

0520

**BOX:**

337

**FOLDER:**

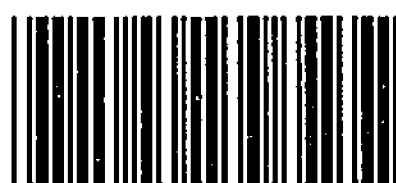
3187

**DESCRIPTION:**

Hamilton, Charles

**DATE:**

01/17/89



3187

0521

Witnesses:

Levitt Perry

officer James Oates

Edward Rogan

The Deacon of the

St. Andrew's Church

unheard of

that he is

paralytic

paralytic

paralytic

paralytic

paralytic

paralytic

paralytic

paralytic

paralytic

paralytic

paralytic

paralytic

Counsel,

Filed

1889

Pleas,

17

day of May

1889

THE PEOPLE

vs.

Charles Hamilton

Burglary in the Third degree.  
Return

[Section 498, § 206, § 284, § 322.]

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Thos J. Woodbury

Foreman.

May 17/89

Alfred C. May 3rd 1889  
By 14/13 6th 1889  
14/13 6th 1889

0522

Police Court—1<sup>st</sup> District.

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

of No. 39 Old Slip Street, aged 27 years,  
occupation Manager Radio Manufactures being duly sworn.

deposes and says, that the premises No 39 Old Slip Street,  
in the City and County aforesaid, the said being a five story brick building  
in the First Ward  
and which was occupied by deponent as a Manufacturing Office  
~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly Springing a  
door leading into said office from the hall  
way on the 3<sup>rd</sup> floor of said premises and  
entered therein

on the 9<sup>th</sup> day of January 1889 in the day time, and the  
following property feloniously taken, stolen and carried away, viz:

One Sack Coat of the value of  
One dollar

the property of Deponent  
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Charles Hamilton  
(now here)

for the reasons following, to wit: deponent securely locked  
and fastened the aforesaid door leading into  
said office at about the hour of eleven o'clock  
and thirty minutes A.M. on said date and  
at about the hour of one o'clock P.M. on the  
10<sup>th</sup> day of January, deponent discovered said  
premises had been burglarized and said property  
taken stolen and carried away  
deponent is informed by Edward Rogan

0523

of No 39 Old Slip that he saw the defendant  
in the office of deponent and said Hogan  
caused the arrest of said defendant.  
Deponent identified the said coat found  
in the possession of defendant and worn  
on his person as the property taken stolen  
and carried away as aforesaid.

Sworn to before me this  
10<sup>th</sup> day of January 1889

Dewitt Desinger

Police Justice

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

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ \_\_\_\_\_ Bail.

Bailed by \_\_\_\_\_

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



0524

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 30 years, occupation Edward Rogan  
Sign Painter of No. 39  
Old Slip

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

Sworn to before me, this 10<sup>th</sup>  
day of Jan 1888 by Edward Rogan  
J. H. [Signature]  
Police Justice. [Signature]

0525

Sec. 198—200.

152  
District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Charles Hamilton

Question. How old are you?

Answer.

54 years

Question. Where were you born?

Answer.

New York City

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

Answer.

432 East 4<sup>th</sup> St 6 years

Question. What is your business or profession?

Answer.

Law Bookish

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

Answer.

I am not guilty

Chas. Hamilton

Taken before me this

10

day of

1889

John J. Murphy  
Police Justice.

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

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.....Jan 10 1889.....E. J. Murphy.....Police Justice.

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.....Jan 10 1889.....E. J. Murphy.....Police Justice.

*the City Prison, of the City of New York, until he give such bail.*

Dated.....Jan 10 1889.....E. J. Murphy.....Police Justice.

*Police Justice.*

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

*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.*

0527

155 / sh 60  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Jewett Pesinger  
39 Old Slip  
Charles Hamilton

Offence *burglary*

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

2 .....  
3 .....  
4 .....

Dated *June 10<sup>th</sup>* 188 *9*

*J. Ford* Magistrate.

*Capt. M. Campbell* Officer.

*13<sup>th</sup>* Precinct.

Witnesses *Edward Hogan*

No. *39 Old Slip* Street.

No. .... Street.

No. .... Street.

\$ *1000* to answer *JS*

*com* *burg*  
*P. H.*

0528

DIRECTIONS.

The Grand Jury Rooms are in the third story of the large brown stone building in Chambers Street, near the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

The People of the State of New York,

To *Capt McLaughlin*

of No. .... Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, at the Grand Jury Room, in the third story of the Sessions Building adjoining the New Court House in the Park, in the City of New York, on the day of *January* instant, at the hour of 10½ in the forenoon of the same day, to testify the truth and to give evidence before the GRAND JURY, touching a certain complaint then and there pending against

*Chas Hamilton*

And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon FREDERICK SMYTH, Recorder at the City Hall, in our said City the first Monday of *January* in the year of our Lord 1888.

JOHN R. FELLOWS, *District Attorney.*



0529

Police Department of the City of New York,

Precinct No. \_\_\_\_\_

New York, \_\_\_\_\_ 188

July 12<sup>th</sup> 82. Joseph Hayden 382 E 4<sup>th</sup> St.  
 (Attempted Burglary). Trying Key in Office  
 door of Kular & Pettit 45 Pearl St.  
 Aug 18<sup>th</sup> 82 one year Penitentiary

Judge Gilchrist

July 9<sup>th</sup> 83  
 Joseph Hayden alias Joseph Brown  
 382 E 4<sup>th</sup> St. Carrying Burglars tools and  
 formal swearing in hallway of Building  
 24 State St.

July 13<sup>th</sup> 83

18 months S. P.

Judge Gilchrist

Nov 10<sup>th</sup> 84

Joseph Hayden alias Brown. Burglary,  
 Office of Charles A. Hatch 21 South St.  
 Nov 24<sup>th</sup> 84, 2 yrs. + 6 months S. P.

Judge Cowling

also arrested in 1887 by Off Cowling  
 Fresh-free and sent to State-prison

0530

13754

Police Department of the City of New York,

Precinct No 44

5-55 P.M.

New York, July 2<sup>nd</sup> 1882

Joseph Hayden 38 Book Keeper 384 E 4<sup>th</sup> St  
right residence 102 Chatham St, trying keys in the office  
door of Recker & Pettit 43 Pearl St, 3<sup>rd</sup> floor

H 1000 to Ans -

Judge Patterson

Aug 18<sup>th</sup> 82 Plead guilty at General Sessions  
Sentence one year Penitentiary

Judge Geldersum

5 P.M.

July 9<sup>th</sup> 83

Joseph Hayden Alias Joseph Prayn  
382 E 4<sup>th</sup> St, Carrying Burglars Tools and  
found lurking on 3<sup>rd</sup> floor of Brickling  
24 State St, Joseph Nimmo Janitor, Comp

H 1000 to Ans

Judge Smith

July 13<sup>th</sup> 83 Plead guilty at General Sessions  
Sentence 18 months S. P.

