aforesaid, on the twenty fifth day of June in the year of our Lord one thousand eight hundred and eighty three with force of arms, at the City and County aforesaid, in and upon the body of Samis Boersenberg in the peace of the said people then and there being, feloniously did make an assault and thrust the said Samis Boersenberg with a certain knife which the said Aaron Dawson

in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound with intent thrust the said Samis Boersenberg then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT:

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

Aaron Dawson

of the CRIME OF Assault in the Second Degree, committed as follows:

The said Aaron Dawson, late of the City and County aforesaid afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Samis Boersenberg then and there being, feloniously did, wilfully and wrongfully, make an assault and thrust the said Samis Boersenberg with a certain knife which the said Aaron Dawson

in his right hand then and there had and held, the same being an instrument likely to produce grievous bodily harm, feloniously did, wilfully and wrongfully then and there beat, strike, stab, cut and wound

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

JOHN MCKEON, District Attorney

0823

~~Court of General Sessions of the Peace~~

~~OF THE CITY AND COUNTY OF NEW YORK.~~

~~THE PEOPLE OF THE STATE OF NEW YORK~~

~~This Court:~~

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

Aaron Dawson

~~of the County of~~

of the CRIME OF *Assault in the first degree*, committed as follows:

The said Aaron Dawson

late of the City of New York, in the County of New York, aforesaid, on the twenty fifth day of June in the year of our Lord one thousand eight hundred and eighty three with force of arms, at the City and County aforesaid, in and upon the body of Sam's Boesenberg in the peace of the said people then and there being, feloniously did make an assault and in the said Sam's Boesenberg with a certain weapon, a description thereof is to the Grand Jury aforesaid unknown which the said Aaron Dawson

in his right hand then and there had and held, ~~the same being a deadly and dangerous weapon~~, wilfully and feloniously did beat, strike, stab, cut and wound ~~with the same~~ with intent ~~to produce the death of the said Sam's Boesenberg~~ the said Sam's Boesenberg then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Second ~~Second~~ COUNT:

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

Aaron Dawson

of the CRIME OF Assault in the Second Degree, committed as follows:

The said Aaron Dawson, late of the City and County aforesaid

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Sam's Boesenberg then and there being, feloniously did, wilfully and wrongfully, make an assault and in the said Sam's Boesenberg with a certain weapon, a description thereof is to the Grand Jury aforesaid unknown, which the said Aaron Dawson in his right hand then and there had and held, the same being an instrument likely to produce grievous bodily harm, feloniously did, wilfully and wrongfully then and there beat, strike, stab, cut and wound

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

JOHN McKEON, District Attorney.

0024

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

*William H. Stearns*  
*vs*  
*James Stewart*  
*Battery*

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

Dated *June 23* 1883  
*James Stewart* Magistrate  
*James Stewart* Officer  
*James Stewart* Prisoner

Witnesses

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

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

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



No. *570*  
 to answer  
*James Stewart*  
 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 \_\_\_\_\_

*James Stewart*

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 *June 23* 1883 *James Stewart* Police Justice.

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

Dated \_\_\_\_\_ 1883 \_\_\_\_\_ 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 \_\_\_\_\_ 1883 \_\_\_\_\_ Police Justice.

0825

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK } ss.

District Police Court.

*Leon Hanson* 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.

*Leon Hanson*

Question. How old are you?

Answer.

*30 years*

Question. Where were you born?

Answer.

*Jersey City*

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

Answer.

*Connecticut about 30 days*

Question. What is your business or profession?

Answer.

*I have horses*

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  
Leon Hanson*

Taken before me this

day of *June*

188*8*

*[Signature]*  
Police Justice.

0826

Police Court— District.

CITY AND COUNTY OF NEW YORK, } ss.

of No. 115 West Street,

being duly sworn, deposes and says, that on the 25 day of June

in the year 1883 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Carroll Hanson who here  
was did wilfully and  
maliciously cut & lacerated  
the flesh of deponent's fingers  
with and by means of a  
certain sharp dangerous  
weapon which he then held  
in his hand

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

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

Sworn to before me, this 25 day of June 1883.

Louis Bresenbery

W. J. Conroy POLICE JUSTICE.

0827

Testimony in the  
Case of  
Aaron Hanson  
filed July  
1883.

0828

21

The People Court of General Sessions, Part I  
Aaron Hanson Before Judge Gildersleeve July 10, 1883  
Indictment for assault in the first degree.  
Louis Boesenberg, sworn and examined,  
testified. Q. Boesenberg where do you live?  
No. 115 West st. What is your business?  
Hotel. You keep a hotel at that place? Yes,  
sir. You were there on the 25<sup>th</sup> of June, did  
you see the prisoner Hanson on that day?  
Yes sir. Where did you see him? In my  
place of business. Tell the jury what, if any  
thing occurred between you and the prisoner  
on that day. Hanson came in there drunk  
and disorderly and demanded brandy.  
I saw the man was drunk and I would  
not serve him. What then? I told him  
he had best go home, not drink any  
more. He said, No, he would not do so,  
he wanted brandy and he would not leave  
the premises until he got it. What further  
occurred? He would not go out and got  
very noisy. I came out from behind the  
bar, I took him by the arm and told him  
to go out. Before going out he drew  
this shear at me, he pulled it out of  
his pocket. Was that all he did then?  
That is all of it. What did he do, if any  
thing afterward? I pulled it away from

0829

him, I shoved him out of the door and he came back again with a revolver. Did he strike at you with this (the shear)? He tried to run it into my body. And you took it away from him? Yes, sir. He went out and came back again with a revolver? Yes, sir, and pointed that at me. What then? The officer came and arrested him. (Cross Examined) After Hanson had been in there and demanded drink, did you follow him outside the door? No, sir. Did you take hold of him by the arm? In the bar room. You did not put him outside? After he pulled that knife on me (a piece of a shear). In which hand did he hold this knife? In his right hand. Did I understand you to say that he went out again for a pistol, was that outside on the street? No, sir, inside. He came into your bar room the second time? Yes, sir. Did he point the revolver at you? Yes, sir. At what place of the body? Right up this way (showing). Do you know whether it was loaded or not? I do not know. Did he offer to pay for the drink when he came in? He did, sir. Was he very much intoxicated? He was very noisy.

POOR QUALITY  
ORIGINAL

0830

Hamilton Mickle, sworn and examined,  
testified: You are an officer attached to the  
Steamboat Squad police, are you not?  
Yes, sir. You were on duty on the 25th of  
June, were you? Yes, sir. Whereabouts?  
At pier No 19 of East River, East of St. Kitts  
River. Did you see anything of this occur-  
rence which you have heard the last  
witness describe? I do not know, sir. You  
made the arrest in this case, though? I  
did, sir. At whose instance? I was at  
my dinner at the time. I was eating my  
dinner at the time of the occurrence and  
I was called from the table, saying there  
was a man just been stabbed at the  
corner. I went up there and this man  
was pointed to me as going away.  
They said he had stabbed a man. I  
ran and caught him and brought him  
back and took him to the Twenty Seventh  
Precinct station house. Did anything occur  
between you and he on the road to the  
station house? I had some trouble with  
him, I searched him and found a  
revolver in his possession. This is the  
revolver (shown). Yes, sir, I recovered that  
part of a shear afterwards. Where did  
you find a piece of shear? At the

POOR QUALITY  
ORIGINAL

0831

hotel. after I came back from leaving  
the prisoner at the station house.  
That is all you know of it? Yes sir.

Cross Examined.

Where did you find this revolver, did  
he have it in his pocket? He had  
it in his pocket. Did you see where  
the witness was wounded? I did.

Where was it? In the right hand, inside  
the thumb and the front part of the  
fore finger. Was it bleeding? Yes sir.

Mr. Brady: That is one case.  
Counsel: I have no evidence to offer.

~~Neither counsel for the defence or~~  
for the prosecution addressed the jury.  
The Court in charging the jury said  
that he came into the place of the  
complainant and was drunk and  
disorderly and because he could not  
get a drink he was offended and  
wanted to stab somebody. One year  
in the penitentiary is what I think  
he ought to have. The jury rendered  
a verdict of guilty of assault in  
the third degree and the Court  
sentenced him to the penitentiary  
for one year.

0032

BOX:

107

FOLDER:

1147

DESCRIPTION:

Hassett, Jeremiah F.

DATE:

07/03/83



1147

POOR QUALITY ORIGINAL

0033

3-7

Counsel,  
Filed *July* day of *July* 1883  
Pleads

THE PEOPLE  
vs.  
*Jeremiah F. Dasset*

*McKeon*

JOHN McKEON,  
District Attorney

(5254532)

Grand Larceny, Aggravated, and Receiving Stolen Goods.

A True Bill.

*S. W. Bonstrock*  
*July 10 1883* Foreman.  
*Wm. H. Keady*  
City Clerk 10 Days.

0834

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Jeremiah F. Drasset

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

Jeremiah F. Drasset

of the CRIME OF Petit LARCENY in the \_\_\_\_\_ degree, committed as follows:

The said Jeremiah F. Drasset

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the 12th day of December in the year of our Lord one thousand eight hundred and eighty-two, at the Ward, City and County aforesaid, with force and arms thirty pounds of butter of the value of thirty five cents each pound

of the goods, chattels and personal property of one William D. Minshue then and there being found, then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John McKeon District Attorney.

0035

*7th E. Ave 1st 1000*  
*577 Ave*

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

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

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

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

CLERK'S NO. *27610*  
Police Court District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*William Mitchell*  
*1008 Lafayette St*  
*1 fine & 1000*

Offence *Peter Larceny*

Dated *21 June* 188*8*

*Wm J Power* Magistrate.  
*Anderson* Officer.  
*Stuyvesant* Precinct.

Witnesses *Samuel Smith*  
No. *1008* Street *Lafayette*

*George W. Brown*  
No. \_\_\_\_\_ Street \_\_\_\_\_

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

No. *500* Street *W. 4th*  
to answer *Doan*

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

Dated *June 25* 188*8* *Wm J Power* Police Justice.

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

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

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

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

0036

Sec. 151.

186 District Police Court.

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

Whereas, Complaint on oath, has been made before the undersigned, one of the Police Justices in and for the said City, by William H. Minshull

of No. 172 Fulton Market Street, that on the 12 day of December 1883 at the City of New York, in the County of New York, the following article to wit:

One package of Butter thirty pounds

of the value of ten Dollars, the property of Complainant was taken, stolen, and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Jere F. Hassett

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 186 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 21 day of June 1883

W. J. G. POLICE JUSTICE.

POLICE COURT, DISTRICT.

THE PEOPLE, &c., ON THE COMPLAINT OF

W. H. Minshull 172 Fulton Market

Jere F. Hassett 411 Cherry St. 204 Rooms 54-40-5 Stuyvesant

Dated June 21 1883

Magistrate

Joseph W. ... Officer

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

Joseph W. ... Officer

Dated June 22 1883

This Warrant may be executed on Sunday or at night.

Police Justice.

Warrant - Larceny.

REMARKS. 81

Time of Arrest June 21 - 83

Native of Ireland

Age, 20

Sex, Male

Complexion, Fair

Color, White

Profession, Teacher

Married

Single, Yes

Read, Yes

Write, Yes

411 Cherry St

0037

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Jere F Hassett 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.

Jere F Hassett

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

411 Cherry St. about 2 months

Question. What is your business or profession?

Answer.

Laborer

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

Answer.

I am not guilty of any  
and I demand a trial by  
Jere F Hassett

Taken before me this

day of

June

1888

St. J. C. M. J.

Police Justice.

0838

State of New York  
City and County of New York } J.

William H. Marshall  
of No. 1155 Lafayette Avenue City of Brooklyn  
and doing business as a butter merchant  
at No. 24 <sup>174-172</sup> ~~42~~ 6 Fulton Market City of  
New York being duly sworn, deposes and says:  
That on the 12<sup>th</sup> day of December 1882  
at the City of New York one Jere P. Russell  
now residing at No. 411 Cherry Street  
said City of New York with the intent  
to deprive and defraud said Complainant,  
this deponent, who was the true owner  
of the property hereinafter mentioned, and  
to appropriate the same to his own use or  
of some other person, obtained from the  
possession of said Complainant, this  
deponent, thirty pounds of butter of  
the value of Ten Dollars, by aid of the  
false and fraudulent representations, that  
he had sold the said butter to one Daniel  
Sullivan of No. 24 James Street said  
City of New York. That said representations  
were utterly false and untrue: that said  
Jere P. Russell had not so sold said butter  
to the said Daniel Sullivan, but having  
obtained possession of the same by aid  
of the said false and fraudulent representations

0839

appropriated the same to his own  
use and benefit.

Wherefore this department prays that  
the said Jose P. Hassett may be appre-  
hended and dealt with according  
as the law directs.

Subscribed before me this W. H. Minchell  
21<sup>st</sup> day of June 1883  
City, Iowa  
Police Justice

0840

BOX:

107

FOLDER:

1147

DESCRIPTION:

Hayden, Joseph

DATE:

07/13/83



1147

0041

927  
Counsel,  
Filed 13 day of July 1883  
Pleads Not guilty

THE PEOPLE  
vs.  
Joseph Hayden  
*Joseph Hayden*

Receiving Burglary  
instruments at a  
Second Offense  
§5084, 6887

JOHN McKEON,  
District Attorney

A True Bill.

*A. W. Conant*  
Foreman.

July 13/83.  
I plead Guilty  
S. P. One year & 6 mos

0042

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Grayden

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

\_\_\_\_\_ Joseph Grayden \_\_\_\_\_  
of the CRIME OF Possessing Burglar's instruments, as  
a Second Offense  
committed as follows:

The said

~~late of the City and County of New York,~~ On the \_\_\_\_\_ Eighteenth \_\_\_\_\_ day of  
August \_\_\_\_\_ in the year of our Lord one thousand eight hundred and eighty-~~two~~  
~~with force and arms, at the City and County aforesaid;~~

at a Court of General Sessions of the Peace, in and for the City and County of New York, duly holden at the City Hall of the City of New York, before the Honorable Henry A. Gildersleeve, Judge of the Court of General Sessions of the Peace in and for the City and County of New York, and Justice of the said Court, the said Joseph Grayden was in due form of law convicted of a felony, to wit: of the crime of Attempt at Burglary in the third degree, upon a certain indictment then and there depending against him the said Joseph Grayden by the name and description of Joseph Grayden for that he the said Joseph Grayden, then late of the First Ward of the City of New York, in the County of New York aforesaid, on the twelfth day of July in the year of our Lord one thousand eight hundred and eighty two, with force and arms, at the Ward, City and County aforesaid, the office of Hugh Butler, then situate, feloniously and burglariously did attempt to break into and enter, the said office being then and there a building in which divers

0843

goods, merchandise, and valuable things were then and there kept for use, sale and deposit; the same being the goods, chattels and personal property of Hugh Keiler, with intent the said goods, merchandise and valuable things in the said office then and there being then and there feloniously and burglariously to steal, take and carry away;

And thereupon, upon the conviction aforesaid judgment was given by the said the Court of General Sessions of the Peace in and for the City and County of New York, and it was then and there ordered and adjudged by the said Court, that he the said Joseph Hayden, for the offence aforesaid, whereof he stood convicted, as aforesaid, should be imprisoned in the Penitentiary of the City of New York for the term of one year, as by the record thereof doth more fully and at large appear.

And the said Joseph Hayden, late of the First Ward, of the City of New York, in the County of New York aforesaid, having been duly discharged from the said judgment by reason of the expiration of the term of imprisonment to which he had been adjudged as aforesaid, and by commutation of time allowed pursuant to law, afterwards to wit: on the ninth day of July, in the year of our Lord, one thousand eight hundred and eighty three, at the Ward, City and County aforesaid feloniously was found having in his possession certain instruments adapted and commonly used in the commission of burglary, to wit: two false keys and one chisel, he the said Joseph Hayden being then and there

0044

certain building there situate, known as number  
Twenty four State Street, with intent to use the  
same in the commission of some crime to the  
Grand Jury aforesaid unknown, against the form  
of the Statute in such case made and provided,  
and against the Peace of the People of the  
State of New York, and their dignity.