Judge Geldersum

730 P.M.

Nov-10<sup>th</sup> 84

Joseph Hayden Alias Prayn, 46, no  
home, forcing entrance in to office of  
Charles C Hatch 21 South St -

H 1000 to Ans -

Judge White

Nov-24<sup>th</sup> 84 Plead guilty at General Sessions  
Sentence 2 yrs - & 6 months S. P.

Judge Cawing Oates

0531

March 26" 1887.

5<sup>30</sup> P.M.

Chas Harris - 54. W. N. S. Clerk. S. Yes \*374. E. 4" St.  
Compt E. J. Mc Guire, 30 Whitehall St.

Burglary

Sentenced 18 mos S. Prison, Cowing.

The above prisoner found in building with Jimmy & Skeleton Key.

Jan 9" 1887.

Chas Hamilton. 54. W. N. S. Clerk. S. Yes \*342. E. 4" St.

Compt Dewit Pesinger, Manager Radix Mfg Co

Burglary -

39 Old Slip.

W.

Chas Hamilton

Record  
of record  
there  
off dates

0532

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

*Charles Hamilton*

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

*Charles Hamilton*

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

The said

*Charles Hamilton*

late of the *First* Ward of the City of New York, in the County of New York, aforesaid, on the *ninth* day of *January* in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *office* of one

*De Witt Pesinger*

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

*De Witt Pesinger*

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.

0533

SECOND COUNT—

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

*Charles Hamilton*

of the CRIME OF *Petit* LARCENY

committed as follows:

The said

*Charles Hamilton*

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

*one coat of the value  
of ten dollars*

of the goods, chattels and personal property of one

*Dewitt Pesinger*

in the

*office* of the said *Dewitt Pesinger*

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

*John R. Fellows,  
District Attorney*



0534

**BOX:**

337

**FOLDER:**

3187

**DESCRIPTION:**

Hamlin, Louis

**DATE:**

01/25/89



3187

0535

Witnesses:

Robert Porter

L. M. Carter

James James Walker 28

J. 389 - June

107 1889

Counsel,

Filed

day of

1889

Pleads,

challenged of

THE PEOPLE

vs.

B.  
Louis Hamlin

Grand Larceny Second degree.  
[Sections 528, 53 / -, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Geo. Woodley  
Foreman.

March 14/89.

Grand Jurors

T.

0536

Police Court 2 District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

of Richmond Porter  
Per 35 North River Street, aged 25 years,  
occupation Clerk being duly sworn

deposes and says, that on the 8th day of January 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the night the following property viz:

Two bales of Cotton of  
the value of One hundred  
Dollars (\$100.00)

the property of The Ocean Steamship  
Company & in deponent's care  
and custody.

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Louis Haulin (now here)  
from the fact that deponent is  
informed by Henry H. Carter that  
he Carter saw the said deponent  
take steal and carry away said  
property from Per 35 North River.  
Wherefore deponent prays the said  
deponent may be held and dealt  
with according to law.

Richmond Porter

Sworn to before me, this 10th day of January 1889  
of Richmond Porter  
Police Justice.

0537

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Henry H. Carter*  
aged *40* years, occupation *Clerk* of No. *Per 35 North River* Street, being duly sworn deposes and

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

Sworn to before me, this *9th* day of *Jan* 188*9* } *Henry H. Carter*

*Wm. D. [Signature]*  
Police Justice.

0538

Sec. 198-200

CITY AND COUNTY OF NEW YORK, ss.

2 District Police Court.

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

Question. What is your name?

Answer.

*Louis Hamlin*

Question. How old are you?

Answer.

*54 years old*

Question. Where were you born?

Answer.

*Richmond Va*

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

Answer.

*114 Sullivan St. & Mrs*

Question. What is your business or profession?

Answer.

*Longshoreman*

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

Answer.

*I am not guilty*  
*Louis Hamlin*  
*Mark*

Taken before me this

day of

Police Justice.



0539

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

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

Dated January 11 1889 J. G. Duffy Police Justice.

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

Dated January 11 1889 J. G. Duffy 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.

0540

\$1000 for 24  
Jan 11 1889 2 p.m.

289 2 77  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Richmond Porter  
Pier 35 N.R.  
Louis Hamlin

Lacey  
felony  
Offence

BAILED,

No. 1, by

Edw H. Hughes

Residence

303 West Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

Jan 9

1889

Magistrate.

Officer.

Precinct.

Witnesses

Henry H. Carter

No.

Pier 35 N.R.

Street.

No.

Pier 35 N.R.

Street.

No.

John M. West (sworn)

No.

Pier 35 N.R.

Street.

\$500

to answer

Bailed

g.h.

0541

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Louis Hamlin*

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

*Louis Hamlin*

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

The said

*Louis Hamlin*

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

*two bales of cotton of  
the value of fifty dollars  
each bale*

of the goods, chattels and personal property of ~~one~~ *a certain corporation*  
*called The Ocean Steamship 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.

0542

*Second* COUNT:—

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

*Louis Hamlin*

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

The said

*Louis Hamlin*

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

*two bales of cotton  
of the value of fifty  
dollars each bale*

of the goods, chattels and personal property of one

*Richmond Porter*

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

*John R. Fellows  
District Attorney*

0543

**BOX:**

337

**FOLDER:**

3187

**DESCRIPTION:**

Hampton, Charles

**DATE:**

01/30/89



3187



0544

Witnesses:

Maurice Callahan  
Richard Haggerty

355 Butler

Counsel, 4  
Filed, 30 day of Jan'y 1889  
Pleads, C. Haggerty

Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code).

THE PEOPLE

vs. <sup>ss.</sup> <sup>P</sup>  
John  
Charles Hampton

JOHN R. FELLOWS,  
District Attorney.

Pr July 4/89  
pleads Asslt 3d g

A True Bill.

W. Wood  
Foreman.

G. Moser  
J. H.

0545

New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

Charles Hampton

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 indictment is for an assault in the first degree & as the affair commenced in sport and could have had no foundation in malice I entertain serious doubts of whether defendant has been guilty of any wilful violation of the Law

Witness

Andrew ~~W. Dawson~~ Maurice Callahan

0546

CC  
Crook  
over  
Charles Thompson

Withdrawal

0547

Police Court—1st District.

CITY AND COUNTY  
OF NEW YORK, } ss.

of No.

Maurice Callahan  
9th Roosevelt Street,

being duly sworn, deposes and says, that  
on Saturday the 19th day of January  
in the year 1889 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Charles  
Hampton (now here) who  
wilfully and maliciously  
cut and stabbed deponent  
on the body with the  
blade of a knife which  
he then held in his hand  
and said assault was  
committed

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 22 day

of January 1889.

Maurice Callahan

John J. [Signature]  
POLICE JUSTICE.

0548

Sec. 198—200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Charles Hampton* 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. *Charles Hampton*

Question. How old are you?

Answer. *25 years.*

Question. Where were you born?

Answer. *New York.*

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

Answer. *398 Canal St. 8 years.*

Question. What is your business or profession?

Answer. *Printer*

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

Answer. *I am not guilty.*  
*Charles Hampton*

Taken before me this *22*

Day of *January* 188*5*

*Wm. J. ...*  
Police Justice.

0549

Bellevue Hospital  
Jan 20, '84

Maurice Callaghan will not be in  
condition to go to court before Tuesday  
of this week

J. H. Carmichael M.D.  
House Physician



0550

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT,

DISTRICT.

of No. 34 Roosevelt Street, aged 40 years,  
occupation Police Officer being duly sworn deposes and says,  
that on the 19 day of January 1889.

at the City of New York, in the County of New York, he arrested  
Charles Hampton (now here) for  
feloniously assaulting Maurice  
Callahan and inflicting such  
injuries to said Callahan  
as causes him to be confined to  
the Bellevue Hospital

Wherefore deponent prays  
that the said defendant be  
held to await the result of said  
injuries.

Edward Moran

Sworn to before me, this

of

188

day

Police Justice,

0551

Police Court District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

vs.

Charles Hampden

Dated Jan 20 1889

Gorman Magistrate.

Maorum Officer.

Witness,

Michael Haggerty

93 Rossiter St.

James Haggerty

45 Madison

Disposition,

\$1000 Bail for  
Exd R. Mr. January  
22 1889

AFFIDAVIT

Filed on M. Callahan

0552

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.....

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

Dated *Jan 22* 188*9*. *J. H. [Signature]* 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.

0553

355 123  
Police Court--- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Mamie Callahan  
94 Roosevelt St  
Charles Hampton

2

3

4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Jan 22 1889

Gorman Magistrate.

Moran Officer.

Precinct.

Witnesses Michael Haggerty

No. 95 Roosevelt Street.

Lawrence M. McCarthy

No. 45 Madison Street.

No. Street.

\$ 1000 to answer 98

Cam

0554

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Charles Hampton*

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

*Charles Hampton*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Charles Hampton*

late of the City of New York, in the County of New York aforesaid, on the  
*nineteenth* day of *January* in the year of our Lord  
one thousand eight hundred and eighty-*nine*, with force and arms, at the City and  
County aforesaid, in and upon the body of one *Maurice Callahan*  
in the peace of the said People then and there being, feloniously did make an assault,  
and *him* the said *Maurice Callahan*  
with a certain *knife*

which the said, *Charles Hampton*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent *him* the said *Maurice Callahan*  
thereby 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  
*Charles Hampton*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Charles Hampton*

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 *Maurice Callahan*  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault, and *him* the said  
*Maurice Callahan*  
with a certain *knife*

which the said *Charles Hampton*  
in *his* right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab 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.

0555

THIRD COUNT—

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

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

The said

*Charles Hampton*  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said  
*Maurice Callahan* in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and  
*him* the said *Maurice Callahan*  
with a certain *knife*

which

the said

in

*he* the said *Charles Hampton*  
*his* right hand then and there had and held, in and upon the *body*  
of *him* the said *Maurice Callahan*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said *Maurice Callahan*

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

JOHN R. FELLOWS,

District Attorney.



0556

**BOX:**

337

**FOLDER:**

3187

**DESCRIPTION:**

Hanlon, Peter

**DATE:**

01/08/89



3187

0557

**BOX:**

337

**FOLDER:**

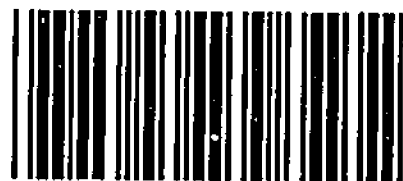
3187

**DESCRIPTION:**

Black, Charles

**DATE:**

01/08/89



3187

0558

Witnesses:

Michael Sullivan  
Officer Formosa

Counsel,

Filed day of June 1889

Pleds, with notes

THE PEOPLE

No. 1007  
of 1000  
of 1000

Peter Hardin

and

Charles Black

A.D.

Robbery in the  
(MONEY)  
degree.  
[Sections 224 and 225, Penal Code].

JOHN R. FELLOWS,

District Attorney.

Jan 18/89  
A TRUE BILL.  
for perjury & 2nd  
degree murder  
Per J. H. Wood

Foreman.

Part 3 Jan 25 at 11:15  
Part 4 Jan 25/89  
V. 2. Trial and acquitted.

T

0559

Police Court— District.

CITY AND COUNTY }  
OF NEW YORK, } ss

House of Detention Michael Sullivan  
 of No. Rockaway Beach L.I. Street, Aged 24 Years  
 Occupation Laborer being duly sworn, deposes and says, that on the  
 26<sup>th</sup> day of December 1888, at the Sixth Ward of the City of New York,  
 in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
 ponent by force and violence, without his consent and against his will, the following property, viz:

Good and lawful money of  
 the United States of the value  
 of Fifty seven dollars

of the value of

DOLLARS,

the property of deponent

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

Haulon and Charles Black (both  
 now here) who were in company with  
 each other and acting in concert  
 for the purpose that on said day  
 deponent was in a liquor saloon  
 situate at No. 11 Chatham Square  
 and deponent had said money in  
 the right side pantaloons pocket  
 of the pantaloons then worn on his  
 person and part of his bodily clothing.  
 That the defendant Haulon violently  
 and forcibly seized hold of deponent's  
 body and forcibly placed his, Haulon's

Day of

Sworn to before me, this

188

Police Justice.

0560

hand into deponent's coat pocket. That the defendant Haulon then forcibly held deponent's body and the defendant Black forcibly placed his hand into deponent's said pantaloons pocket and against deponent's will and consent took said money therefrom and they both went away. Michael Sullivan

Sworn to before me }  
this 27<sup>th</sup> December, 1888 }

James C. Kelly  
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named  
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 1888  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1888  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1888  
Police Justice.

Police Court, District,	
THE PEOPLE, &c.,	
on the complaint of	
vs.	
1.	
2.	
3.	
4.	
Dated 1888	
Magistrate.	
Officer.	
Clerk.	
Witnesses,	
No.	Street,
No.	Street,
No.	Street,
\$	to answer General Sessions.

0561

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Peter Haulon* 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.

*Peter Haulon*

Question. How old are you?

Answer.

*40 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*No. 4 East Broadway 2 months*

Question. What is your business or profession?

Answer.

*Cabinet maker*

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

Answer.

*I am not guilty  
Peter Haulon*

Taken before me this

*27*

day of *December* 188*8*

*John J. McFadden* Police Justice.



0562

Sec. 193—200.

CITY AND COUNTY } ss.  
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer.

*Charles Black*

Question. How old are you?

Answer.

*28 years*

Question. Where were you born?

Answer.

*Philadelphia Penna.*

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

Answer.

*67 James Street. 3 days*

Question. What is your business or profession?

Answer.

*Blacksmith*

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  
Charles Black*

Taken before me this

*27*

day of *December* 188*8*

*David C. Smith* Police Justice.

0563

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

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

Dated Dec 27 1888 Sanford 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.

0564

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Michael Sullivan  
vs.  
Peter Haulon  
Charles Black

Offence Robbery

3.  
4.

BAILED,

No. 1, by  
Residence Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Dated Dec 27 1888

O'Reilly Magistrate.

Formoso Officer.

Michael Sullivan Precinct.

Witnesses

No. Complainant Street.

Committed to the House  
of Detention in default  
of \$100 Bail

No. Street.

\$2500 Answer.