John McKeen.

District Attorney.



0046

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK } ss.

151 District Police Court.

*Joseph Hayden* 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 Hayden*

Question. How old are you?

Answer. *Forty Years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *382 East 4th St. 8 Years*

Question. What is your business or profession?

Answer. *Carver*

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 did not they were skeleton keys I use them in my house. I use the chisel for the purpose of making fancy boxes and as a screw driver.*

*Joseph Hayden*

Taken before me this

*July 1888*  
*John J. Smith*

Police Justice.

0847

Form 10.

POLICE COURT-FIRST DISTRICT.

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

*James Oatis* an  
Officer of the First Precinct

that on the 18<sup>th</sup> day of August 1882 at the City of New York,

in the County of New York.

he was present at the Court  
of General Sessions when the  
defendant *Joseph Hayden*  
pleaded guilty to an indict-  
ment for an attempt at  
burglary and was thereupon  
sentenced by Justice *Gilder-*  
*Heve* to imprisonment in  
the Penitentiary for a term  
of one year

*James Oatis*

Sworn to, this  
day of  
1882  
before me  
*John D. Smith*  
Police Justice.

0848

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

POLICE COURT, First DISTRICT.

Joseph Nimmo  
21. Elevator runner

of No. 24 State

Street, being duly sworn, deposes and

says that on the

9th

day of

July

1883

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

deponent

found Joseph Hayden  
(now here) in the hall way of  
No 24 State street at about  
half past four o'clock in the  
afternoon of said date, having  
in his possession with intent  
to use the same a number of  
burglarious instruments to wit  
two skeleton key and a chisel  
said instrument being adapted  
for, and commonly used  
for the commission of burglary  
or larceny, and under such  
circumstances, evincing an ~~intent~~  
intent to use the same in the  
commission of a crime.

Deponent saw said Hayden  
loitering about said building  
and looking into the different  
offices in said building when  
deponent caused the arrest  
of said Hayden by officer Oates  
of the First Precinct, and deponent  
saw said Oates take the above  
described burglarious instruments  
from the possession of said Hayden

Sworn to before me

this 10th of July, 1883

Salmon B. Smith

Joseph Nimmo

Police Justice

0849

104

Day of Trial,

Counsel,

Filed 18 day of Aug 188 2

Pleads

THE PEOPLE

vs.

BURGLARY—Third Degree,  
NOTHING STOLEN.

P

*Joseph Hayden*

*H. P. W.*

*J. P. W.*

JOHN McKEON,

District Attorney.

A True Bill.

*Wm. G. Clark* Foreman.

*Aug 18/82*

*J. P. W. Attorney*

*Per: One year.*

0850

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

THE PEOPLE OF THE STATE OF NEW YORK,  
*against*

*Joseph Hayden*

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

*Joseph Hayden*

*attempt at*  
of the crime of BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

*Joseph Hayden*

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

*Hugh Steiner*

there situate, feloniously and burglariously *attempt to* break into and enter the said *office*  
being then and there a building in which divers goods, merchandise, and valuable things  
were then and there kept for use, sale and deposit; the same being the goods, chattels,  
and personal property of

*Hugh Steiner*

with intent the said  
goods, merchandise and valuable things in the said *office* 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.

JOHN McKEON, District Attorney.

0851

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Joseph Hayden  
Joseph Hayden  
Joseph Hayden

Offence, Attempted  
Surgery

Dated July 13 1882

James O'Brien  
Magistrate.  
Clerk.

Witnesses,

No. 1 July 1882

No. 2 21/2 PATTEN

No. 3 100 1/2

Cham

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 Joseph Hayden

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 13 1882 L.M. Patten Police Justice.

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

Dated \_\_\_\_\_ 1882 \_\_\_\_\_ 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 \_\_\_\_\_ 1882 \_\_\_\_\_ Police Justice.

0852

Sec. 108-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Joseph Hayden

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 Hayden

Question. How old are you?

Answer.

39 years

Question. Where were you born?

Answer.

New York City

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

Answer.

382 E 4th Street about 8 years

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 am not guilty of the charge I had nothing whatever to do with it

Joseph Hayden

Taken before me this

day of

July 1888

John J. Saunders

Police Justice.

0853

POLICE COURT— DISTRICT.

City and County  
of New York, }

*vs: Joseph Nimmo*

of No. *St. 5<sup>th</sup> Deland* Street, being duly sworn,  
deposes and says, that the premises ~~is~~ *a room or office in* aforesaid

Street, *1<sup>st</sup> W. St.* Ward, in the City and County aforesaid, the said being an office

the firm of Keller & Pettit  
and which was occupied by ~~him~~ as a ~~store~~ *store*

entered by means ~~of~~ *of forcing open a door* ~~was~~ *attempted to be* BURGLARIOUSLY

*leading to said office with a false key*

on the ~~day~~ *day* of the *12<sup>th</sup>* day of *July* 18*82*

and the following property feloniously taken, stolen, and carried away, viz:

*office furniture consisting of desks and chairs of the value of one hundred dollars and more*

the property of *Said firm & in deponent's charge at*  
the time *and deponent further says that he has great cause to believe, and does think* that

the aforesaid BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

*Joseph Hayden now here*

for the reasons following, to wit: *That about half past five o'clock P.M. on said day deponent who is employed by the janitor of said premises saw the defendant have a skeleton or false key inserted in the lock of the door leading to said office attempting to open it and effect an entrance with the intent and purpose to steal & carry*

0854

Said property as deppours believes  
and charges Deppours further  
avens that after he caused  
the arrest of the defendants the  
skeleton or false keys here shown  
together with that certain iron  
chisel also shown were found  
in the possession of the defendants

Joseph Nimmo

Given to before me this  
18<sup>th</sup> day of July 1882  
J. W. Patterson  
Justice

0855

BOX:

107

FOLDER:

1147

DESCRIPTION:

Heyman, Bertha

DATE:

07/12/83



1147

POOR QUALITY ORIGINAL

0856

Filed 12 day of July 1883  
Pleas  
Argued

THE PEOPLE

vs.

Bertha

Heyman

Grand Jurors in the  
Second District  
a Second Office.  
[528-531-465]

JOHN McKEON,

District Attorney

A True Bill.

S. W. Connelley

Foreman.

Depot

Print & Composed  
by J. W. R. R.  
May 20th 1883

0857

COURT OF GENERAL SESSIONS OF THE PEACE  
of the City and County of New-York.

-----x

The People of the State of New-York :

- against - :

Bertha Heyman. :

-----x

The GRAND JURY of the City and County of New-York, by this indictment, accuse Bertha Heyman of the Crime of GRAND LARCENY in the Second Degree as a second offense, committed as follows:

At a Court of General Sessions of the Peace in and for the City and County of New-York, duly holden at the City Hall of the City of New-York on the twenty-sixth day of October, in the year of our Lord one thousand eight hundred and eighty one, before the Hon. Rufus B. Cowing, City Judge of the said City and Justice of the said Court, the said Bertha Heyman was, in due form of law, convicted upon a certain indictment then and there depending against her, the said Bertha Heyman, by the name and description of Bertha Heyman, for that the said Bertha Heyman, then late of the First Ward of the City of New-York, in the County of New-York aforesaid, on the eleventh day of December, in the year of our Lord one thousand eight hundred and eighty, at the Ward, City and County aforesaid, with force and arms, with intent feloniously to cheat and defraud one Theodore W. Morris, did then and there feloniously, unlawfully, knowingly and designedly falsely pretend and represent to the said Theodore W. Morris, who then and there owned a certain lot of land with a house thereon, situate in the town of Southfield, on Staten Island, in Richmond County, in the State of New-York, and then and there occupied by one Pauline Schlarbaum, that she, the said Bertha Heyman, intended and desired to purchase said house and lot of land, to present the same to the said Pauline Schlarbaum. That she, the said Bertha Heyman, was then and there possessed of great wealth and was able to pay for said house and lot of land the sum of ~~three~~<sup>two</sup> thousand five hundred dollars in money. That a son of the husband, then and there deceased, of her, the said Pauline Schlarbaum, had brought an action against her, the said Pauline Schlarbaum, and recovered judgment against her, the said Pauline Schlarbaum. That the Sheriff of Richmond County, in the State of New-York, had appeared at the said house occupied by her, the said Pauline Schlarbaum, with an execution on the said judgment against her, the said Pauline Schlarbaum, and threatened to take possession of the said house and of the contents thereof. That she, the said Bertha Heyman, had paid to the said Sheriff the sum of twenty five dollars in money to postpone levying and proceeding on said execution. That the said judgment and claim of the son of the said deceased husband of the said Pauline Schlarbaum could be settled for five hundred dollars in money. That one Augustus C. Brown, of the City and County of New-York, who was an attorney and counsellor at law and counsel and attorney for the said Theodore W. Morris, had

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advised her, the said Bertha Heyman, that she and the said Pauline Schlarbaum had better settle said claim and judgment for five hundred dollars in money. That she, the said Bertha Heyman, intended and desired to settle the same and pay the said sum of five hundred dollars in money thereon. That the managing clerk of the said Augustus C. Brown then and there engaged to accompany her, the said Bertha Heyman, to Staten Island aforesaid to settle the said claim and judgment at once. That she, the said Bertha Heyman, then and there needed the said amount of five hundred dollars to pay and settle said judgment and claim. That she, the said Bertha Heyman, then and there had money on deposit in the Second Ward Savings Bank of Milwaukee, in the State of Wisconsin. That she, the said Bertha Heyman, then and there had thirteen thousand dollars in money on deposit in the said bank. That the said bank was then and there indebted to her, the said Bertha Heyman, in the sum of thirteen thousand dollars in money. And the said Theodore W. Morris, then and there believing the said false pretences and representations, so made as aforesaid by the said Bertha Heyman, and being deceived thereby, was induced by reason of the false pretences and representations so made as aforesaid, to deliver and did then and there deliver to the said Bertha Heyman a certain sum of money, to wit: the sum of five hundred dollars in money and of the value of five hundred dollars, of the proper moneys, valuable things, goods, chattels, personal property and effects of the said Theodore W. Morris. And the said Bertha Heyman did then and there designedly receive and obtain the said sum of money, to wit: the sum of five hundred dollars in money and of the value of five hundred dollars of the said Theodore W. Morris of the proper moneys, valuable things, goods, chattels, personal property and effects of the said Theodore W. Morris, by means of the false pretences and representations aforesaid, and with intent feloniously to cheat and defraud the said Theodore W. Morris of the same.

WHEREAS, in truth and in fact, she, the said Bertha Heyman, never intended or desired to purchase said house and lot of land to present the same to the said Pauline Schlarbaum.

AND WHEREAS, in truth and in fact, she, the said Bertha Heyman, never intended or desired to purchase the said house or lot.

AND WHEREAS, in truth and in fact, she, the said Bertha Heyman, was not then and there possessed of great wealth, or any wealth whatever, as she, the said Bertha Heyman, then and there well knew.

AND WHEREAS, in truth and in fact, she, the said Bertha Heyman, was then and there wholly unable to pay for said house or lot the sum of two thousand five hundred dollars in money, or any sum of money whatever, but, on the contrary, she, the said Bertha Heyman, was then and there wholly pecuniarily worthless, impoverished and insolvent, as she, the said Bertha Heyman, then and there well knew.

AND WHEREAS, in truth and in fact, no son of the deceased husband of her, the said Pauline Schlarbaum, had ever brought any action against her, the said Pauline Schlarbaum, or recovered any judgment against her, the said Pauline Schlarbaum, as she, the said Bertha Heyman, then and there well knew.

AND WHEREAS, in truth and in fact, the Sheriff of Richmond County, in the State of New-York, had not then and there appeared at the said house occupied by her, the said Pauline Schlarbaum, or else-

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where, with any execution whatever, or any judgment whatever, against her, the said Pauline Schlarbaum, and threatened to take possession of said or any house occupied by her, the said Pauline Schlarbaum, or of the contents thereof, as she, the said Bertha Heyman, then and there well knew.

AND WHEREAS, in truth and in fact, she, the said Bertha Heyman, had not then and there paid to the said Sheriff the sum of twenty five dollars in money, or any sum in money whatever, to postpone levying or proceeding upon the said execution, or any execution whatever, against her, the said Pauline Schlarbaum, as she, the said Bertha Heyman, then and there well knew.

AND WHEREAS, in truth and in fact, the said judgment or claim of the son of the said deceased husband of the said Pauline Schlarbaum could not be settled for the sum of five hundred dollars in money, or any sum in money, as no such claim or judgment ever existed, as she, the said Bertha Heyman, then and there well knew.

AND WHEREAS, in truth and in fact, the said Augustus C. Brown had never advised her, the said Bertha Heyman, that she or the said Pauline Schlarbaum had better settle any claim or judgment whatever against her, the said Pauline Schlarbaum, for the sum of five hundred dollars in money, or any sum in money, whatever, as she, the said Bertha Heyman, then and there well knew.

AND WHEREAS, in truth and in fact, she, the said Bertha Heyman, never intended or desired to settle the said claim or judgment or pay the said sum of five hundred dollars in money thereon, or needed the sum of five hundred dollars in money to pay or settle the said or any such judgment or claim, as there was no such claim or judgment as aforesaid existing or to settle, as she, the said Bertha Heyman, then and there well knew.

AND WHEREAS, in truth and in fact, the managing clerk of the said Augustus C. Brown was never engaged to accompany her, the said Bertha Heyman, to Staten Island aforesaid, or elsewhere, to settle any claim or judgment whatever against her, the said Pauline Schlarbaum, as she, the said Bertha Heyman, then and there well knew.

AND WHEREAS, in truth and in fact, she, the said Bertha Heyman, never had any money on deposit in the Second Ward Savings Bank of or in the City of Milwaukee, in the State of Wisconsin, as she, the said Bertha Heyman, then and there well knew.

AND WHEREAS, in truth and in fact, she, the said Bertha Heyman, never had the sum of thirteen thousand dollars in money, or any sum of money whatever, on deposit in the said bank, as she, the said Bertha Heyman, then and there well knew.

AND WHEREAS, in truth and in fact, the said bank was never indebted to her, the said Bertha Heyman, in the sum of thirteen thousand dollars in money, or in any sum of money whatever, as she, the said Bertha Heyman, then and there well knew.

AND WHEREAS, in truth and in fact, the pretences and representations so made as aforesaid by the said Bertha Heyman to the said Theodore W. Morris was and were in all respects utterly false and untrue, to wit: on the day and in the year last aforesaid, in the Ward, City and County aforesaid.

AND WHEREAS, in truth and in fact, the said Bertha Heyman well knew the said pretences and representations so made by her as aforesaid to the said Theodore W. Morris to be utterly false and untrue at the time of making the same.

And thereupon, upon the conviction aforesaid, judgment was given by the said Court of General Sessions of the Peace in

0050

and for the City and County of New-York, and it was ordered and adjudged then and there by the said Court that the said Bertha Heyman, for the offense aforesaid whereof she stood convicted, as aforesaid, should be imprisoned in the Penitentiary of the City of New-York for the term of two years, as by the record thereof doth more fully and at large appear.

And the said Bertha Heyman, late of the City and County of New-York aforesaid, having been duly discharged from the said judgment by reason of the expiration of her term of imprisonment to which she had been adjudged as aforesaid and by commutation of time allowed pursuant to law, afterwards, to wit: on the Fourth day of July, in the year of our Lord one thousand eight hundred and eighty three, at the City and County aforesaid, with force and arms, ten promissory notes for the payment of money of the kind commonly called United States Treasury Notes, the same being then and there due and unsatisfied and for the payment of and of the value of ten dollars each, two promissory notes for the payment of money of the kind commonly called United States Treasury Notes, the same being then and there due and unsatisfied and for the payment of and of the value of twenty dollars each, one promissory note for the payment of money of the kind commonly called Bank Notes, the same being then and there due and unsatisfied and for the payment of and of the value of fifty dollars, and divers other promissory notes of the kind commonly called bank notes, of a number and denomination to the Grand Jury aforesaid unknown, the same being then and there due and unsatisfied and of the value of one hundred dollars, of the goods, chattels and personal property of Edward Sanders, then and there being found, then and there feloniously did steal, take and carry away; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New-York and their dignity.