12 astunder

11 Chatham St  
COMMITTED

0565

CITY AND COUNTY } ss.  
NEW YORK,

POLICE COURT, ——— DISTRICT.

Charles A. Formoso  
of No. 6<sup>th</sup> Avenue Street, aged 24 years,

occupation Police officer being duly sworn deposes and says,  
that on the 27<sup>th</sup> day of December 1888

at the City of New York, in the County of New York, Michael Sullivan  
(now here) is a necessary and material  
witness for the People against Peter  
Haulon and Charles Black charged  
with Robbery and said Sullivan  
has no residence in this County and  
deponent fears that he will not appear  
when wanted, deponent asks that said  
Sullivan be sent to House of Detention  
for Witnesses in default of bail

Charles A. Formoso

Sworn to before me, this 27<sup>th</sup> day  
of December 1888

James J. Connelley Police Justice,

0566

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Peter Stanton and  
Charles S. S. S.

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

Peter Stanton and Charles S. S. S.

of the crime of ROBBERY IN THE *first* DEGREE, committed as follows:

The said Peter Stanton and Charles S. S. S.

late of the City of New York, in the County of New York aforesaid, on the *twelfth* day of *December*, in the year of our Lord one thousand eight hundred and eighty *eight*, in the *time of the said day*, at the City and County aforesaid, with force and arms, in and upon one *Michael Sullivan*, in the peace of the said People then and there being, feloniously did make an assault, and *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 twenty dollars, and of the value of twenty 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 ten dollars, and of the value of ten 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 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*; *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 twenty dollars *each*; *five* 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*; *ten* 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*; *two* United States Silver Certificates of the denomination and value of twenty dollars *each*; *five* United States Silver Certificates of the denomination and value of ten dollars *each*; *ten* United States Silver Certificates of the denomination and value of five dollars *each*; *ten* United States Silver Certificates of the denomination and value of two dollars *each*; *ten* United States Silver Certificates of the denomination and value of one dollar *each*;

\$57.00

0567

*Two* United States Gold Certificates of the denomination and value of twenty dollars *each*; *Three* United States Gold Certificates of the denomination and value of ten dollars *each*; *Five* United States Gold Certificates of the denomination and value of five dollars *each*; and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *seven dollars*,

of the goods, chattels and personal property of the said *Michael Sullivan*, from the person of the said *Michael Sullivan*, against the will, and by violence to the person of the said *Michael Sullivan* — then and there violently and feloniously did rob, steal, take and carry away, *(the said Peter Stanton and Charles Black, and each of them, being then and there aided by an accomplice actually present to wit: each of the other)*

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

JOHN R. FELLOWS,

District Attorney.



0568

**BOX:**

337

**FOLDER:**

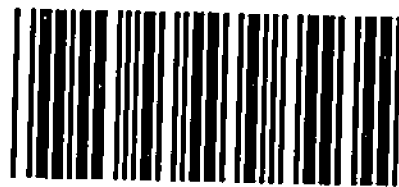
3187

**DESCRIPTION:**

Harris, Rachel

**DATE:**

01/17/89



3187

Witnesses:

Wm de Trent  
Officer Charles Reddick  
Captain Thomas Ryan 21P

ackd on spec on  
Mo of 18-secy.  
ap chot. 7.1

Valued by

~~John R. E. Jones~~  
~~23-10-10~~  
~~to Henry Jones~~

Elizabeth Culligan,  
520 East 13<sup>th</sup> St

W 134  
Counsel, Friend V.H. 89  
Filed 14 day of Aug 1889  
Plends, Voluntary (July 13)

THE PEOPLE  
vs. B. #57.  
Radick J. Harris  
alias  
Henry Howard  
KEEPING A HOUSE OF ILL FAME, ETC.  
[Sections 322 and 385, Penal Code]

John de Trent  
District Attorney  
A True Bill.  
I have examined the evidence in this case and all the facts as stated to me by the officer in the case and am convinced that there is no legal evidence upon which a conviction can be had. I therefore recommend the defendant's acquittal.  
March 22/89 J.M. Davis - Clerk.

0569

0570

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

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Frederick J. Jones*

v.s.

*Rachel J. Harris*

*Ans. Mary Howard*

Offence

Dated *January 16* 188*7*

Witnesses, *Carl Ryan*

No. *off. Nelson* Street,

*Sheidan* } *212* Street

No. *Large Building* Street,

No. Street,

*See People*

v

*Frederick J. Jones*

*Dismissed by C. J. Jan 15/89*

0571

District Attorney's Office.

Part 3  
PEOPLE

vs.

Rachel E. Harris

February 13<sup>th</sup>/89

For Pleading

0572

Court of General Sessions of the Peace,  
HELD IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE ON THE COMPLAINT OF

PART.....

<sup>vs.</sup>  
Rachel E. Harris  
alias Mary Howe

OFFENSE,

House of  
Ill Fame

CITY AND COUNTY OF NEW YORK, ss.:

George G. Banger being duly

sworn, deposes and says:

That he is Clerk to the Grand Jury,  
in the District Attorney's office

That he is a Police Officer attached to the Precinct. That Irene  
De Forest

is a material and necessary witness  
on behalf of the People herein. That deponent is informed and verily believes that  
the said Irene De Forest will not appear to

testify when required, from the fact that said Irene De

Forest has stated that after  
she was acquitted by the Grand  
Jury on complaint of the said  
Rachel E. Harris, she would  
immediately go back to Boston

Wherefore deponent prays that the said Irene De Forest be  
required to give sufficient security to assure her attendance when required as a  
witness, or upon a refusal to furnish such security that she be committed to the  
House for the Detention of Witnesses, until he be legally discharged.

Sworn to before me, this 17 day

of June 1889.

George G. Banger.

of Jany  
Edmund Hall

Deputy Clerk  
Court of General Sessions - N. Y. City

0573

Court of General Sessions of the Peace.

PART.....

222

THE PEOPLE, ETC., ON THE  
COMPLAINT OF

*Jane De Forest*

*vs.*  
*Rachel E. Harris*  
*alias Mary Howe*

OFFENSE: *House of*

Affidavit and Order to Commit to the House  
for the Detention of Witnesses.

JOHN R. FELLOWS,  
District Attorney  
New York County.

Dated New York,

*Jan 16* 1889

ORDERED, if the said *Jane De Forest* fail to furnish  
such security for her appearance, that *Sh* & be committed to the House for the  
Detention of Witnesses until he give such security or be legally discharged.

*John R. Fellows*



0574

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Richard F. Harris  
otherwise called  
Mary Howard*

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

*Richard F. Harris otherwise called Mary Howard*

(Sec. 322,  
Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said *Richard F. Harris, otherwise  
called Mary Howard,* ———

late of the *21st* Ward of the City of New York, in the County of New York aforesaid, on the *first* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*eight*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said *Richard F. Harris, otherwise  
called Mary Howard,* ——— on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, 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

*Richard F. Harris otherwise called  
Mary Howard* ———

(Section 385,  
Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said *Richard F. Harris otherwise  
called Mary Howard,* ———

late of the Ward, City and County aforesaid, afterwards, to wit: on the *first* day of *December*, in the year of our Lord one thousand eight hundred

0575

and eighty-~~eight~~, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in ~~the~~ said house, for ~~her~~ own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, 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.