JOHN Mc'KEON,

District Attorney.

POOR QUALITY ORIGINAL

0051

Howell Hummel  
for defense

Police Court  
District 157-580

BAILED.

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Edwards Sanders  
135 E 119 St  
Bertha Keyman  
Larceny.

Offence \_\_\_\_\_

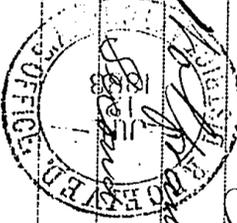
Dated July 11 1883

Smith Magistrate  
Kush & Foster P.O.

Witnesses Samuel Sanders 47 2 4th

No. 477 3rd St.

No. 82 \_\_\_\_\_ Street



No. 1500 \_\_\_\_\_ Street  
to answer \_\_\_\_\_

\_\_\_\_\_

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

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

Dated July 11 1883 Tolou Smith Police Justice

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

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

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

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

0062

No.

**The First District Police Court**  
OF JERSEY CITY,

THE STATE

*On Complaint of*

*Richard Coates*

vs.

*Ben the Hyman*

Dated, *July 10<sup>th</sup>* 1883

CHARGE:

*Flagrant Larceny*

*Morris*

Police Justice.

The Above Print, 29 & 33 Montgomery St., J. C.

0863

# The First District Police Court of Jersey City.

City of Jersey City, County of Hudson, State of New Jersey, ss:

Sergeant Detective Tooker of the Detective Squad New York City from information being duly sworn, complains that on the ~~10th~~ <sup>10th</sup> day of July A. D. one thousand eight hundred and eighty ~~three~~ <sup>three</sup> at Jersey City aforesaid,

One Bartholomew Hyman did take and carry away certain goods and chattels the property of one Edward Sander of the City of New York. County and State of New York that the said Bartholomew Hyman did flee and run away from the jurisdiction of the authorities of the State of New York and is now in the City of Jersey City County of Hudson and State of New Jersey. that the said Bartholomew Hyman is a fugitive from Justice in the State of New York and that the said Bartholomew Hyman may be held until a requisition is returned for his arrest from the State of New York for the return to the authorities of

WHEREFORE, this Complainant prays that the said offender may be dealt with according to law.

Subscribed and sworn to before me,

this 10<sup>th</sup> day of

July

1883

Jacob Toaster Complainant.

James W. Davis

Police Justice of Jersey City.

## WITNESSES.

NAME.	RESIDENCE.

0064

Sec. 151.

Just District Police Court.

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

Whereas, Complainant on oath has been made before the undersigned, one of the Police Justices in and for the said City, by Edward Sander

of No. 47 Second Ave at the City of New York, in the County of New York, the following article to wit: 28th day of June  
3rd day of July and 4th day of July

Good and lawful money

to the value of Two hundred and fifty five Dollars,  
the property of Complainant  
was taken, stolen, and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Bertha Heyman

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 her 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 1st day of July, 1888  
Edouard Smith Police Justice.

POLICE COURT, DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

REMARKS.

Time of Arrest, .....

Native of .....

Age, .....

Sex .....

Complexion, .....

Color .....

Profession, .....

Married .....

Single .....

Read, .....

Write, .....

The Defendant .....

Officer.

Dated

188

This Warrant may be executed on Sunday or at night.

Police Justice.

0865

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK } ss.

156 District Police Court.

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

Question. What is your name?

Answer. Bertha Heyman

Question. How old are you?

Answer. 31 Years

Question. Where were you born?

Answer. Germany

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

Answer. Hoffman House, Newer

Question. What is your business or profession?

Answer. None

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

Answer. I am not guilty. I  
waive examination as I  
understand that the grand  
jury have found an indict-  
ment against me.

Bertha Heyman

Taken before me this

day of July

1908

Stewart  
Police Justice.

POOR QUALITY ORIGINAL

0866

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

POLICE COURT, First DISTRICT.

47 Bank  
Edward Sander

of No. 47 Second Avenue Street, being duly sworn, deposes and

says that on the 28th day of June 1883

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

Bertha Hoffman

did by means of certain false and fraudulent representations made to deponent, with intent to cheat and defraud him, obtain from deponent good and lawful money of the amount and value of forty dollars, under the following circumstances to wit. On said 28th day of June 1883, said Bertha came to deponent and told him she was stopping at the Hoffman House, in said City, and there falsely represented to deponent that she had a check for two thousand dollars, and asked deponent to let her have the said sum of forty dollars until she could get said check cashed, which was then in the safe of said Hoffman House. On July 1st said Bertha again sent for deponent, who went to see her at the Hoffman house where said Bertha falsely represented to deponent that said check was still in the safe at said house, and asked deponent for sixty dollars telling him she wanted said money for a friend, and that she would repay deponent as soon as she could.

POOR QUALITY ORIGINAL

0867

get said check from safe  
deponent believing said representa-  
tions to be true gave said Bertha  
said sum of sixty dollars.

On July 20 1883 said Bertha again  
again sent for deponent at said  
Hoffman House and falsely represen-  
ted to him that she was too ill to go out  
to get said check cashed, and asked  
deponent for the sum of fifty five  
dollars deponent believing said  
representations gave said Bertha  
said sum of fifty five dollars.

On July 4 1883 said Bertha  
gave deponent a package which  
said Bertha falsely represented to dep-  
-onent contained said check and  
other securities of the amount and  
value of eighty seven thousand  
dollars and asked deponent to  
let her have one hundred  
dollars on said package, and  
to put it in his safe as said date  
being a holiday she could not  
get said check cashed.

Deponent opened said

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition,

POOR QUALITY ORIGINAL

0868

package and found it to contain  
only letters and wastepaper.  
Wherefore deponent charges said  
Bertha with feloniously and willfully  
making said false and fraudulent  
representations to deponent, with the  
felonious intent to cheat deponent  
and deponent prays said  
Bertha may be <sup>arrested and</sup> held to answer  
for having obtained from deponent  
by means of the within mentioned  
false representations the sum  
of Two hundred and fifty  
five dollars

Edw. Sauer

Sworn to before me }  
this 9th of July 1888 }

Jacob B. Smith

Police Justice

Police Court District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

AFFIDAVIT.

vs.

Dated

188

Magistrate.

Officer.

Witness.

Disposition.

0869

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

POLICE COURT, \_\_\_\_\_ DISTRICT.

of No. \_\_\_\_\_ Street, being duly sworn, deposes and  
says that on the \_\_\_\_\_ day of \_\_\_\_\_ 188  
at the City of New York, in the County of New York, \_\_\_\_\_

45

Edwena Sander

vs

Bertus Heyman

July 9 - 1883

Sunder

Booker

60

*deposant*

0070

No. 129  
Bill ordered

<p>In the Matter of the Complaint of Theo = dore W. Morris - agst. - Bertha Heyman.</p>	<p>Affidavit of Com = plainant.</p>	<p>BEACH &amp; BROWN, Theo. W. Morris, Attorneys for Complainant, 120 Broadway, N. Y.</p>	
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0071

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

Theodore W. Morris of Freehold, New Jersey, but doing business at No. 27 Chambers Street in the City of New York, being a member of the firm of Theo. W. Morris & Co. importers and dealers in glass, being duly sworn, says, that at the times hereinafter mentioned he was the owner in fee of a small house and lot in Town of Southfield, Staten Island, in said State, which was then being occupied by a widow woman named Pauline Schlarbaum. That on or about the 1st. day of December, 1880, one Bertha Heyman called at his store No. 27 Chambers Street in the City of New York, and presented to him a letter from the said Pauline Schlarbaum introducing the said Bertha Heyman. That said Bertha Heyman then said to deponent that she desired to purchase said house and lot and present the same to the said Mrs. Schlarbaum, as that lady had been a very kind friend to her in former years and was now in very limited circumstances, while she,

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said Bertha Heyman, had been successful in business, had made money and now desired to reciprocate former kindness, and asked deponent what price he placed on the property. That deponent then said he would consider the matter and write her, the said Bertha Heyman, care of Mrs. Schlarbaum, in case she did not call on deponent in the meantime, and on December 6th, 1880 he wrote her that he would take \$3,500, half cash and half mortgaged over \$3,250, cash.

That thereupon and on or about December 7th, 1880 the said Bertha Heyman again called at deponent's store and said to deponent that his price was too high; that she was informed that the property was worth but \$2,500, and that as she was to pay cash and the purchase was an act of charity on her part she thought he ought to let her have it for that sum. That deponent finally agreed to take \$2,500., and the said Bertha Heyman desired him to have a deed executed to the said Mrs. Schlarbaum, which he did. That on Saturday morning December 11th, 1880, the said Bertha Heyman again called at deponent's store and stated to him that she had some money in a

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bank in Milwaukee, Wisconsin, which she desired to transfer to the City of New York, as she was going into the millinery business here, and asked deponent to collect for her through his bank a draft from her on said Milwaukee Bank. That deponent consented and thereupon she produced a blank draft on the Second Ward Savings Bank, and purporting to be printed in Milwaukee, and by her direction deponent filled out the draft for \$13,000. and she signed the same, saying to deponent that when the money was received he should retain the \$2,500. and she would call and get the balance and the deed.

That at the same interview the said Bertha Heyman stated that since she had first seen deponent it had come to her knowledge that a judgment had been recovered against the said Mrs. Schlarbaum, and thereupon she told deponent the following story, the whole of which deponent has since been informed and believes is untrue. She said that the husband of Mrs. Schlarbaum, had, prior to his marriage with her, been married and had a son; that he had agreed with his first wife to live separate and with her had signed a paper substantially divorcing themselves;

0874

that he then married the present Pauline Schlarbaum, who knew all about the former marriage and voluntarily divorced, and had then died leaving a piano and a library and a policy of insurance on his life; that Mrs. Pauline Schlarbaum had taken possession of the piano and library and had collected about \$1,000. on the policy; that the son by the first marriage had just returned from California and brought suit for the property and money, and that as Mrs. Schlarbaum was ill she had let judgment go by default, and that morning the Sheriff of Richmond County had appeared at her house with an execution and threatened to take possession, but she, said Heyman, had paid him \$25. to wait until Monday following before doing anything under the execution. Thereupon deponent advised said Heyman to see a lawyer about the matter and she said she had seen Messrs. Howe & Hummel and that they had advised her she could do nothing. That deponent thereupon gave her a letter to his own attorneys, Messrs. Beach & Brown, and advised her to see them and she took the letter and went away. That the same afternoon at about half past two o'clock

0875

3

the said Bertha Heyman again called on deponent and stated that she had seen Mr. Brown and he had advised her that if she could settle the claim of the son by the first marriage at \$500. it had better be done, and that the effort should be made at once and to that end she was then on her way to the Staten Island Ferry where Mr. Brown's managing clerk was to meet her and accompany her to Staten Island to see the young man who was down there, and close the matter of his claim at once if possible, which she thought would be done as she had herself seen him and he had expressed a willingness to accept that sum in full for his claim if paid that day. She then said that she hadn't the money and hesitated to ask deponent for the money as he had not yet got the money on her draft, and the only people she could refer him to for information touching herself were Jews and their places were closed on Saturday, but that if under the circumstances he would do it she would be able to follow the advice of deponent's lawyers, and save Mrs. Schlarbaum in her sickness from great loss, and that he would be perfectly safe in so doing as the draft was good and would be paid. That there appearing

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to be no other way to accomplish the object, and relying on the truth of her statements, deponent then and there gave her the five hundred dollars and took her receipt therefor and she left his store. That deponent has since been informed and believes that the whole statement made as aforesaid to him by the said Bertha Heyman touching Mrs. Schlarbaum and her marriage and the judgment and the execution and the claim of a son by a former marriage and the proposition for a settlement, were and each of them was untrue, as was also the intention of the said Heyman to purchase and present said property, and that the whole story was conceived and told to deponent for the purpose and with the intent to deceive him and defraud him out of said five hundred dollars.

And deponent further says that the said Heyman did not call on him for the said deed or the balance of proceeds of said draft, or for any other purpose thereafter, but that the next day, to wit, December 12th. 1880, she left the City of New York and went to Canada where she remained until Saturday the 26th. of February last when she returned to the City of New York.

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That afterward and on or about the 17th day of December, 1880, the said draft was returned to deponent protested for non-payment, and deponent is informed and believes that the said Bertha Heyman had no money in said Second Ward Savings Bank of Milwaukee when she drew said draft, and that the drawing of said draft and delivery thereof to deponent was a part of the scheme to cheat deponent and defraud him out of said five hundred dollars.

Sworn to before me this  
15th day of March, 1881.

Thos. W. Morris.

G. W. Marke,  
Notary Public.  
W. S. Co.



POOR QUALITY  
ORIGINAL

0070

Testimony in the  
care of  
Bertha Keyman  
filed July  
1883.

POOR QUALITY  
ORIGINAL

0079

The People  
vs.  
Bertha Heyman  
Indictment for grand larceny in the second degree

Court of General Sessions. Part I  
Before Recorder Smyth.  
Tuesday, August 21, 1883.

Herry Welsh sworn. I am third deputy clerk of this Court, I was holding that position on the 26th of Oct. 1881. I hold in my hand the minute book of Part 2 containing the minutes from May 24<sup>th</sup> 1881 to Feb. 23. 1882. I have the date October 26, 1881. There is a record of conviction of Bertha Heyman. "People vs. Bertha Heyman. On trial, false pretences Dec. 11, 1880, feloniously obtaining from Theodore W. Morris a certain sum of money of the value of five hundred dollars by falsely and designedly representing and pretending to said Morris that she intended to purchase a house and lot owned by said Morris on Staten Island; that she possessed great wealth and intended to present said house and lot to one Pauline Schaubann, that there was a judgment at law against said Pauline, that said Bertha intended the sum of \$500 to settle with the Sheriff of Richmond Co.

POOR QUALITY  
ORIGINAL

0000

2

N. Y., said representations being made with  
intent to cheat and defraud the same.  
Filed March 21. 1881. W. C. Beecher for the  
people. W. F. Kintzing for the defendant.  
Jurors balloted and sworn. The jury  
returned to the bar and say that they  
find the defendant guilty. On page  
234 of the same book: "The People vs.  
Bertha Weyman on conviction by ver-  
dict of obtaining money by false pretences,  
the defendant having nothing further to say  
re. judgment in the penitentiary of the city  
of New York for the term of two years: "in  
Friday Oct. 28. 1881. I believe that the  
Bertha Weyman now at the bar is the  
same mentioned in this record. She was  
duly and properly committed to the penitentiary  
Cross Examined. I was in the Court room at  
the time she was committed and when she  
was sentenced and I probably made out the  
commitment (Paper shown.) This is the  
commitment in my handwriting. To the best  
of my belief Bertha Weyman at the bar is  
the same as was committed at that time.  
When you say "judgment record" you simply  
refer to the copy of the minutes in your  
book, don't you. at "yes" in there is no  
judgment record made up in her case.

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Michael Kennedy sworn. I am now a keeper in the New York penitentiary and have been over ten years. I have known Bertha Heyman over two years. I saw her at the penitentiary; she was there as a prisoner on the 29<sup>th</sup> of Oct. 1887; she was held in the penitentiary under the commitment now shown to me. This person at the bar is the same person that was held under that commitment; she was held for twenty months; she was allowed four months commutation and served the full term less 4 months.

Edward Sanders sworn and examined through the interpreter. I live at 135 East 119<sup>th</sup> st. on the 10<sup>th</sup> of July of this year I lived at 43 Second Ave. I have known Bertha Heyman since the 28<sup>th</sup> of last June; she came in a carriage to call on me in the evening at my house on Second Ave. She said, I am very glad to see you; you are a relative of mine. I am a widow woman and have a very large fortune. I have \$187,000 in bonds and in money, and in Twelfth St. I have a house which cost \$45,000, and all that I shall manage for her. Then I said, I am not much satisfied to have such a rich relative. I would

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be more satisfied if you were not so rich because I have means enough. Then I said, "Was it necessary to come in a carriage?" It was great expense. Then she said, "Why am I such a rich person if I should not do that. It would be useless to be a rich person if I should not come in a carriage." Then I said it would have been more pleasant for me to have a poor female cousin here to take care of me and my son till my wife comes here. She said, "I am not that person. I am rich and I want to spend a few thousand dollars. I do not need to work." Then she left. The next day a messenger brought a letter to me. I and my son went to the Hoffman house; we found the prisoner there; she had five apartments. Then she said we should remain for dinner; we remained for dinner. Then we talked about different things; she mentioned about the bonds that she had lying there. I should dissolve with my partner and commence a business with her; she has money enough. I said I could not do that; that she could enter in our business as a third partner. Then she asked me that I shall introduce her to my partner then

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I and my son left, and the next day again I was in my office. Then coming home in the evening at six o'clock she said that I shall send my son to the hotel sometime; she has something to communicate. He came home in the evening, he was sweating very much and he handed me a letter. I read the letter; she was asking for money. I gave her money. I went to my partner and got forty dollars. I went to the hotel and gave it to her because she sent me a check for ten thousand dollars to be exchanged, and it was too late; the banks were closed already. She told me that the bonds for \$180 odd thousand dollars were deposited in the safe of the bank and I shall make out a power of attorney. I will go to the bank because she is ashamed to go there, it is not becoming for a lady to go. She said the bonds were in a savings bank in Broadway. She told me to call on her again, the next Sunday. I and my son. The next day Sunday when I came she told me that there is a friend of hers who needs money and that lady has a carriage and a horse and she wants to buy that carriage and horse from her lady friend, but she has

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has not got money enough; she needs \$60  
yet to make the amount for the carriage.  
I went quick home to my partner and got  
\$60. I went back to the hotel and gave her  
the \$60. There was a gentleman who was  
introduced by her to me as her groom to  
whom she was engaged. She said that the  
same man is the owner of the New York  
hotel in Broadway. The next morning she  
called on me in a carriage, a nice  
young horse and a nice carriage. She  
called me "dear uncle"; she said, "dear  
uncle" you cannot walk very well; here  
I will make you a present of this horse  
and carriage. She said "that is the same  
horse and carriage I bought from that lady  
friend for \$380. I told her, that is not nec-  
essary to go to such expense as that. I  
did not need that, "and she insisted that  
I should rent a stable to put the horse in.  
The same moment I did not know how  
to show her my greatfulness. I took the dia-  
mond ring that belonged to my wife off  
my finger and made it a present to  
her. I told her she shall keep that ring  
till my wife sends me another. She  
then put the ring on her finger and  
said to me, "Come into the carriage." Then

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I went to my partner and I said to him in her presence, "This is the horse and carriage that the lady made me a present of." She asked my partner what he thought the horse and carriage were worth? Then he said, it is of great value; it is a very fine horse and a fine carriage." She said then she wanted to take a ride with me in order to take the money for the ten thousand dollar check and also to get the bonds. Whilst we were riding in the carriage we passed the Elevated Railroad and the horse got shy. I got frightened because the horse was acting so. Finally we got to the hotel. Then she said to me I shall go in and call Mr. Larkins out from the hotel - that is, the contemplated bridegroom. I went and called him out. I saw him formerly and I recognized him in the hotel at once. He came out and sat in the wagon with her and they went away and I went home. I kept that horse and carriage about half an hour. I never saw it after Bertha Heyman and Larkins went off in it. Then she said to my son in my presence that she wanted to take a trip to Germany and that he should prepare himself; she said this to me and my son at the hotel. It was

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about half past nine or ten o'clock in the morning when she drove off with Larkins. I saw her again on the same day in the Hoffman house in the afternoon. She said, I will not remain any longer here, I want to remit you all the things, I want to go to Germany; she said next Wednesday she wanted to go to Germany and my son shall accompany her. My son when hearing this was glad about it and took his heavy gold sleeve buttons and made her a present. So that by this time she got the ring and the pair of sleeve buttons and I got the horse and carriage for half an hour and the hundred dollars. I said to her, "you can give me the check now, I will go for the ten thousand dollars; you need money and I have no money any more, then you will have money at your disposal." Then she said, I gave the check to the hotel keeper, and in that package there is altogether eighty seven thousand dollars in diamonds money and the check. She said, "I cannot get the package out before I pay the bill at the hotel." Then she went down stairs and a gentleman came up; she called him by the name of Reed; she went out of the room with him and came back again and said, "he would not give me

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the package till I pay the bill," I have to procure money for her. I had no money and my partner was not home. Then I took my watch and chain and went to a pawn broker and got \$35. When I gave her the money she took it and said, it is too late now. I went back from the pawnbroker's to the hotel and gave her the money. Then she sent down to ask if the man was there to bring up the package. Some servant in the house came back and said he will not be here before 9 o'clock. She told me to go home and I went. The next day I received a letter from her saying that she was very sick. I called quickly at the hotel, the Hoffman house, with my son; she was lying in bed saying that she was sick and there was a lady also attending her. Then she said to me in a very sick voice, "I am very sick, I will die." I took very much pity on her. It was then Tuesday I believe, and me and my son remained there a few hours; then we went home; she told us to go home, it is not becoming for gentlemen to be near a lady all the time because the hotel keeper sometimes comes up and it is better for us to leave, and then we went home. The next morning I went with my son

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to the hotel again to see what she was doing; she said, "the lady friend of whom I bought that horse and carriage lives in 126 <sup>that</sup> and she is moving away now and she will be away for four months; "she said, I rent that house for you for four months for two hundred dollars; that I should go for the lawyer, that she wanted to make out a lease for the house. I then went to Mr. Wolfrum. There was a lawyer too. She said before I went to Mr. Wolfrum I have to bring a hundred dollars along also when I come back. Then I borrowed a hundred dollars from Mr. Wolfrum and came back with the lawyer also. I gave her a hundred dollars to pay for the house, and the lawyer commenced making the lease out - I thought it a little strange that we would have to make out a lease for four months. The lawyer said it was not necessary. Then she said the lawyer may go; the lawyer left and I remained about an hour there with my son; then Mr. Larkins came; then she said, I have to go; she begged me to leave because she wanted ~~to~~ talk with her intended, and so we left. In the afternoon she wrote a letter to Mr. Wolfrum begging him to call on her; Wolfrum

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went there and she got two hundred dollars from him. I was not there then. On the 4<sup>th</sup> of July she came with that package, which was sealed up; she said I should put it in Mr. Wolfram's safe. I shall be careful not to open it till she is all right in good health again and she comes down again; she said, there is eighty seven thousand dollars worth in it of diamonds, bank books and checks. This was the same package she had in the Hoffman house; it was brought up from down stairs. I went to Mr. Wolfram and gave the package to him that he shall put it in his safe. I did not see her till the next day; she called on me, it was in the morning about ten o'clock, she came in a carriage to see me; she said, "Where is that package?" I said, "You know I have not got the package here, I left it with Mr. Wolfram;" then she got angry and said, "I am going back to the hotel, my dress maker is waiting for me, and at two o'clock when she comes back here I must have that package. I sent to Mr. Wolfram and begged him to send me that package. I could not get the package because she talked to Wolfram and said that I am a very bad man. I did not get

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B. J.

the package from Mr. Wolfram. I saw it later after Mr. Wolfram opened it in the presence of the lawyer the same day. I saw the package, but I was not present at the opening. The package that I saw opened afterward was the same package and the same covering that Bertha Heyman had given. The contents of the package was all newspapers, old letters and some old pictures. There was no money or diamonds or bonds in it. I believed the statements that Bertha Heyman made to me from time to time. I parted with the possession of my money and ring to Bertha believing that her statements were true. I expected to get the money back from her.

Wednesday, August 22. 1883.

Cross Examined. She gave me a sealed package mentioning that there was in it \$84,000. I have in my possession of hers a valise which was delivered to me—it is a small traveling bag. I have it home. I wrote a letter to the defendant when she was on Blackwell's Island requesting her to call upon me. That was the first correspondence or acquaintance that we had; she has not repeatedly asked me to return that letter. I do not know

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where the letter remained. I have been in this country five months. I have been here before. I first came here in 1865 and remained here about six years. I was a teacher and preacher for that time in private societies, in synagogues. I had my own school and taught Hebrew, German, Latin and Greek. I speak a few words in English. I always spoke to the defendant in German. I did not go to the penitentiary to see her. In 1871, I returned to Germany and went into business there, the banking business in Hamburg and in ~~Hamburg~~ Berlin; it was not a lottery business. I was not in prison in Hamburg and was not arrested there. I have not a sister named Schein; her name is Schein. I know the prosecuting officer in Hamburg, Dr. Newman. ~~At this time~~ Now on the 17<sup>th</sup> day of March ~~1875~~ <sup>of this year</sup> did not Dr. Newman prosecute you on the complaint of Frau Heinrich for false pretences? He <sup>Interpreter</sup> knows what you refer to. By the Court, ask him if Dr. Newman of Hamburg prosecuted him for false pretences in March 1875? Dr. Newman called it lottery because it was some lottery tickets of a certain

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series that were drawn, bonds. I was not prosecuted for that fraud. The proceedings took place after I arrived in New York. Is it not a fact that he ran out of the Court room, he ran away while the trial was in progress when the Court adjourned. Those proceedings took place in my absence while I was away. Dr. Newman prosecuted me for what he called a "fraudulent lottery." When the first investigation took place I was present. He says, "those are lies, I can prove them to be lies, that I ran away. I was prosecuted criminally in the city of Hamburg in January, February and March of this year. There were shares drawn and bonds sold and the District Attorney of Hamburg said that he considers it a lottery. There was a judgment against me. These criminal proceedings lasted six months. At the commencement I was in Hamburg but I did not run away to avoid the suit. I was not arrested. I just left Hamburg as I would leave it when I went to Paris and London, openly as I used to leave on business. Whilst I was here a judgment was passed that it was a lottery and I do not know exactly what was done with it. My wife wrote me something about it. If a

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person is absent from Hamburg and there is a proceeding against him for such trifles they make a great fuss about it. Ask him if three years is the punishment for that trifle? It is a lie. The newspaper now shown me is published in Hamburg. Do you swear that you were not sentenced to three years and six months for false pretences. Yes or no? I do not swear to it because I do not know anything about it. I have an artificial leg. You lost one leg in a place called Rawitch, in Germany? I won't answer any question unless the writing that you have in your pocket will be given back to me. I lost my leg in Holstein, I sprained my leg and I was in the hospital there in Keil and it was amputated. Did not you run away? I would not answer any more. Ask him if he was ever in prison in Rawitch in Germany? I would not answer that question. I have no need to answer that. By the Court. Tell him he must answer it. If he does not, I will take means to make him answer it. Thirty years ago I was punished. I was in prison in Rawitch. I made use of a certificate and attest; it was a forgery and the one that made the certificate

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was let go and I was punished. I lost my leg nine years ago. I was in prison in Rawitch two years, and that was thirty years ago. I did not lose my leg in escaping from the prison in which I was confined. I know Mr. Wolfram, whose name I have mentioned. I received from Bertha Heyman the package of which I have spoken on the 4<sup>th</sup> of July. I did not give her any money after I received the package. I gave her money on the same day I received the package in the forenoon. I wrote a letter to Bertha Heyman a few days before she came to call on me. I put it in the post office. I have not seen it since. My nephew put on the direction, "Blackwell's Island penitentiary" that she is sick there. There are no letters in the valise which I have -; she has only soiled linen there. She called on me four or five days after I wrote the letter. I wrote the letter on account of my nephew. "Why did you put veice on it? Because he said, 'she is a cousin of mine.'" "Why did you call her your cousin? Because I do not know her, but her mother is my cousin. When she called upon you did not you propose to her that she should join you in a scheme, you representing that she

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was a woman of great wealth by which you and she together were to swindle Mr. Wolfram of as much money as you could? No, she cannot tell me that. Mr. Wolfram was my partner. Did you not tell Bertha Haysman, that you would induce Wolfram to take her in as a third partner upon the representations that she was to make? I said so yesterday because she said herself she had so much money she wants to become a third partner in our business. Did you not in her presence tell Wolfram long before the 4<sup>th</sup> of July that you wished her to join the firm as a third partner on account of her extreme wealth? Yes, I said so. I did not tell Mr. Wolfram long before the 4<sup>th</sup> of July that you had \$80,000 worth of her bonds in my possession. Wolfram is yet my silent partner; he is traveling in the country, he is not home. On the 5<sup>th</sup> of July did not Mr. Wolfram have you arrested upon the charge of swindling him, "yes" or "no." No sir, he said you are misleading the jury. Mr. Wolfram never threatened to take any proceedings against me. I never had any difficulty with him about this woman. She requested Wolfram to come to the hotel and there she got two hundred dollars

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out of him. Was that after giving information about your true character? No sir.

Redirect Examination Mr. Wolfram went about two weeks ago with his wife into the country. He is traveling. I do not know where he is. Wolfram is a silent partner in my business. His name is not up in the business; it is not the lottery, but bond business. I opened the business on the 1<sup>st</sup> of July at 212 Broadway last year. Mr. Wolfram's name is, Gustav. George Wolfram. I have a sign up, "Edward Sanders & Co. buying and selling European government bonds and securities. Deals in Prussian, Russian, Austrian, German and Italian securities. They are issued by the governments of those countries and redeemed from time to time by drawings. I do not know that my office was formerly occupied by the Louisiana Lottery Co. I never saw a lottery ticket yet.

Charles Cush sworn. I am a detective sergeant of this city and arrested the defendant sometime in July. I think it is the 20<sup>th</sup>. I am certain. Edward Sanders made a complaint against her. I arrested her in Paterson, N.J. that same day. I did not have a great deal

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of conversation with her. I told her what I arrested her for; she said she could explain. I told her I had a warrant and I arrested her on the complaint of Edward Sanders of beating him out of \$255. I think was the amount; she told me about the ring and the buttons that she got. She laughed over it and said he made her a present of the ring and a pair of sleeve buttons of his son. What did she say about the \$250? We did not have much conversation about that. She did speak of it, but I do not recollect what it was. I asked her about the coupe, if she made it a present to him? She said she did not do any such thing; she told me when the trial time come she could explain everything; she would not talk any further. I know where Mr. Sanders' office is - 212 Broadway, room 3; I have visited it; it is above Knox's hat store; there are a number of offices on the floor and his name is on the door. I think Edward Sanders, banker is on it.