THIRD COUNT—

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

*Rachel R. Harris otherwise called Mary Howard*

(Section 322  
Penal Code.) of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said *Rachel R. Harris, otherwise*

*called Mary Howard,*

late of the Ward, City and County aforesaid, afterwards, to wit: on the *first* day of *December*, in the year of our Lord one thousand eight hundred and eighty-~~eight~~, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for ~~her~~ own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in ~~her~~ said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0576

**BOX:**

337

**FOLDER:**

3187

**DESCRIPTION:**

Hauter, Oscar

**DATE:**

01/23/89



3187

0577

Witnesses:

Chas. A. O'Rourke

Spec. Jans Clerk of Court  
dearborn personal  
for ~~part~~ <sup>part</sup> ~~in~~ <sup>in</sup> indictment  
against Oscar Hunter as  
follows -

- 1 list of money paid Hunter by  
Mrs. Hodge
- 1 statement by R. E. Hodge
- 1 Synopsis of Hunter's Education
- 1 check No 7444
- 1 " 7744
- 1 " 5123
- 1 " 6440
- 1 " 7445
- 1 bill Conscription Receipts
- 1 affidavit - Mrs. Hodge not used  
in books.

signed R. E. Hodge  
for Chas. O'Rourke

H. W. Van Wagner

Counsel,  
Filed, 23 day of Jan'y 1889  
Plends, C. W. W. W.

THE PEOPLE,  
vs.  
Oscar Hunter  
(2 cases)

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

JOHN R. FELLOWS.  
District Attorney.

A True Bill.  
W. H. Hodge

Part 3 Feb'y 15<sup>th</sup> Foreman.  
Part III, 7 day of Jan'y 19/89.  
W. H. Hodge  
True and Appointed

0578

*Second District Police Court.*

*Charles A. O'Rourke*

vs.

*Oscar K. H. H. H.*

Before

*Hon. Patrick G. Duffy*

Referee

*Justice*

Minutes of Trial, *December 27<sup>th</sup> 1886.*

BEARD & LEWIS,

STENOGRAPHERS,

280 BROADWAY, NEW YORK.

*On file*

0579

SECOND DISTRICT POLICE COURT.

CHARLES A. O'ROURKE

vs.

OSCAR HAUTER.

Before

Hon. Patrick G. Duffy

Justice.

New York Session of December 27th., 1888.

-----000-----

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

Messrs. Howe & Hummel, for the prosecution.

August P. Wagener, for the defence.

JOHN G. FOLSOM, called by the prosecution, being  
duly sworn, testified as follows:

- Q. ( By Mr. Hummel ): Where is your place of business, Mr. Folsom ?  
A. 14 Bible House.  
Q. What is your age ?  
A. Somewhere about 38 or 39. I am not 40 years of age yet.



0580

2.

Q. What is your business ?

A. Real Estate.

Q. I show you check No. 744, bearing date of October 29th., 1888, on the Nassau Bank, signed by C.A.O'Rourke, Manager, calling for the sum of \$50 to be paid to the order of Oscar Hauter, and ask you if you recognize the signature of the endorsement on that check ?

A. That is my endorsement -- Yes.

Q. The endorsement, "for deposit, John G. Folson," is your endorsement ?

A. Yes sir.

Q. From whom did you receive that check ?

A. That came in in the returns of collections there. I don't know where I received it from.

Q. Is Mr. Hauter a tenant of yours ?

A. Yes sir.

Q. In what premises ?

A. In 123 Second Avenue.

Q. Was that check paid for rental ?

A. I suppose it was.

Q. Had you any other business transaction with Mr. Hauter, or your concern, outside of that of landlord and tenant ?

0581

3.

A. I believe he has purchased coal there.

Q. Anything beyond that ?

A. That is all.

-----

CROSS-EXAMINATION.

Q. ( By Mr. Wagener ): Mr. Folsom, do you deliver coal for  
the City Press Association ?

A. I could not tell you; I don't bother much about the coal  
business. It is done by the clerks in the office.

-----

Mr. Hummel: That is our case. The prosecution  
rests.

Mr. Wagener: Then we will go before the Judge on a  
motion to dismiss ?

Mr. Hummel: Yes.

Mr. Wagener: Are you going to call Mr. O'Rourke ?

Mr. Hummel: He has testified.

Mr. Wagener: Then I will take him on cross-examina-  
tion.

-----

0582

4.

CHARLES A. O'ROURKE, being cross-examined by Mr.

Wagener, testified as follows:

Q. How old are you Mr. O'Rourke ?

A. About 45.

Q. Where do you reside ?

A. 40 West 130 Street.

Q. You are the Manager, as you say, in your affidavit, for the  
New York City Press Association ?

A. Yes sir.

Q. Who owns the business of that Association ?

A. My wife.

Q. Have you any interest in that Association ?

A. I am Manager for my wife.

Q. Now, when did you first see this check ?

A. Since Christmas.

Q. You didn't see it before Christmas ?

A. No.

Q. Christmas of what year ?

A. This year.

Q. Do you remember signing this check ?

A. Eh ?

Q. Do you remember signing this check ?

0583

5.

A. No.

Q. You don't ?

A. No sir.

Q. Is the signature to that check your signature ?

A. Yes sir.

Q. Was this check given in the business of the New York  
City Press Association ?

A. It was supposed to have been so given .

Q. Do you know Mr. Folson, or had you seen him before to-day ?

A. No: it was not given to Mr. Folson by me.

Q. Well, I didn't ask you that. Had you known him before to-  
day ?

A. No sir.

Q. Had you ever seen him before to-day ?

A. Never.

Q. Where do the City Press Association get their coal ?

A. Generally from Skidmore & Co.

Q. Not from Mr. Folson ?

A. They have received some from Mr. Folson, I believe.

Q. Now did you ever give this defendant any checks ?

A. Did I ever give him any checks -- in his own name ?

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Q. Yes sir.

A. Two .

Q. Two checks ?

A. Yes.

Q. Will you swear there were not more than two ?

A. I will swear I know of only two in his own name.

Q. That you signed and gave him ?

A. Yes.

Q. Can you tell when you gave these checks ?

A. Pretty near.

Q. Give the date, as near as you can ?

A. I couldn't give the exact dates.

Q. What month were they given in ?

A. All within three months.

Q. Three months last past ?

A. Yes sir.

Q. You never gave him any other checks ?

A. Not in his own name that I remember.

Q. What were the two checks given for that you gave him, in  
his own name ?

A. He told me that he had made some deposits in the Bank, to

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7.

my credit, of money of his own.

Q. And to repay him you gave him the two checks ?

A. Yes sir; the first one I --

Q. Were those two checks paid by you ?

A. I don't know anything about that.

Q. You don't know anything about that ?

A. No sir.

Q. Were they paid by the Bank upon which they were drawn ?

A. I had them stopped. I had the payment stopped.

Q. You had the payment of the two checks stopped ?

A. Of all checks in his name.

Q. Of all checks in his name ?

A. Yes sir.

Q. Now, you saw those checks produced on the last examination --  
did you not ?

A. Yes sir.

Q. All drawn to this man's order -- did you ?

A. They were not drawn to his order by me.

Q. You saw those checks produced on the last examination, drawn  
to the order of Oscar Hauter ?

A. I want to explain that.



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Q. I want no explanation. Give me an answer yes or no ?