#### The Case for the Defence

Bertha Heyman, sworn and examined, testified in her own behalf. About ten days before I was discharged from the penitentiary I received letters from Sanders inviting

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me to call at his house when I am free and to make his house my home. I went there on the 28<sup>th</sup> of June in the evening about 9 o'clock. When I arrived there he had company and he asked me to remain right there. I told him I had been invited to go to the Hoffman house. I will come in a day or two, I will see him tomorrow. He asked, "Can I come in the morning with my son?" I said, "Certainly, and he did call, and when he came he told me that his chief desire was that I should dress myself; he wished to make life pleasant for me, he is sorry for me. He asked me if I had any money? I said, No. I did not have any money. He said he was rich enough for us all, he is very glad that he can aid me. He then asked me any time I wished, <sup>for money</sup> to send ~~to~~ him. The first time I wrote to him to let me have forty dollars. He did so, he brought it himself and I received it. He said, you must never think of paying me back; any amount you want always ask me and I shall give it to you." The same evening he asked me to call at 43 Second Avenue and a very handsome bouquet was presented to me. He said it

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is from the German consul; he is my partner. I want to take you to him, he is a very rich man; he is going to call on me this evening. You must not mind what I talk to him, I told him I expected a niece from Chicago. I had never heard of or seen Sanders until I received a letter from him when I was in the penitentiary. He told me then he knew me when I was a little child and he felt so very sorry, he had me on his knees. I must not mind what he said to Mr. Wolfram because he did not want him to know that I had been in the penitentiary; it would not be very nice to think of his relative being in the penitentiary. When Mr. Wolfram arrived he was introduced to me. He said, "this is my niece from Chicago; she is a widow, she is very wealthy and I think she can be induced to become a third partner in my business. I left and the next morning he called first and Mr. Wolfram came afterwards to the Hoffman house. When Wolfram asked me where I lived I told him the Hoffman house. He said, "your uncle told me the Fifth Avenue." I said he made a mistake. So the next morning Mr. Sanders and his son called

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and just after that Mr. Wolfram came and he again sent me a handsome basket of flowers - Wolfram. They both sat a little while and left. Sanders asked me if I wished any money? I said, yes. He said, he had plenty to spare; he wanted me to take all I wanted; he gave me sixty dollars. That was the second day. The next morning he called again telling me that a brother-in-law of mine was in the city, his nephew, but he did not wish me to go with him to Chicago as ~~the~~ <sup>my</sup> brother ~~of~~ sent this nephew of his to take me to his home. My brother is married to his niece. He said he did not wish me to go there because he wants me to make his home my home. "You see" we live elegant, you have got more time than I. I want you to go up town and see if you can get a suitable place to live until my wife arrives. I said, if he was so rich, he can keep a Superintendent. I will superintend the household. He says, "you can stop with me." He had only a front basement at 243 Second Avenue and a bed right in the room; he said, I will get a room adjoining this room for you extra. At the same time he called

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the landlady down that was there when I went to his house. He took me over to his house and he called the landlady down and made arrangements for me to stop at his house. The same evening he says to me. I have a plan, I am a very honorable man, I only want you to aid me a little until my daughter comes from Europe, she will bring me sufficient means to go on in this business, as he represented himself to Wolfram, and I only allow him to do all he wants with Wolfram and help him to represent myself as a rich lady having great means. I was to say to Wolfram that all he says is correct. I did so. Then I found out that that was about the 3<sup>d</sup> of July - my brother in law, called his nephew, he says, "Why is my uncle so attentive to you? He would let me die for the want of a dollar, he would not give you a cent, he buys you everything you wish for and gives you money in my presence. I do not know what for, you beware, he has been in prison because he wants to do some thing; he said, 'you look out for him' because he knew his sentence in Hamburg for three years and nine

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24 months to the State prison and four years for the loss of his honor, and he escaped to England and came to this country, and he told me that his letters and everything came under cover still, and that his son joined him here, not knowing any one in Hamburg and that he supposed his daughter knew. I was frightened, I thought he was not the man as he represented himself. I sent for Mr. Wolfram writing him a letter and begging him to call on me, that I wished to state certain things I heard about Sanders. When Wolfram arrived I told him, I have to explain to you; it is a very hard trial. I have been misrepresented by Sanders to you, I have just learned that he has been in prison, and I asked him had he any security from Sanders that he is what he represents himself to him? He said, "No, I can find out very shortly." He then and there took a coupé at the Hoffmann house. He went down to a banking house, and when he came back he told me that my story was correct so far he says, and that he has already written to find out the difference, and he says, "Well, if you are situated as

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you told me, I suppose you are in need of money." I say, I am. He says, "How much do you need? I told him that my trunks were in Canada and to recover them I would need about \$100. It was the 4th of July. He said he would give it to me and send it by his clerk, but his clerk did not come, but he came and sent me an envelope and sent \$200 through the office boy. I went down stairs after him and thanked him for it. Did you ever represent to Sanders that you owned the coupe which you had given him? No sir. Did you make any representations to Sanders to induce him to give you any money that you owned any bonds or any property? No sir. You told him the first interview you had nothing, it was his proposition for you that he should be permitted to ~~represent~~ represent you as rich to Wolfram? Yes sir. You consented to what he had to say in Wolfram's presence? I was quiet. I did not misrepresent myself. I allowed him to say everything that he said to Wolfram and I said nothing. You were a party to the false pretense, you sanctioned his story did not you, you aided him by your silence? Yes sir I did. And that was a

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scheme to get money from Wolfram? Yes sir.  
In which you joined? Yes sir. I gave Sanders  
a parcel containing very important letters  
for me and told him so at the time. Those  
are very valuable letters for me, and  
he told me that he had a safe in his  
office and he locked them in there. Did  
you tell him that that parcel contained  
money, bonds, bank books and diamonds  
worth \$180,000 or anything of that sort? No sir.  
I never told him I owned any money. I  
gave Sanders \$100 of the \$200 I received  
from Wolfram. I have been trying to find  
Wolfram ever since I have been in the States.  
Nobody was present when I gave him that  
\$100; it was in his own house. Mr. Sanders  
spoke to me in broken English. Did Sanders  
ever tell you anything about his conviction?  
Yes sir. He told me the 5th of July; he sent for  
me, I should call on him and I called on  
him with my brother in law Adolph Sanders.  
He was here at the time, but now lives in  
Chicago; he lived when in New York at 228  
West Thirty Sixth St. I got the money from  
Wolfram on the 4th of July and Sanders  
did not get out the warrant for my arrest  
till the 9th. The 5th of July he sent for me  
and I called at his house with my brother in  
law.

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and he sent my brother-in-law out of the room and begged me for God's sake to help him to get the parcel from Wolfram for he represented to him that in that parcel was so much money. I said I would not do that, I have had so much trouble. He says, I have got \$200 from Wolfram the 4<sup>th</sup> of July, and he says, I want you to give him \$100. I did give him \$100 and left him and that was the last I saw of Sanders; that was on the 5<sup>th</sup> of July. I was sent to the penitentiary for obtaining money from Mr. Morris by false pretences and I was guilty. I never have been convicted before that I have been arrested before and discharged by a jury. The first time I was arrested was on the 8<sup>th</sup> of February 1880 in London, Canada for obtaining money by false pretences and was discharged after eleven days, and from there I came to New York and when I arrived at the depot I was rearrested. I came to New York in 1881. I did not know at the time what I was arrested for, but afterwards I found out, I was taken to Staten Island, Richmond Co. for obtaining money under false pretences. I had my trial on the 29<sup>th</sup> of June 1881 and I was acquitted by a jury in Richmond Co. and there in the Court

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house I was rearrested on Morris' charge and taken to the Tombs. There I waited for trial for four months. I came here and was found guilty and sentenced to two years in the penitentiary. It was whilst I was undergoing that sentence Sanders came to me. I never heard of him before. He told me he read in the newspapers that I was very smart and we could be millionaires together. Cross Examined. I mean to say that the only times I have been arrested was once in Canada and twice in this State; all these times I was arrested for obtaining money by fake pretences. My name was frequently in the newspapers. The Police and the newspapers call me the Confidence Queen. My portrait was taken at Police Headquarters when I was rearrested and brought here from Richmond Co. I left the penitentiary on the 28<sup>th</sup> of June. I did not have any money when I left there. I went to the Hoffman house. Mr. Reed assigned rooms to me. Mr. Cassius M. Reed, the proprietor, invited me there. I stayed there five days. Mr. Larkins of the New York hotel paid my bill there. I was invited by Mr. Reed through

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Mr. Larkin to make his house my home. Mr. Reed told me with his own lips that when I came there I was not expected to pay my bill, I was invited to be his guest. I did not accept his invitation. He brought me up himself to the rooms. I got the coupe at the Hoffman house in which I rode to Mr. Sanders. Mr. Larkins paid for that, it was in the bill. I most always went in a carriage to Mr. Sanders. That was part of Mr. Reed's invitation; he told me any time I wished to drive and wanted a coupe' to call on him. I stayed there five days and then went to Paterson, N. J. I went there to escape arrest. I did not know there was a warrant issued for me on the complaint of Sanders. On the 5th of July he told me in his own house there was an old gentleman going to have me arrested and he was going to second it if I did not join him in that scheme. I knew the old gentleman, but I had no business with him of the confidence kind that I was afraid of. I left the State because I wanted to avoid trouble. I was sick. I arrived in Paterson on the 5th and I stayed until the following Monday. It was on the 4th of July I obtained two hundred dollars from Wolfram; the next Monday I was

0908

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arrested. I was not arrested on a requisition. Officer Cask came from here. Sanders said he wanted to get Wolfram in partnership and that he should give him all the money he needed, and he could fix up his office, which he really did, and he wanted to have his name in the business he said he told him only until his daughter comes from Europe, she would bring him means and funds again that he can make his promise good to Wolfram. He drew money all the time from Wolfram. He represented to Wolfram that I was a very rich woman and that he wants me to invest ten thousand dollars with Wolfram and the rest of my property he is going to keep, and he wants Wolfram to look around in real estate business and manage the rest of my property. I am a married woman and have been married twice. I think both of my husbands are living. I could not tell you where, I do not know. My last husband's name was Heyman. I saw my last husband for the last time on the 6th of November 1880 at the Hotel Brunswick. I was stopping there with him. I left him. I did not ask Wolfram for any money; he came and proffered it to me. I told him I wanted \$100 to redeem

0909

my trunks in Canada and he gave me two hundred dollars. Sanders told ~~him~~ with his own lips that he gave that parcel with my letters representing bonds and checks and told him that that was in the parcel. Wolfram gave me money after I stated to him the way I was situated. I gave Sanders half of the money I got. That was according to an agreement I had with him - any money he got from Wolfram he would give me half and any money I would get from Wolfram I would give him half. I divided fairly with him. I did not go to Wolfram and tell him that Sanders was a bad man. I sent a note and told him that Sanders was putting up schemes to defraud him of money. I thought it was my duty to do so although I am popularly known as the Confidence Queen I have been arrested three times for obtaining money by false pretences. I left the city because Sanders told me he was going to have me arrested if I did not sustain him in getting the parcel from Wolfram. I did not get any parcel from Wolfram containing any checks or diamonds or money. I let Sanders represent that to be a fact but I never told Sanders so. I did not give him that coupe

0910

32

I never knew where Wolfram's office. I drove down to Sanders office and he said he was going to ride with me; he drove around to Wolfram's and he said to him, "Here my niece has presented me with a nice handsome buggy and one horse. I am familiar with horses and have drove them frequently when I stopped at the New York hotel and when my husband drove his horses out I used to drive sometimes. For that matrimonial team you usually drive? Not usually, no sir. Was it not for that reason your husband left you? No sir.

To Mr. Howe. Mr. Reed has been to see me since I have been in the Tombs. I transacted some private business for him and that is the reason I was invited to the Hoffman house by him. Sanders proposed that he and I should scheme together to induce Wolfram to go in partnership with him and said to me that he would make representations as to my property in Wolfram's presence and I was to sanction it. I went into it for the purpose of helping him to swindle Wolfram. The parcel spoken of contained my private letters and pictures I had a parcel in the safe in the Hoffman house containing a ring, a watch and a bracelet.

0911

Edward Sanders recalled by District Attorney  
Bertha Heyman never gave me any  
money. It is not true that I received from  
her \$100 on the 4<sup>th</sup> or 5<sup>th</sup> of July. I did  
not threaten to have her arrested.

Bertha Heyman recalled by General  
I married my first husband on the 20<sup>th</sup>  
of Nov. 1871 and was divorced from him  
on the 28<sup>th</sup> of April 1876. I brought that suit.  
I afterwards married again.

The jury rendered a verdict of guilty.

09 12

BOX:

107

FOLDER:

1147

DESCRIPTION:

Hollender, Emil

DATE:

07/13/83



1147



0914

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Emil Droller*

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

*Emil Droller*

of the crime of murder in the first degree,  
committed as follows:

The said *Emil Droller*  
late of the *Frist* Ward of the City of New York, in the County  
of New York, aforesaid, on the *eighteenth* day of *June*  
in the year of our Lord one thousand eight hundred and eighty-*three*  
at the Ward, City and County aforesaid, with force and arms, in and upon one  
*Frank Rodemacher*  
in the peace of the People of the State of New York, then and there being, wilfully,  
feloniously, and with a deliberate and premeditated design to effect the death of *him*  
the said *Frank Rodemacher* did make an assault, and the said  
*Emil Droller* a certain *pistol* then and  
there charged and loaded with gunpowder and one leaden bullet, which said  
*pistol*, the said *Emil Droller* in his right hand then and  
there had and held, to, at, against, and upon the said *Frank Rodemacher*  
then and there feloniously, wilfully, and with a deliberate and premeditated design to  
effect the death of the said *Frank Rodemacher* did shoot off  
and discharge, and the said *Emil Droller* with the  
leaden bullet aforesaid, out of the *pistol* aforesaid, then and there, by  
force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, the  
said *Frank Rodemacher* in and upon the *abdomen* of the said  
*Frank Rodemacher* then and there feloniously, wilfully, and with a deliberate  
and premeditated design to effect the death of *him* the said *Frank Rodemacher*  
did strike, penetrate, and wound, giving to *him* the said *Frank Rodemacher*  
then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth,  
and shot out of the *pistol* aforesaid, by the said *Emil*  
*Droller* in and upon the *abdomen* of *him* the said  
*Frank Rodemacher* one mortal wound of the breadth of one inch,  
and of the depth of six inches, of which said mortal wound *he* the  
said *Frank Rodemacher* at the Ward, City and County  
aforesaid, from the said *eighteenth* day of *June*  
in the year aforesaid, until the *twenty second* day of *June*  
in the same year aforesaid, did languish, and languishing did live, and on which  
said *twenty second* day of *June*  
in the year aforesaid, the said *Frank Rodemacher* at the Ward,  
City and County aforesaid, of the said mortal wound did die.

09 15

And so the Grand Jury aforesaid do say that the said Emil Droller ~~him~~, the said Frank Rodemacher in the manner and form, and by the means aforesaid, at the Ward, City, and County aforesaid, on the day aforesaid, and in the year aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of ~~him~~ the said Frank Rodemacher 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.

SECOND COUNT: And the Grand Jury aforesaid, by this indictment, further accuse the said Emil Droller

of the CRIME of murder in the first degree, committed as follows:

The said Emil Droller late of the First Ward of the City of New York in the County of New York, aforesaid, afterwards, to wit: on the eighteenth day of June in the year of our Lord one thousand eight hundred and eighty-three at the Ward, City and County aforesaid, with force and arms, in and upon one

Frank Rodemacher

in the peace of the People of the State of New York, then and there being, wilfully, feloniously, and of his malice aforethought, did make an assault, and ~~the~~ the said Emil Droller a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said Emil Droller in his right hand then and there had and held to, at, against, and upon the said Frank Rodemacher then and there feloniously, wilfully, and of his malice aforethought, did shoot off and discharge, and the said Emil Droller with the leaden bullet aforesaid, out of the pistol aforesaid, then and there, by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, the said Frank Rodemacher in and upon the abdomen of him the said Frank Rodemacher then and there feloniously, wilfully, and of his malice aforethought, did strike, penetrate, and wound, giving to him the said Frank Rodemacher then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the said Emil Droller in and upon the abdomen of him the said Frank Rodemacher one mortal wound of the breadth of one inch, and of the depth of six inches, of which said mortal wound he the said Frank Rodemacher at the Ward, City, and County aforesaid, from the said eighteenth day of June

in the year aforesaid, until the twentysecond day of June

in the same year aforesaid, did languish, and languishing did live, and on which twenty second day of June in the year aforesaid, the said Frank Rodemacher at the Ward, City and County aforesaid, of the said mortal wound did die.

And so the Grand Jury aforesaid, do say that ~~the~~ the said Emil Droller, him the said Frank Rodemacher in the manner and form, and by the means aforesaid, at the Ward, City and County aforesaid, on the day aforesaid, and in the year 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.

JOHN McKEON, District Attorney.

09 16

People

M

*[Handwritten signature]*

*[Handwritten signature]*

0917

Court of General Sessions.

-----x  
The People :  
- vs. - :  
Emil Hollander. :  
-----x

The learned Judge is requested to charge the following points:

I. Where the defense is self-defense it is necessary to prove "that the assault was so fierce as not to allow the prisoner to yield a step without manifest danger to his life, or serious personal injury; and then in his defense, if there be no other way of saving his own life, he may kill his assailant."  
Wharton on Homicide, Sec. 506.

II. That the killing of one who is an assailant must be under a reasonable apprehension of loss of life, or great bodily harm, and the danger must appear so imminent at the moment of the assault as to present no alternative of escaping its consequences but resistance.

Wharton on Homicide, Sec. 506.

III. If there be nothing in the circumstances attending the attack of the assailant indicating to the slayer at the time of his act that his assailant is about to take his life, or to do him great bodily harm, but his object appears to be only to commit an ordinary assault and battery, and that no weapon is used, it will not excuse a defendant in taking his assailant's life.  
Com. vs. Druin, 8 P. F. Smith, 1.

IV. That the attack of Radmacher must have been so violent that retreat would not have diminished but increased the danger to the prisoner to justify the latter in killing his assailant.

V. That under no other circumstances except those of grave and reasonable apprehensions of some immediate and serious danger to his person can the prisoner be justified in a resort to fire-arms in return for a blow of the fist already given. And if the fatal wound was inflicted by the prisoner in response to a blow given by the naked hand in the heat of passion and without reasonable and grave apprehensions of immediate serious injury to his person, it is manslaughter in the first degree.

PENAL CODE, Sec. 26. Rule when act done in defense of self or another.

An act, otherwise criminal, is justifiable when it is done to protect the person committing it, or another whom he is bound to protect, from inevitable and irreparable personal injury, and the injury could only be prevented by the act, nothing more being done than is necessary to prevent the injury.

0918

Court of General Sessions

The People vs.

vs.

Emil Hollender.

Testimony

Peter B. Olney  
Dist. Atty.

0919

Court of General Sessions  
The People  
vs.  
Emil Hollender } Homicide  
Testimony.

Elizabeth Harman says, I was standing on my stoop at No. 5 Varick St. on June 18, 1883 when the shooting took place. I saw Mr Rademacher strike Mr Hollender in the face, he <sup>was</sup> staggered by the blow. They had been a conversation between them about cutting down a line, after the blow Mr Hollender gave one step backwards, drew his pistol and fired. Mr Rademacher stood still about 5 or 10 minutes after being shot and kept scolding Mrs. Hollender who had called him a mean fellow. I could not hear what was said. Mr Rademacher then walked towards the corner, and I went into the house. After Mr. Hollender had fired the shot he went into his house backwards.

They had a quarrel 3 weeks previous to that on a Saturday night. Mr Hollender was then in his store quietly attending his business when Rademacher came there and tried to provoke a quarrel. I could not hear what was said. Mr Rademacher told Mr. Hollender to suck his behind and if he would come out he would lick

0920

himself

Emma Freitag says I reside at 134 Franklin St. I was standing outside the store door Mr Hollender came and complained about Mr Rademacher cutting the line of his awning, Mr Rademacher came along from the corner he was very excited and stopped to listen without being spoken to and joined in conversation, and said I believe you said I cut the line, I said you ought to settle this in a quiet way without quarrelling over such a trifle. Mr Hollender replied we can settle it in a quiet way, he was quite cool, but seemed to be afraid as if he did not wish to fight. I said Mr. Hollender you did not see him cut the rope and therefore you cannot say he did it. Mr Hollender ~~only~~ replied no, I only guessed so." Mr. Rademacher struck him with his clenched fist in the face. Mr Hollender staggered a few steps backwards under the blow. I retreated to my door I wanted to get out of the way. I heard Mr Hollender say "do you see this, do you see this." he said it twice, he must have stood there about 3 minutes and then fired. Immediately after the firing

0921

I went into my store, and locked the door. I came to the door about 3 minutes after the shot Mr Rademacher was still there I did not think he was hurt. Mr & Mrs Hollender send for me & I went to their store they said they were going to the Police Station to have Rademacher arrested for striking Mr Hollender. Mr Hollender always appeared to be a quiet in offensive man. The shooting took place in front of my door. After Mr Rademacher had struck Mr Hollender I retreated towards the door and immediately on reaching my door I heard and saw the shot fired. Mr Hollender's face was discolored by the blow from Mr Rademacher's fist. Mr Hollender had been sick with pneumonia 2 or 3 weeks before the occurrence, and appeared to be weak and in a sickly condition.

Peter Naton says I am a Police Officer of 5<sup>th</sup> Precinct on June 18, bet. 10 + 10.30 P.M. Sergeant Thompson was on duty at the time. Mr. Rademacher came in and said he was shot, I was there at the time, the Sergeant asked him where he was shot he pulled up his shirt, and I saw a little round hole about an inch over the navel, I then wanted to take him to the Hospital, he walked about 25 feet and could go no further I brought him back, and the Sergeant sent for an

0922

ambulance. The captain came in meanwhile & told me to arrest Hollender, I went there & asked him what difficulty he had with Rademacher. He said "He struck me first" I said, "walk around to the station house the captain wants you, when we got there the ambulance had arrived, Mr Rademacher identified Hollender as the man who had shot him. I then went to the store and got the pistol.

Mr Hollender's eye was all red and swollen from the effects of a blow. The station house is a block & a half from the scene of the occurrence and the hospital is about 5 blocks from the station house.

Carolina Rademacher, says I reside at 132 Franklin St. Deceased was my husband. I was looking out of my window on the first story over the store, I saw Hollender shoot my husband, I followed him to the station house, when I got there he was laying on a stretcher. It was only about 3 minutes between the time the quarrel commenced and the shooting took place.

0923

Emil Hollender says:- I reside at 149 Franklin St. I keep a store at No 132. opposite, I had been sick in bed for over 14 days, I do not feel quite well yet, I was in a very weak condition on the day of the shooting. I was sitting in front of my store, about 9.15, to take the fresh air, Rademacher came and asked why I didn't lower the awning a little, I told him it had not been down that day, it was a cloudy day. I saw that the shutters of his window could be shut, and told him he could close his shutters, I sat down again, about 5 minutes later he came again, swearing at me, calling me names and threatening to break my neck and cut my throat, and shook his fist under my nose. <sup>He then left,</sup> I was alone and went in the store and remained there. I spoke with Mrs Freitag and Rademacher came along, she said to him can't you keep peace with Mr. Hollender, you are neighbors. He said that I had said he had cut my awning. I said I guessed he had cut it, I said I guess so yet. Rademacher then struck me on the right eye, my nose and mouth were bleeding. I have the mark yet. It was an awful blow and struck me senseless, I fell back, I only know so much I took the pistol and saw him coming at me again when I shot him. I had the pistol in my coat pocket. I could not defend myself as I am sick and my right wrist is broken, I never have been in a fight. I was just about closing my store, I always count my

0924

money and take my pistol in my pocket and walk home. I put <sup>the money and</sup> my pistol in my pocket to take it home or it would not have happened. I had quarrels with Rademacher most every week, He threatened me continually. I was afraid of him I could not content myself with him or protect myself against him if I did not have some weapon to defend myself with, he was a very powerful man & I am sick and delicate. After the quarrel my wife brought me a little water and brandy to refresh me or I would have gone right home.

Charles Biel says:- I reside at No 357 Madison Street, I do not know Mr Hollender, I was acquainted with Rademacher about 13 years we belonged to one society. I am agent of some houses in Madison St. He wanted some rooms from me & offered him some. He had some grievances against me about the rooms, one night he came in front of the door with a knife in his hand, and said to my son, tell your old man to come out I will pull the guts out of him. My son was sitting on a coal box and said my father would not be so low as to fight, when he made a plunge

0925

with the knife at my son, and it took the  
combined efforts of my wife and brother in  
law to wrest the knife from his grasp.

0926

Answered

April 5<sup>th</sup> 1884.

J.P.O.



0920

COURT OF GENERAL SESSIONS

The People, &c.

*Murder*

vs.

*Emil Hollender*

PETER B. OLNEY,  
District Attorney

*Testimony*

0929

General Sessions  
People  
vs.  
Hollender

Testimony

Elizabeth Harmon 5 Varick St. "I was on my stoop + saw Hollender in front of Freitag's store, I heard words between Hollender + Rademacher about cutting a line + saw Rademacher strike Hollender with his fist, Hollender staggered + said "Oh." He drew his pistol and fired. between the blow + the firing of pistol was about 3 minutes. Mrs Rademacher stood still and scolded Mr. Hollender. Mrs Rademacher was not there, Mrs Hollender came + said he was an awful man to strike her poor husband, Rademacher then went to the cor. of Varick + Franklin Sts. I did not think he was shot. there was no one else there that I know of except Mrs Freitag.

cross -

3 weeks previous Mr Rademacher said "come out you son of a bitch, so I will lick you, I put my hand in your arse." Hollender was in his store + said nothing, he was sickly and weak and was so at the time of shooting + had shortly got

0930

out of bed of sickness, the blow was a hard one I heard it on my stoop, Rademacher appeared to me to be a much stronger man than Hollender. I had never spoken to Hollender. I cannot say if Hollender had spectacles on when he was struck.

Emma Freitag 134 Franklin St. I have a store at 3 Varick St. Hollender came in front of my store + complained of Rademacher, Rademacher came up and commenced to talk about the line, he seemed to brace himself up and then hit Hollender in the face as hard as he could, it staggered Hollender a little towards my door he put his hand in his pocket took out the pistol, fired and shot him. Hollender seemed to be afraid as if he didn't want to fight. I saw no weapon in Rademacher's hand, he struck him with his fist, the shot followed almost immediately, Hollender seemed dazed and staggered. I cannot say whether Hollender had spectacles on when he was struck.

0931

Caroline Rademacher 132 Franklin St. I am the widow of Frank Rademacher, he died in Chambers St. Hospital 6 days after he was shot I saw him shot. I was looking out of the window on the 1<sup>st</sup> floor. I did not see my husband strike Hollender, When Hollender shot him, she came out with a club + called him some names. I saw the pistol in his hand.

Cross - My husband said "if you were not an old man I would - ." I did not see Hollender at the coroner's inquest, did not see his eye black + blue or cut, did not see him stagger before he shot. When my husband was shot he just came on the stoop he did not give me any weapon - he never carried a pistol and never saw one with him, he did not carry a knife. I don't remember the assault on Beale, Mr Beale insulted him in the front room, Rademacher had no knife. I did not knock Beale down with a slung shot, they had me arrested for it.

0932

Peter Nator I am a Police Officer of the 5<sup>th</sup> Precinct, I was on Post in Leonard St. Rademacher said he was shot, I examined & found he was shot in the abdomen, a little above the navel I asked him to walk to the hospital he walked about 15 feet and had to sit down, I sent for an ambulance. I took Hollender to Rademacher + Rademacher said that is the man who shot me Rademacher had no weapon on his body. Hollender's face was not cut when I arrested him, his right eye was discolored - red - he complained of having been struck there. I took him before the <sup>coroner's</sup> jury, his eye was very much discolored, it appeared to be black. I did not see Rademacher searched he might have had a derringer

0933

For the Defence.

Emil Lunitz 50 Centre St. Druggist, I have known the prisoner about 7 years or more. he has always been of a peaceful, quiet, friendly and inoffensive disposition. I saw Hollender the day after the shooting, at the Tombs, I saw his face discolored on the whole side, I was not at the coroner's inquest. Other people who know him say he is a peaceable man.

Dr. Philip Merkle I and the coroner who presided at the inquest, the prisoner was present, the jury acquitted him, he was sent to the magistrate, I remember he had a mark on one side of his face and showed it was from a blow he received a short time ago before, if my memory serves me, one of his arms was a kind of arm. I was present at the autopsy on Mr Rademacher, it is my impression that he must have been a strong muscular man, about a head taller than Hollender.

0934

George W. Holmes 367 Broome St. Physician practicing in N.Y. City. I know Hollender about 3 years I attended him in May, about the 6<sup>th</sup>, in Franklin St. for Pneumonia, his condition was decidedly sickly very feeble & weak and very nervous. The wrist of his right hand looks as if it had been broken, I think its an old fracture. I first attended <sup>him</sup> about the 6<sup>th</sup> of May. I did not see him between the 9 of May & 18 of June & dont know what his condition was between those dates.

Herman Tillack 133 Henry St. Steam fitter I know the prisoner about 10 or 12 years & have always found him a peaceable & quiet man a good square man. His reputation among people is good.

0935

Henry Schaade I have been employed by him he is a quiet, easy and peaceable man. I never heard anything said of him.

John Arnold 875-6 Ave Tailor. I know the Prisoner about 16 or 17 years, he is a peaceable man, I have always heard the best of him.

Emil Hollender 149 Franklin St. I am 52 years almost 53 years of age. Since my last sickness I am weak in body and health, I had been sick in bed, unable to get up. My wrist was broken about 16 years ago. That evening Mr. Rademacher called me about 9 o'clock told me to pull the awning down further, it had been up all day, it was a cloudy day. his shutters were closed in front, I was taking the fresh air. he said "You God damned son of a bitch I will break your neck or cut your throat." I had heard of his attack on Mr Beale, I took my

0936

chair & went in the store, I took the money from the drawer and put it with the pistol in my pocket ready to go home after I closed the store, when I came out I spoke to Mrs. Freitag about Rademacher's threats, Rademacher came along from the other side of the street and commenced to "holler" and then he gave me a blow that staggered me, he hit me on the left side, my left eye was swollen, I was almost senseless when he struck me, I saw him come towards me with something in his hand and I fired. I thought I was lost I was all alone, I thought he was about to hurt me, and do me great bodily harm, and I shot on the moment, I was in danger because I was all alone and I believed it necessary to protect myself from personal injury.

Cross -

I was born in Silesia, I was never charged with killing a man in Germany & have never been before a court. I only Mr Beale a short time, the first 4 months Rademacher was a good neighbor, as long as he had the barkeeper for a boarder, about 8 months he wouldn't let me rest. I had no feeling of enmity against him on June 18<sup>th</sup>. The pistol is mine I bought it about 15 or 16 years ago. It is about 150 to 200 paces from my store to my house, I was

0937

never attacked going from the store to the house.  
I don't always carry the pistol. I commenced  
to carry the pistol about 4 months ago, when it  
became a dangerous place



0939

5 4 5  
11 13 14

July  
The coroners had no right to discharge  
me, neither ~~the~~ had the police justice  
any such power.

The pistol is different from the  
blow.

3 weeks about

0940

COURT OF GENERAL SESSIONS.

The People, Co.

*Spencer*

vs.

*Emil Hollender*

PETER B. OLNEY,  
District Attorney

*List of Witnesses -*

0941

Witness vs. Emil Hollender

- ✓ Caroline Rademacher 132 Franklin St.
- ✓ Mrs Elizabeth Harmon x 5 Varick St.
- ✓ Emma Freytag x 134 Franklin St.
- ✓ Charles Biel P 357 Madison St.
- ✓ Off. Peter Nator x 5<sup>th</sup> Precinct
- ✓ D. W. Montgomery M.D. Chauders St. Hospital  
Dep. Coroner
- ✓ Dr. M. J. B. Messemer Dep. Coroner
- ✓ Mary Clinton (servant) 134 Franklin St.
- ✓ Henry Schade (barkeeper) 62 Church
- ✓ John Riley 419 W. 26 St.
- ✓ Dr. L. P. Aldrich 19 Harrison St.
- Henry Done Cor. Greenwich & Harrison Sts.
- ✓ Henry Lorse 13 Harrison St.
- ✓ Henry Derix 12 Beach St.
- ✓ James Sweet " " "
- ✓ Richard Opperman Cor. North Moore & Varick Sts.
- ✓ Mrs Crowell 164 Franklin St.
- Henry Schmeltz 143 W. Broadway
- ✓ John Grabau P 132 Chrystie Street
- ✓ Josephine Meyer V 71 Broome Street.
- ✓ Moritz Rademacher (No. Stern) 101 Franklin St.
- ✓ William Kirber (send to Schmeltz)
- ✓ Christian Praiger Cor Beach & Greenwich St.