A. I never signed a check to the order of Oscar Hauter.

Mr. Wagener: You will not take that answer, Mr. Beard.

Mr. Hummel: He will take; you will give no orders to the stenographer. He has taken it.

Mr. Wagener: He is here to give me an answer "yes" or "no"? I ask that the question be repeated ?

( Q. repeated ).

A. Yes.

Q. You said on the last examination, that you would have an expert to examine the books. You said a good deal about that. Has he examined the check-book and pass-book ?

A. Yes sir.

Q. Is he here ?

A. Yes sir.

Q. Have you got the check book here ?

A. I believe that we have.

Q. Produce it ?

A. Here it is.

Q. Now let me see the stub of No. 744 ?

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( Mr. Wagener looks at the stub ).

Mr. Wagener: I offer it in evidence.

Mr. Hummel: We can put in a copy of the entry.

Mr. Wagener: That will do.

( Entry; "No. 744 Date 31/10. O.Hauter. 50" )

Mr. Hummel: One moment, Mr. Wagener. Let me have that book. You can inquire; but you can't inquire into our business outside of the question at issue. You can't look all over that book.

Mr. Wagener. You seem to be very much afraid of that book ?

Mr. Hummel: Not at all. Never mind about that. We think we have made out our case without an inspection of our book to you.

Mr. Wagener. Now turn to stub No. 599 ?

Mr. Hummel: (reads ) " 5/8. The Press."

Mr. Wagener: Now turn to 657 ?

Mr. Hummel: (reads) " Date 11/9. O.Hauter. 50."

Mr. Wagener: I offer these entries in evidence.

Mr. Wagener: Now turn to check No. 615 ?

Mr. Hummel: (reads) " 13/8. O.Hauter. a cross under it - 50."

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10.

Mr. Wagener: No. 639 .

Mr. Hummel: (reads) " 30/8.- Exchange - 50."

Mr Wagener: I offer these entries in evidence.

Q. ( By Mr. Wagener ): Now, have you any other check books here, Mr. O'Rourke ?

A. I think that we have.

Q. Now, I ask you to produce the one before that ?

Mr. Hummel: We have no other check books here.

Mr. Wagener: Mr. O'Rourke, you say you think you have an old check book here ?

A. I thought that it was; but we haven't it.

Q. Can you tell me what all these checks made to the order of O. Hauter were given for ?

A. Yes sir.

Q. Tell it ?

A. They were checks which had been signed by me under the representation that they were made out for advertising bills to various papers. They were signed as blank checks.

Q. Were all your checks signed by you ?

A. Always -- Yes sir.

Q. Any other person in your business have authority to sign your

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checks ?

A. No sir.

Q. At no time ?

A. No sir.

Q. And this defendant had no authority to sign checks in your name ?

A. No sir.

Q. And all of the checks you gave in your business were given in blank ?

A. Not all - no.

Q. Was the major part given in your business in blank ?

A. No.

Q. How do you remember this check was given in blank ?

A. I remember that on many occasions -

Q. No. How do you remember that this check was given in blank - No. 744 ?

A. On account of the period at which it was given - in October

Q. And then in October all your checks were given in blank ?

A. I didn't say so .

Q. Well, were they ?

A. They were not.

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Q And the only way that you remember that it was given in blank was because it was given in October?

A Yes, sir; about that time- about that time of the year.

Q Now, the other checks that we have put in evidence here-- or the stubs in evidence- Were they given in blank?

A Yes sir; all of them.

Q Were all of the checks given to Hauter given in blank?

A Except two.

Q Which were they?

A I can't specify the precise two.

Q Now, there have been more than two checks produced here payable to Oscar Hauter and signed by you?

A Yes sir.

Q Do you remember now that you gave him more than two checks payable to his order?

A I do not.

Q Now, did Mr. Hauter at any time advance any money to you?

A Never.

Q Didn't he advance money to you for the purpose of carrying the business over from day to day?

A Never.

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Q Didn't he advance you money to meet checks that were dated ahead?

A No sir; he advanced nothing to me whatever.

Q Now, when did you discover this check, upon which this complaint is made?

A I can't answer that question. There is somebody here that can.

Q Where did you get that check?

A I got it from Mr. Dodge.

Q Mr. Dodge is your manager?

A Yes sir.

Q In your employ?

A Yes sir.

Q Were you present when he found that check?

A I am not sure.

Q When did he give it to you?

A During the present week.

Q After your last examination?

A Yes sir.

Q Since Christmas Day?

A Yes sir.

Q Do you know where he got it?



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A Well, among the other returned checks.

Q (By Mr. Hummel): Well, do you know?

A Yes sir.

Q (By Mr. Wagener): Well, where did he get it?

A He got it from among the returned checks which I turned over to him, which were in my desk.

Q And then did you make a special examination for this check?

A No sir; not special.

Q Now, haven't you other checks in your possession payable to the order of Oscar Hauter?

A I have.

Q Have you made complaints upon them?

A I have to make complaint.

Q You intend to make complaint upon each?

A Yes sir.

Q Upon every check payable to his order?

A Yes sir.

Q You intend to make complaint upon the checks in my possession?

A Undoubtedly, if my counsel so advises it.

Q Then this complaint is made upon the advice of your counsel?

A The present complaint?

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Q Yes.

A Necessarily.

Q How long have you known Mr. Hauter, the defendant?

A All in all about I should say--about two and a half years.

Q And how long has he been in your employ?

A On the first occasion for a few months, and on the last occasion for about eighteen months.

Q And in what capacity was he in your employ on the first occasion?

A Well, he claimed to be a stenographer, and I employed him as such.

Q You employed him as a stenographer?

A Yes sir.

Q On the second occasion?  
collector

A First as ~~clerk~~ and bookkeeper, and then I gave him charge of the cash.

Q Now, you never mistrusted him before the first arrest in this action, did you?

A Well, I did mistrust him a little.

Q Did you mention your mistrust to anybody?

A Yes sir.

Q To whom?

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A To H.L.Bridgeman, business manager of the PRESS.

Q Anybody else?

A Mr.Dodge.

Q And when did you first mention it to Mr.Dodge?

A Recently;I could not state exactly.

Q Within a week,a month or a year?

A Within a month.

Q And prior to that time,you had never mentioned to Mr.Dodge  
that you mistrusted the defendant?

A No sir.

Q At no time?

A No sir.

Q You are sure of that?

A Yes sir.

Q You didn't mention to him that you distrusted him in Decem-  
ber 1887 or January or February,1888?

A. No sir.

Q. You never told Mr.Dodge to examine his books?

A. At any time?

Q. Yes?

A Yes,I did.

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17.

Q When?

A. Last Friday week.

Q You told him then to examine the defendant's books?

A Yes sir.

Q Before that time you never told Mr.Dodge to examine the  
defendant's books?

A No sir.

Q At no time?

A No.