0942

**List of Witnesses** Subpoenaed to appear

at the COURT OF GENERAL SESSIONS, on the 18

day of February 1884

*Abner M. ...*

Subpoena Clerk.

WITNESS.	RESIDENCE.	HOW SERVED.	DEFENDANT.
Christina Priggen-Breach & Greenwald		Left with wife	E. Walker
Henry Down	Greenwald & Harrison	Left	" "
E. Bentley	134 Frankly St	D. P.	" "
Wm. O. Norton	5	D. P.	" "
Mr Rademaker	101 Frankly St	Left	" "
bird	132	" D. P.	" "
Henry Price	12 Breacht St	D. P.	" "
J. Smart	" "	D. P.	" "
Mrs Leonard	164 Frankly	D. P.	" "
H. Lerose	13 Harrison St	D. P.	" "
Dr Aldrich	19	" D. P.	" "
Mrs Johnston	134 Frankly	By [Signature]	" "
Dr C. Sperrman	N. M. Varick	D. P.	" "

For Mr Gore

These others not on this list  
served personally

09443

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the *Coroners' Office*  
No. *13 & 15 Chatham* Street, in the *4th* Ward of the City of  
New York, in the County of New York, this *25th* day of *June*  
in the year of our Lord one thousand eight hundred and *88* before

PHILIP MERKLE, CORONOR.

of the City and County aforesaid, on view of the Body of *Frank Rademacher*  
now lying dead at

*St. Nic* 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  
*Frank Rademacher* came to his death, do upon their

Oaths and Affirmations, say: That the said *Frank Rademacher*  
came to his death by *A pistol shot wound of*  
*the abdomen in the hands of*  
*Frank Rademacher* inflicted  
*in self defence at 132 Franklin Street*  
*on June 18/88*

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.

*Chas. F. Rille* JURORS.

<i>Henry Dwyer</i>	<i>77 West St.</i>
<i>James G. ...</i>	<i>34 - 7. St</i>
<i>A. Blood</i>	<i>Deputy Const</i>
<i>John Lynch</i>	<i>28250 West Broadway</i>
<i>P. P. ...</i>	<i>376 Bowery</i>
<i>Amelia ...</i>	<i>92 Chambers St N.Y.</i>
<i>Thomas ...</i>	<i>608 E 4 St</i>
<i>Frank ...</i>	<i>396 Broadway</i>
	<i>81 7 St</i>
	<i>Philip Merkle</i>

CORONER, L. S.

0944

People

3

Hollander

Additional

Notes

0945

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

People

v  
Hollender

Wednesday Aug 8<sup>th</sup>

Sub.

John Groban

Chrystie St 132

Henry Dony

Cor of Greenwich Ave &  
Harrison St

Henry Smats - Candy Store

West Broadway

bet Desford & Walker

Chris Praeger

Beach & Greenwich

Top floor

0946

Coroner's Office.

TESTIMONY.

Elizabeth Haman being sworn says  
I reside at No. 57 Varick St.  
On June 18/83 I was standing  
on my stoop when the shooting  
took place. I saw deceased  
before Mrs. Freitag's house a  
little after ten o'clock. I saw  
Mr. Rademacher strike Mr.  
Hollender in the face. Mr. Hollender  
staggered by the blow and said  
oh. Mr. Rademacher was a  
strong stout man. I heard a  
conversation between them about  
cutting down a line. Mr. Rade-  
macher asked Mr. Hollender if  
he had seen him cut down the  
line, Mr. Hollender said no  
he guessed so. Mr. Rademacher  
said Mr. Hollender you  
must guess again. Mr. Hollender  
said yes I will guess again when  
Mr. Rademacher struck Mr.  
Hollender who staggered  
from the effects of the blow. I  
saw Mr. Hollender gave one step  
backwards drew his pistol and  
fired. Mr. Rademacher stood still.  
I saw <sup>Mr.</sup> Hollender fire. Mr. Rademacher

Taken before me,

this 28<sup>th</sup>

day of

June

1883.

Philip Morke

CORONER.

0947

Coroner's Office.

TESTIMONY.

stood five or ten minutes after being shot and kept scolding Mrs. Hollender who had called him a mean fellow. I could not hear what he said. Mrs. Rademacher then walked down towards the corner. After Mr. Hollender had fired the shot he went into his house backward. I went into my house after I saw Rademacher go towards the corner. They had a quarrel three weeks previous to that on a Saturday night. I could not hear what was said. Mrs. Rademacher told Mr. Hollender to suck his behind and if he would come out he would lick him. Mr. Hollender was then in his <sup>quietly attending his business</sup> store, ~~and~~ Rademacher came there and tried to provoke a quarrel.

Elizabeth <sup>her</sup> Hauman  
 (mark)

Emma Freitag, being sworn says  
 I reside at 134 Franklin Street and  
 I keep a store at 3 Varick Street.  
 I remember the shooting on June 18<sup>th</sup>

Taken before me,

this 28<sup>th</sup> day of June 1883.

Philip Morke CORONER.

0948

Coroner's Office.

TESTIMONY.

I was standing just outside the store door about half past ten in the evening when Mr. Hollender came and complained about Mr. Rademacher cutting the rope of his awning and as Mrs. Hollender was speaking to me Mrs. Rademacher came along from the corner. Mrs. Rademacher rented the house 132 Franklin St. from me. I do not know whether Mr. Rademacher was sober or not, he was very excited at the time. Mrs. Hollender was quite cool. Mrs. Rademacher stopped to listen - without being spoken to. He joined in conversation later on and said I believe you said I cut the rope of your awning. Then I said I think you could settle this in a quiet way without quarrelling over such a trifle. Mrs. Hollender replied I think we can settle it in a quiet way. Mr. Hollender seemed to be afraid as if he did not

Taken before me,

this 28<sup>th</sup>

day of

June

1889.

Philip Worke

CORONER.

0949

(4)

Coroner's Office.

TESTIMONY.

wish to fight, whilst Mr. Rademacher was greatly excited. I said to Mr. Hollender you did not see him cut the rope and therefore you cannot say he did it. Mr. Hollender replied no I only guessed so. Rademacher then said you guessed so did you. He said this in an angry way. Mr. Hollender then said yes and I will have to guess so again. Rademacher said you will, will you and struck him with his clenched fist in the face. Mr. Hollender staggered a few steps backward under the blow. I retreated towards the door of my store when I saw them fight I wanted to get out of the way. I heard Mr. Hollender say do you see this do you see this, he said it twice, he must have stood there about three minutes and then fired. Immediately after the firing I went into the store, closed the door and locked it. I did not think Rademacher was hurt.

Taken before me,  
this 28<sup>th</sup> day of June 1883.  
Philip Worke CORONER.

0950

Coroner's Office.

TESTIMONY.

The report was so faint. I came to the door in about three minutes after the shot to call in my little niece. Mr. Rademacher was still standing there and I did not think he was hurt. I closed my door and did not hear what he was saying. Mr. Hollender <sup>with me</sup> ~~came~~ <sup>came</sup> after the occurrence and I went there. Mr. and Mrs. Hollender said they were going around to the station to have Rademacher arrested for striking Mrs. Hollender they evidently did not think that Rademacher had been hurt. Mr. Rademacher lives in the same house where Hollender keeps a store. Mr. Hollender ~~is~~ <sup>is</sup> a quiet in offensive man. I hardly ever spoke to Rademacher more than to say good morning or good evening. I had never dealing with his wife about the renting of the room. I saw the shooting. The shooting took place in front of my door.

Taken before me,  
this 28<sup>th</sup> day of June 1889.

Philip Werke

CORONER.

0951

Coroner's Office.

TESTIMONY.

After Mr. Rademacher had struck Mr. Hollender I retreated towards my door and immediately on reaching my door I heard and saw the shot fired. Mr. Hollender's face was discolored from the blow of Mr. Rademacher's fist. Mr. Hollender had been confined to his bed two or three weeks with ~~fever~~ <sup>pneumonia</sup> before the ~~shooting~~ <sup>occurrence</sup> took place and at the time of the shooting Mr. Hollender appeared to me to be in a weak and sickly condition.

Emmanuel Gregory

Charles Hilbering (owner)  
George Hilbering (owner)  
I reside at 357  
Madison St. I am a  
carman and keep a store  
too. I do not know Hollender  
I know Mr. Rademacher about  
thirteen years. He belonged to  
a society that I belong to. He  
lived in North Second St.  
Newburgh. I am agent of some  
houses in Madison St. He wanted

Taken before me,  
this 28<sup>th</sup> day of June 1883.

Philip Werke CORONER.

0952

Coroner's Office.

TESTIMONY.

2

Came rooms from me  
 I had a flow of sweat, I  
 offered him two of the rooms  
 with the use of the others, till  
 they were let. <sup>He had no grievance against me about the rooms</sup> One night he  
 came in front of the door with  
 a knife in his hand and said  
 to my son tell your old man  
 to come out I will pull the  
 guts out of him. My son was  
 sitting on a coal box and said  
 my father would not be so  
 low as to fight, when he made  
 a plunge with the knife at my  
 son and it took the combined  
 efforts of my wife and <sup>brother in law</sup> son to  
 wrest the knife from his grasp.

Sept 3rd 1883

After stating being sworn says  
 I am an officer of the 5th  
 Prec. On Monday June 11<sup>th</sup>  
 between 10 and 10.30 P.M. Rade-  
 macher came into the station  
 house and said he was  
 shot. I was in the station  
 house at the time. The station

Taken before me,  
 this 28<sup>th</sup> day of June 1883

Philip Wake

CORONER.

0953

Coroner's Office.

TESTIMONY.

house is a block and a half from the scene of the occurrence. <sup>The sergeant</sup> I asked him where he was shot and he pulled up his shirt when I saw a little round hole about an inch over the navel. I then went with him and wanted to take him to the hospital after he had walked about twenty five feet he could go no further and so at noon on a keg when I took him back to the station house and the sergeant sent for an ambulance and had him taken to the hospital. The captain came in meanwhile and told me to arrest Hollender. I went to his place and saw a light in his store from across the street when I went in and saw Mr. and Mrs. Hollender not knowing them at the time. I went into the store and asked Mr. Hollender what difficulty

Taken before me,

this 28<sup>th</sup>

day of

June

1883.

Philip Morke

CORONER.

0954

Coroner's Office.

TESTIMONY.

9

he had with Mademacher.  
He I said, he struck me  
first, I said Mr. Hollender  
walk around to the  
station house the captain  
would like to see you.  
I got to the station house and  
the ambulance had  
arrived and I confronted  
Mr. Hollender with deceased  
the injured man who identified  
Mr. Hollender as the man  
who had shot him.  
I went back again to the  
store and got the pistol.  
At the time I arrested Mr.  
Hollender his eye was all  
red and swollen from the  
effects of a blow. The hospital  
is about five blocks and a  
half from the station house.  
Carpenter Thompson was on  
duty at the time in the station  
house.

Peter Natou

Taken before me,

this 28<sup>th</sup>

day of June

188

Philip Morke

CORONER.

0955

Coroner's Office,

TESTIMONY.

10

Caroline Radwacker being sworn says:  
I reside at 137 1/2 Franklin  
Street. Deceased was my  
husband. I saw Hollender  
shoot my husband on June  
18<sup>th</sup> / 83 at 10 P.M. I did  
not speak to Mr. Hollender  
that night. I was looking  
out of my window on the first  
story over the story. I heard only  
a quarrel about a line. Mrs.  
Hollender came out with  
a big club and called him  
all kind of names. The club  
was about a yard or three quarters  
long. It was thicker than a  
brown handle and not quite so  
long. I did not see Mrs.  
Hollender strike my husband.  
Mrs. Freitag said she better not  
strike him. Then my husband  
went to the <sup>hall</sup> door and I told  
him to go to the station house to have  
Hollender arrested. I went up  
stairs and put on my shoes  
and followed him to the station  
house. When I got there my  
husband was laying on a stretcher.

Taken before me

this 28<sup>th</sup> day of June 1883.

Philip Morke

CORONER.

0956

Coroner's Office,

TESTIMONY.

It was about three minutes only between the time the quarrel commenced and the shooting took place. I heard them talk together and went to the window.

*For Joseph B. ...*

Taken before me

this 28<sup>th</sup>

day of

June

1883

*Philip ...*

CORONER.



0958

Coroner's Office,

TESTIMONY.

(12)

Not five minutes after he came around and blackguarded me. Damm was always the word he commenced with. He said Damm son of a bitch you can I am going to break your neck and cut your throat, raising his fist under my nose at the same time. Two printer boys with their hand cart came around attracted by his actions and language. He then left. The two printer boys about 18 or 20 years asked me what what the matter. I told them it is not much, that man Damms me since ever I am here. They came in and each one had a glass of Heiss beer. I was all alone and remained in my store. I did not see Rademacher again after that until I spoke with Mrs. Freitag. Mrs. Freitag said to Mr. Rademacher cut yo keep peace with Mr. Vallender, you are neighbors and should keep peace together. Rademacher then said <sup>to Mrs. Freitag</sup> I had cut my awning. I said that I guessed he

Taken before me

this 28<sup>th</sup> day of June 1883,

Philip Hecker CORONER.

0959

Coroner's Office, •

TESTIMONY.

15

did. He then said you guessed so I said yes I guess so yet. Rademacher then struck me on the right eye, my nose and mouth were bleeding. I have the mark here yet. I feel back. He struck me senseless. It was an awful blow. I know only so quick and I took the pistol and saw him coming for me again when I shot him. I had the pistol in my ~~over~~ coat pocket. I did not go back into my store to get the pistol. I could not defend myself as I am sick and my right wrist is broken. I never have been in a fight although I am 32 years in this country. I was just about closing up my store so I put my pistol in my pocket to take it home, or it would not have happened. The store is 132 and my residence 149 Franklin St. on the opposite side of the street. Every night when I count my cash I take my pistol in my pocket and walk home with it. I had quarrels with Rademacher

Taken before me

this 28<sup>th</sup> day of June 1883.

Philip Worke CORONER.

0960

Coroner's Office,

TESTIMONY.

14

most every week. He threatened me continually. I never interfered with him. I was afraid him I could not contend myself with him or protect myself against him if I did not have a club or some other weapon to defend myself with as he was a very powerful man and I am sick and delicate. I am a married man and have a wife and four children. My wife closed ~~the door~~ that night. I had my money in my pocket when Mrs. Freitag called <sup>down</sup> and that is the way I happened to have the pistol in my pocket. After the quarrel my wife brought me a little water and brandy to refresh me or I would have gone right home

Emil Kokenov

Taken before me

this 28<sup>th</sup> day of June 1883.

Philip Starcke CORONER.

0961

5 ft 8 in in height -

Wound  $\approx 3\frac{1}{2}$  in above navel in  
median line of body.

All contents of Abdominal cavity lost

Bullet found at the lower border of the 11<sup>th</sup> Rib  
near its extremity on the right-side

Has old Omentic Adhesions on right-side

Valves of the Heart intact

Edema & congestion of both lungs

Capsule very adherent on both kidneys & granules

not very fine and granular

Brain Edematous, thickening of the Pia Mater

Brain otherwise normal

0962

Coroner's Office.

TESTIMONY.

Frank Rademacher, aged 39 years, married,  
born in Germany, truck driver,  
residence 132 Franklin St. <sup>425 Chambers St.</sup>  
New York City, was brought to <sup>the</sup> ~~the~~  
Hospital in the ambulance  
from the 5<sup>th</sup> Precinct Station  
House on June 18<sup>th</sup> 1883 at 10.50 P.M.  
On admission he was excited  
in manner, respirations rapid,  
pulse rapid and full, temperature  
normal, he complained of severe  
pain in the region of the stomach.  
Inspection revealed a <sup>pistol shot</sup> ~~gunshot~~  
wound in the epigastric region.  
In spite of treatment he died  
on June 22<sup>nd</sup> 1883 at 10.50 P.M.  
It is my belief that he died  
from peritonitis, caused by  
a pistol shot wound of the  
abdomen.