Q You are positive of that?

A Yes sir.

Q Now,did this defendant at any time tell you that he had used  
his own money for your business?

A He did.

Q And now,how often did he tell you that?

A Twice.

Q And can you give me the dates when he told you that?

A No sir.

Q Was it within a year or a month?

A Within three months.

Q Do you remember swearing on your last examination,that you  
were positive that the first time was six months ago,and

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that it was not before six months?

A I will swear the same.

Q I didn't hear you?

A I will swear the same.

Q It is what? Six or three months?

A I swear to what I swore to before.

Q You have sworn before that it was within three months that he told you first that he had deposited money for the use of your office- did you not?

A To the best of my knowledge.

Q Was it within three months or within six months?

A Within three months.

Q Then it was not within six months?

A I testified before that it was not longer than six months, and upon subsequent examination I say that it is not beyond three months.

Q And that is the best answer you can give as to the date of the first conversation?

A Yes sir.

Q And you will swear that there were not more than two conversations in reference to moneys that he deposited for office.

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expenses?

A Yes sir.

Q And for these amounts you gave him checks?

A Yes sir.

Q What were the amounts?

A One was \$50; I can't tell about the other.

Q. What were the numbers of the checks ?

A. I could not tell.

Q. The dates ?

A I could not tell.

Q. Can you tell by an examination of the books ?

A. It would be very difficult.

Q. Could you tell by examining the books ?

A. I can't say.

Q Did you on your last examination swear that you could tell  
by examining your books ?

A. I don't know.

Q. Now do you know how often he used his own money for office  
purposes ?

A. I don't know that he ever used his own money for office  
purposes.



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Q. You don't know that he ever did ?

A. No sir.

Q. Now, on your last examination did you swear that he did repeatedly use it ?

A. I did not.

Q. Are you positive that you didn't so swear ?

A. I am.

Q. You are positive of that ?

A. Yes sir.

Q. How long have you been in business, Mr. O'Rourke ?

A. About 19 years.

Q. In this Press Association ?

A. In this same business - Yes sir.

Q. And how long have you been the Manager for your wife ?

A. About 7 years.

Q. Now, he deposited money of his own with the deposits from your office in the Bank -- did he not ?

A. I don't know that he deposited any money of his own. He had no authority to do so.

Q. And you don't know whether any such moneys are in the Bank now ?

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A. I do not.

Q. Has the expert that you have employed in this matter made a report upon the bank account ?

A. Yes sir.

Q. Have you got that report with you ?

A. It is not in writing.

Q. Did he make it verbally ?

A. Yes sir.

Q. When did you employ the expert ?

A. I had an expert from the discovery of this matter.

Q. And about how long is that ? -- When did you employ the expert ?

A. I think he began his work on the Monday prior to this man's arrest.

Q. That is about two weeks ago ?

A. Yes sir; he was arrested on Tuesday, and the expert began on Monday.

Q. About two weeks ago ?

A. Yes sir.

Q. What is the name of the expert ?

A. Bagot.

Q. Where is his office ?

0600

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A. In the Bennett Building.

Q. And he is not at 7 Beekman Street ?

A. I didn't send for him myself.

Q. Who sent for him ?

A. Mr. Dodge -on my order to find a good expert.

Q. Did Mr. Dodge ever make reports upon the conduct of this defendant ?

A. Yes sir.

Q. How often ?

A. Very often.

Q. Very often ?

A. Yes sir.

Q. Within what period of time ?

A. I couldn't tell exactly. I think they began about 6 months ago.

Q. Not longer than that ?

A. No sir.

Q. Didn't they begin more than a year ago ?

A. I can't say that they did.

Q. How many reports did he make ?

A. I can't tell that either.

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23.

Q. Did he make them in writing or verbally ?

A. Verbally.

Q. And will you swear that there were six reports that he made?

A. I will not swear to any number. They were not very numerous

Q. Not as numerous as six ?

A. I couldn't say.

Q. Now do you remember what he reported ?

A. The first report he made was that he had found some of this  
defendant's books there <sup>or in the desk,</sup> ~~in the desk,~~ and examined them,  
and in his opinion they were not properly kept.

Q. He made that as a report to you ?

A. Yes sir.

Q. Now, was that the entire report ?

A. That is all of that I remember, at that time.

Q. And when was that report made ?

A. About 6 months ago, as far as I can remember.

Q. And who was present when Mr. Dodge made that report ?

A. Nobody but Mr. Dodge and myself.

Q. Any other person ?

A. No sir.

Q. When did he make the next report ?

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A. I can't tell.

Q. What was his next report ?

A. The next reports were in the nature of suspicions in regard to the man's way of doing business, in some specific cases.

Q. Give us the entire report ?

A. There was no entire, formal report. I could not remember the exact language.

Q. Have you given all that you now remember of the second report ?

A. He asked me several times if I was sure that this man's life would bear investigation, and I said that I intended, by the end of the year, to make a thorough investigation, anyhow.

Q. When was this ?

A. Within two months.

Q. And this was not six months ago ?

A. No sir.

Q. Now, after that, when did he make the next report ?

A. I can't give dates for any of his reports.

Q. Did he make any reports after the one you have just mentioned ?

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A. From time to time he reported suspicious cases in this man's conduct of business.

Q. ( Question repeated ).

A. I can't say whether it was the second or the fifth in order.

Q. And you can't say whether that report was made two months ago, or six months ago ?

A. I can't tell the order in which the reports were made.  
They were not formal reports.

Q. You can't tell the order in which the reports were given ?

A. No sir.

Q. You can't tell whether it was two months ago, or six ?

A. No sir.

Q. Now, did you tell Mr. Dodge, at that time, to examine this man's books ?

A. No sir.

Q. You didn't ?

A. Not until recently; not at the times you refer to.

Q. What times; not until the day before his arrest ?

A. Yes sir.

Q. That is it ?

A. Yes sir.



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26.

Q. Did you at any time examine this man's books ?

A. I can't say that I ever made what could be called an examination of his books.

Q. At no time ?

A. No sir--at no time in a careful manner.

Q. Now, Mr. Bagot, the expert has made a verbal report to you upon that check book ?

A. Yes sir; on the whole business.

Q. No; I am speaking of the check book ?

A. He has.

Q. Can you remember what the report was ?

A. Yes sir; he says that the bookkeeper was very inefficient, and there are evidences that he has throughout conducted business in a way to cover <sup>up</sup> frauds.

Q. Has he reported upon the amount in Bank now ?

A. He has not -because -

Q. He has not ?

Mr. Hummel: Let him finish his answer.

Mr. Wagener: No: he has given an answer. Have you instructed him to figure up the amount of the checks drawn against your account in that Bank ?

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A. I instructed him to--

Q. Did you instruct him to figure up the amounts of the checks drawn against your account in the Bank ?

A. I don't remember that I did.

Q. Did this expert make a report upon the amount of checks drawn against the account ?

A. I don't remember that he did.

Q. Then you can't say now whether the amount deposited didn't exceed the amount drawn against by checks ?

A. He made a report on that question.

Q. That is what I want to get at, to show the irregularity of this man's method of doing business?

A. I can't say just how or what kind of report he made in detail, but I said before that--

Q. No, no, Can't you tell us whether or not he made a report that the money deposited was in excess of the amount drawn by checks against the account ?