D. W. Montgomery M.D.

Taken before me

this 23<sup>d</sup> day of June 1883.

Philip Morley

CORONER.

0963

CORONER'S OFFICE.

TESTIMONY.

Dr. M. J. D. Messener being sworn says: At the Chambers Street Hospital on June 23, 1883 I made an autopsy on the body of Frank Rademacher. I found him to be 5 ft. 8 inches in height, thick set and quite muscular. There was a pistol bullet wound in the median line three and a half inches over the umbilicus (navel). The bullet had entered at this spot and after grazing the lower edge of the small lobe of the liver passed through the transverse colon <sup>(large intestine)</sup> and the anterior third of the jejunum (small intestine) and after passing through the upper part of the right kidney lodged <sup>in the muscles of the chest</sup> between the 11<sup>th</sup> and 12<sup>th</sup> ribs, two inches to the right of the vertebral (spinal) column, where I found the ball which was small and conical in shape. The lungs were oedematous and congested. Old pleuritic adhesions on the right side. The liver nutmegged in color and granular. The kidneys granular and congested. The right being more congested than the left. The brain was oedematous. There were six ounces of fluid found in the abdominal cavity. The peritoneum everywhere inflamed. Death in my opinion was due to peritonitis from pistol shot wound of the abdomen.

Taken before me

this 27<sup>th</sup> day of June 1883.

M. J. D. Messener, M.D.

Philip Meerbe

CORONER.

0964

TESTIMONY.

People vs  
Emil Hollander

Witness

Caroline

- Caroline Rodemacher 132 Franklin St.
- May Clinton 134 " "
- Emma Freitag " " "
- H. Schade 67 Church "
- John Riley 419 W 26 St
- Chas. Bick ~~Carroll~~ 157 Madison St
- Elizabeth Nannou 5 Varick "
- Off Peter Naton 5 Precinct "
- Dr. L.P. Aldrich 19 Nassau "
- M. B. Messenger M.S. Borders Office
- Nancy Lowe 67 Green & Nassau

- Nancy Cox 13 Nassau St
- Nancy Swift 12 Beach "
- James Sweet " " "
- Richard Opperman Cor Northum & Varick
- Mrs. Crowell 164 Franklin St.
- N. Schuelly 143 W Broadway
- John Grady 132 Chrystie St.
- Josphine Meyer 71 Bowline St.
- Morris Rodemacher (To Mrs. Rodemacher)
- Wm Girber

Sworn to before me,  
this day of 188

CORONER.

POOR QUALITY ORIGINAL

0965

MEMORANDUM.

AGE. Years, — Months, — Days.	PLACE OF NATIVITY.	WHERE FOUND.	DATE. When Reported.
30	Germany	Chambers Street, New York	June 28/83

Not all 1883  
 Transmitted to  
 J. M. W. B.

78

78 534

M.

No. 920

1883

AN INQUISITION

On the VIEW of the BODY of

Ernst Hlademacher

whereby it is found that he came to his Death by

suicide

at the Hotel

Grand Hotel

at New York



Inquest taken on the 28th day  
 of June before  
 1883.

PHILIP MERKLE, Coroner.

POOR QUALITY ORIGINAL

0966

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE. When Reported.
34 Years, - Months, - Days.	<i>Germany</i>	<i>London, England</i>	<i>June 28, 1923</i>

78

78 534

No. 920

1883

AN INQUISITION

On the VIEW of the BODY of

*Carl Gustav Lindbergh*

whereby it is found that he came to his Death by

*suicide*

*shot*

*from the*

*gun*



Inquest taken on the 28th day of June 1883.

PHILIP MERRILL, Coroner.

0967

BOX:

107

FOLDER:

1147

DESCRIPTION:

Horohan, Matthew J.

DATE:

07/13/83



1147

POOR QUALITY ORIGINAL

0968

Counsel,  
469  
Filed 13 day of July 1883  
Pleads *poor quality*

THE PEOPLE

vs.

*B*

*Matthew*

*J. Morahan*

*beginning a line of  
reorganization etc.  
[Section 639]*

JOHN McKEON,

*District Attorney*

A True Bill.

*S. W. Comstock*

*Foreman.*

*Recd Feb 19 1887*

0969

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Matthew J. Doroohan

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

\_\_\_\_\_ Matthew J. Doroohan \_\_\_\_\_  
of the CRIME OF *Injuring a line of telegraph* \_\_\_\_\_  
committed as follows:

The said *Matthew J. Doroohan* \_\_\_\_\_

late of the City and County of New York, on the *twenty second* day of  
*June* \_\_\_\_\_ in the year of our Lord one thousand eight hundred and eighty-~~three~~  
with force and arms, at the City and County aforesaid, *feloniously did wit :*

*fully and maliciously injure a certain line of telegraph  
of the American District Telegraph Company, by  
then and there cutting a certain telegraph wire,  
the same being a part of such line of telegraph  
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 *Matthew J. Doroohan* of  
the Crime of *Injuring an appurtenance connected with  
the working of an electric telegraph, committed as  
follows:*

The said *Matthew J. Doroohan*, 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, *feloniously  
did then and there wickedly and maliciously*

0970

injure a certain <sup>telegraph</sup> wire, the same being then and there an appurtenance connected with the working of a certain electric telegraph belonging to the American District Telegraph Company, by then and there cutting the said wire, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John McLean

District Attorney

0971

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

POLICE COURT, 2 DISTRICT.

*Charles H. Sewall.*

of No. *195 Broadway Room 10* Street, being duly sworn, deposes and

says that on the *22<sup>o</sup>* day of *June* 1883

at the City of New York, in the County of New York, *Matthew J. Horahan.*

*(Where) did witness maliciously  
cut a line of Telegraph wire on the  
roof of premises No. 65 Broadway  
belonging to the American District  
Telegraph Company. From the fact  
that deponent is informed by Charles  
R. Clark that on said date he went  
to the roof of premises No. 65 Broadway  
to look at some fixtures which the  
Gold ~~Street~~ <sup>and St. E.</sup> Telegraph was putting  
up on said premises. And while*

Sworn to before me, this  
of  
1883  
Police Justice

0972

*Police Court*  
*1881*  
*1881*  
*1881*

Police Court \_\_\_\_\_ District \_\_\_\_\_

THE PEOPLE, &c,  
ON THE COMPLAINT OF

vs.

AFFIDAVIT

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

Magistrate.

Officer.

Witness,

Disposition,

*Chas H Sewall*

on the roof of said premises he saw the  
said Norohan. Cut several telegraph  
wires one of which he the said class.  
knew as the American District telegraph  
wire. Dependent. Therefore prays that  
the said Norohan. May be dealt with  
as the law directs especially as set forth  
in Section 639. Subdivision 7 of the Penal  
Code of the state of New. York.

0973

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 23 years, occupation Telegraph of No. 38 Broad Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Charles Sewall

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

Sworn to before me, this 3<sup>rd</sup> day of July 1887 ) C. K. Clark

J. J. Smith  
Police Justice.

0974

BAILED,  
 No. 1, by Prothon Notary  
 Residence 42 Lewis Avenue  
 Street \_\_\_\_\_

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

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

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

Police Court Districts  
 THE PEOPLE, &c.,  
 ON THE COMPLAINT OF  
James J. Devereux  
135 Broadway  
James J. Devereux  
135 Broadway  
 Dated July 3 1883  
John J. Devereux Magistrate.  
Robert Thomas M. Davis Officer.  
 Offence Violation  
Section 639 Penal Code

Witnesses  
 No. 38 Howard Street  
John J. Devereux  
 No. 240 Bowling Street  
James J. Devereux  
 No. 65 Stuyvesant Street  
John J. Devereux  
 to answer \_\_\_\_\_

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Matthew J. Fordham guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 5 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 3 1883 J. J. Devereux Police Justice.

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

Dated \_\_\_\_\_ 1883 \_\_\_\_\_ 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 \_\_\_\_\_ 1883 \_\_\_\_\_ Police Justice.

0975

Sec. 198-200

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

Matthew Broohan 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. Matthew Broohan.

Question. How old are you?

Answer. 23 Years.

Question. Where were you born?

Answer. Canada.

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

Answer. 146 East 43<sup>rd</sup> Street 2 Years.

Question. What is your business or profession?

Answer. Line Man.

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 was called from the street and instructed by the M. J. Broohan father of the victim to cut these wires, because they were an obstruction.

Taken before me this

day of July

1883

A. Wick  
Police Justice.

0976

BOX:

107

FOLDER:

1147

DESCRIPTION:

Horohan, Matthew J.

DATE:

07/09/83



1147

0977

BOX:

107

FOLDER:

1147

DESCRIPTION:

Lally, Michael J.

DATE:

07/09/83



1147

0978

BOX:

107

FOLDER:

1147

DESCRIPTION:

Murphy, James H.

DATE:

07/09/83



1147

POOR QUALITY ORIGINAL

0979

45

AK 70X

Counsel,  
Filed day of July 1883  
Pleds

*City*  
*Quality*

Grand Larceny, Receiving Stolen Goods, and  
degree, and  
[528-531-ans-550]

THE PEOPLE

vs.  
Marthen J. Moran  
Michael J. Sall  
James J. Murphy

JOHN McKEON,  
District Attorney

*My*

A True Bill.

*W. M. Cornwell*

Foreman.

*withdrew*

*Recd Feb 19/87*

*Murphy was married  
his name was  
a...*

0980

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Matthew J. Drorohan,  
Michael J. Salley, and  
James D. Murphy

The Grand Jury of the City and County of New York, by this indictment, accuse  
Matthew J. Drorohan, Michael  
J. Salley and James D. Murphy  
of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said Matthew J. Drorohan, Michael  
J. Salley and James D. Murphy

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the  
first ~~the~~ day of June in the year of our Lord one thousand eight hundred and  
eighty- three, at the Ward, City and County aforesaid, with force and arms  
one double pen register of the  
value of sixty five dollars

of the goods, chattels and personal property of ~~the~~ the Mutual Union  
Telegraph Company 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.

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And the Grand Jury aforesaid, by this indictment, further accuse the said \_\_\_\_\_  
*Michael J. Sarry and Matthew*  
*J. Croghan* \_\_\_\_\_  
\_\_\_\_\_ of the CRIME OF RECEIVING STOLEN GOODS,  
committed as follows:

The said *Michael J. Sarry and Matthew*  
*J. Croghan* \_\_\_\_\_

late of the First Ward of the City of New York, in the County of New York  
aforesaid, on the *first* day of *June* - in the year of our Lord  
one thousand eight hundred and eighty-*three*, at the Ward, City and County  
aforesaid, with force and arms *one double pen*  
*register of the value of*  
*Sixty five dollars.*

of the goods, chattels and personal property of *the Mutual Union*  
*Telegraph Company by James M.*  
*Murphy and by certain other*  
~~by a certain person or~~ persons to the Grand Jury aforesaid unknown, then lately before  
feloniously stolen, taken and carried away from the said *the Mutual*  
*Union Telegraph Company* \_\_\_\_\_  
unlawfully and unjustly, did feloniously receive and have; ~~the~~ the said *Michael*  
*J. Sarry and Matthew J. Croghan*  
then and there well knowing the said goods, chattels and personal property to have  
been feloniously stolen, taken and carried away, against the form of the Statute in  
such case made and provided, and against the peace of the People of the State of  
New York, and their dignity.

**JOHN McKEON, District Attorney.**

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Police Court District. 2

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Abdul M. Brown

Markus A. Stordhan

Michael J. Gally

James H. Murphy

Offence: Guilty

Dated

July 3 1883

Magistrate

J. P. Smith

Officer

Robert Starnes

Precinct

D. D.

Witnesses

Charles M. Rogers

No. William Adams

James M. Sturice

No. Michael J. Gally

James H. Murphy

No. 135

Brooklyn 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

Markus A. Stordhan, Michael J. Gally and James H. Murphy guilty thereof, I order that they be held to answer the same and they be admitted to bail in the sum of 100 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until they give such bail.

Dated July 3 1883

J. P. Smith Police Justice.

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

Dated 1883 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 1883 Police Justice.

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Sec. 198-200

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Matthew Horohan* 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. *Matthew Horohan.*

Question. How old are you?

Answer. *23 Years.*

Question. Where were you born?

Answer. *Canada.*

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

Answer. *146 East 43<sup>rd</sup> Street 2 Years.*

Question. What is your business or profession?

Answer. *Line Man.*

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 only that I am not guilty.*

*M. J. Horohan*

Taken before me this

*day of June*

1885

*J. J. [Signature]*

Police Justice.

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Sec. 198-200

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James J. Murphy* 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. *James J. Murphy*

Question. How old are you?

Answer. *Twenty-three years.*

Question. Where were you born?

Answer. *New York City.*

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

Answer. *St. West Street 4 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 was tending bar when this package was brought in the party who left it there told me to give it to no one but himself. The package laid there about ten days. Yesterday another party came and asked for the package and I told him I would not give it to him as he was not the party who left it with me. Michael Lally is the person who left the package with me. When Murphy applied for it I declined to give it to him because he was not the one who left it. He said if I would go with him to Fulton St. he would satisfy me that he was entitled to it + I went putting my mind I had only been there a moment when as N. Murphy the officer came in.*

Taken before me this *23rd* day of *July* 1885. *R. J. [Signature]*  
Police Justice.

0985

Sec. 198-200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Michael J. Lally* 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. *Michael J. Lally*

Question. How old are you?

Answer. *Twenty One Years.*

Question. Where were you born?

Answer. *New York City.*

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

Answer. *413. Third Avenue. 2 Months*

Question. What is your business or profession?

Answer. *Line Man*

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 charges.*

*M. J. Lally*

Taken before me this

day of

*July*

188*3*

Police Justice.

*J. J. Whitcomb*

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CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 39 years, occupation Silus H. Rogers  
Police Officer of No. the  
Central Office Street, being duly sworn deposes and

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

Sworn to before me, this 30  
day of July 1883 } S. H. Rogers

G. W. White  
Police Justice.

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*Don*

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }  
OF NEW YORK, } ss

*Alfred S. Brown*

of No. *134 Broadway* Street, *Agent of Superintendent*

being duly sworn, deposes and says, that on the *10th* day of *June*, 188*3*

at the *at the above premises* 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 with intent to deprive the true owner of the use and benefit thereof*  
the following property, viz:

*One Double P. Register  
of the value of sixty five dollars*

the property of *The Mutual Union Telegraph  
Company and in deponent's care and charge.*

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

*Markus Forhan, Michael Dally and James J. Murphy (all now present.)* from the fact that deponent missed said property from said premises on or about said date. Deponent is informed by Officer S. H. Rogers that on the 2<sup>nd</sup> day of July 1883, he arrested the said Forhan and Murphy with the said property in their possession which deponent identifies as the property

Subscribed before me this 10th day of June 1883  
Police Justice

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Which have been taken stolen and  
 carried away from deponent's possession  
 The said Rogers further informs  
 deponent that on arresting the said  
 Murphy, the said Murphy informed  
 him that the said Gally had brought  
 the said property to his Murphy's premises  
 for safe keeping.

Deponent further says that the  
 said Hor Chan informed deponent  
 that the said Gally had taken the  
 said property to the said Murphy's  
 premises for safe keeping.

Deponent therefore prays that  
 the said deponent do may be dealt  
 with as the law directs. Said Gally was  
 in the employ of deponent and had access to the  
 place from which said instrument was taken  
 This 3<sup>rd</sup> day of July 1883 Alfred St Brown  
 J. N. Hibbert Police Justice

Police Justice

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated

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Magistrate.

Officer.

WITNESSES:

DISPOSITION

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New York General Sessions.

PEOPLE ON MY COMPLAINT,

VERSUS

Matthew J. Horahan  
Michael J. Lally  
and James H. Murphy

*As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.*

*Alfred S. Brown*

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New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

Matthew J. Horohan

*As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.*

*The American Dictator, Feb 1860  
By C. H. Sewall  
Supt*

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**END OF  
BOX**