A. Not to me; he didn't.

Q. Well, he made a report to you ?

A. A portion of his remarks were made to Mr. Dodge and another accountant in the office.

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Q. Had you authorized him to make a report to Mr. Dodge ?

A. No sir.

Q. Had you instructed Mr. Dodge to work up this matter for the prosecution of the defendant ?

A. . . Certainly. .

Q. Mr. Bagot is here, you say ?

A. No. I didn't say that he was here.

Q. He is not here ?

A. No sir.

Q. Well, which of the experts is here ?

A. Mr. Coggeswell.

Q. He is in your employ ?

A. Sometimes; - not regularly.

Q. Has he not been in your employ recently ?

A. Yes sir.

Q. Up to within what time ?

A. Up to the present time.

Q. Then he is in your employ now ?

A. Yes sir; but he is not a salaried employee of the office.

Q. He is not a salaried employee of the office, but he is employed sometimes ?

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A. Yes sir; on what we call assignments in the office.

Q. What does he do for the office ?

A. Newspaper work.

Q. And how long do you know that he has done newspaper work ?

A. About 8 months.

Q. For your office ?

A. Yes sir.

Q. He has been in the newspaper line before that ?

A. I don't know; the newspaper line is not his business. He is an accountant and bookkeeper.

Q. And do you produce him to-day as a bookkeeper and accountant ?

A. Yes sir.

Q. And now tell me what books he examined ?

( Objected to ).

Q. You testified that Mr. Bagot examined all the books as an expert ?

A. Yes sir.

Q. And now, do you mean to say that Mr. Coggeswell examined the books as an expert ?

A. Yes sir.

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Q. And you haven't got Mr. Bagot here as an expert witness ?

A. No sir.

Q. Did you have Mr. Coggeswell, your employee, here ?

Mr. Hummel: You can subpoena him if you want him.

Mr. Wagener: I insist upon an answer ?

( Question repeated ).

( Objected to as already answered several times ).

Mr. Wagener: I insist upon an answer, I will go before the Judge, and let him rule upon the answer to the question ?

Mr. Hummel: I object to the question, and instruct Mr. O'Rourke not to answer it.

Mr. Wagener: I insist upon an answer, and refuse to go on with the examination until I get an answer.

Mr. Hummel: I don't care about that; you need not go on with the examination unless you desire it. We have proved our case, I think.

( Counsel on both sides then submitted the objection to the Court ).

The Court: If Mr. Coggeswell has been pointed out once in the room, it is not necessary for him to be point-

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ed out or referred to more than once. It is merely surplusage to do so more than once. Go right on again, gentlemen, and continue the examination.

Mr. Wagener: I now desire to adjourn, your Honor.

The Court: The prisoner is locked up ?

Mr. Wagener: Yes sir.

The Court: If he is innocent he ought not to be locked up any longer than is necessary. Fix an early date, I will be here every day next week.

Mr. Wagener: Why couldn't we continue the examination before Judge Ford, before him the case was originally brought, on Monday?

The Court: Certainly, if you prefer to do so. Suppose you go on Monday morning at 9 o'clock before Judge Ford, in the Tombs ?

Mr. Hummel: I am willing.

Mr. Wagener: So am I. Another complaint growing out of the same case is before Judge Ford.

The Court: The case is transferred to Judge Ford, at the Tombs, on Monday morning next at 9.30 o'clock.

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06 10

Second Dist Police Court.

Chas. A. O'Rourke

vs.

Oscar Hunter

Before

Hon. Patrick G. Duffy

~~Referee~~

Session  
Minutes of ~~Trial~~, Jan. 3<sup>rd</sup>, 1889

BEARD & LEWIS,

STENOGRAPHERS,

280 BROADWAY, NEW YORK.

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SECOND DISTRICT POLICE COURT.

----- x

CHARLES A.O'ROURKE :

against : Before

OSCAR HAUTER. :

HON.PATRICK G.DUFFY,

----- x

Justice.

Session of January 3rd, 1889.

APPEARANCES: As before.

Cross-Examination of CHARLES A.O'ROURKE, continued by  
Mr.Wagener, as follows:

Q How many checks did you give this defendant in the month of  
October, 1888, in blank? Now don't look at any memorandum.

Mr.Moss: If you can't answer that question  
without any memorandum say so, and you can look at it

A I can't answer without a memorandum.

Q (By Mr Wagener): And you are now testifying from a memoran-  
dum?

A I am. One check, so far as my record goes.

Q One check so far as your remembrance goes?

A Yes sir; so far as my record goes.

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Q Will you swear that you did not give him more than one check in blank in October, 1888?

A I can't swear.

Q Can you tell me how many checks you gave him in all in the month of October, 1888?

A Not without reference to the check book.

Q Can't you tell what you gave him checks for in the month of October, 1888?

A Do you mean the office checks for the various business purposes of the office?

Q Yes?

A I can tell by reference to the check book.

Q You can't tell now without the check book?

A No sir.

Q Can't you tell what the check in question in this proceeding was given for?

A That was a blank check signed by me.

Q For what purpose?

A Ostensibly for advertising.

Q For advertising of what?

A Newspaper advertising.

0613

3

Q What newspapers?

A I can't tell.

Q For how much?

A I didn't make out the check for any amount.

Q Well, for how much was the check intended to be in amount?

A I can't tell.

Q Did you have any talk with the defendant before you gave him the check in blank?

A No sir.

Q Did you have any talk before you signed the check in blank?

A Certainly I did.

Q You had no talk with him as to the amount the check in blank was to be filled up for?

A No sir; he gave me the check as I was leaving the office, to sign.

Q Was anything said about to whose order it was to be paid?

A Yes sir; to some newspaper.

Q Some newspaper?

A Yes sir.

Q Can't you tell what newspaper?

06 14

4

A No. I think it was the "Times".

Q But you are not positive of that?

A No sir.

Q And had the defendant authority to fill up that check so given in blank?

A Well, he had done so quite often before.

Q Had he authority to fill up that check so given in blank?

A If I signed it he had authority to fill it up.

Q Then he filled up that check with your permission?

A Yes sir, but not for the purpose intended.

Q Then he had authority to fill up the amount mentioned in that check ?

A No.

Q Why not?

A Because it was not the amount of the newspaper bill.

Q How much did you tell him to fill that check up for- in what amount?

A The amount of whatever the bill was- whatever paper he named

Q What was said about the amount to be ~~paid~~ put in the body of the check?

A Something was said about the name of the paper at the time

06 15

5

but I don't remember what precisely.

Q And about how many checks in blank did you hand to the defendant for the purpose of being filled up?

A I suppose he has filled up a score- some to bearer and some to himself.

Q And they were all signed in blank by you?

A Invariably.

Q Now, do you know what he did with the sum of money realized from that check?

A I know what he did with the check.

Q I didn't ask that.

A Well, if you will explain the difference I will answer you just as you want.

Q (Question repeated).

A He didn't realize any sum of money from the check.

Q Was the sum of money mentioned in the check in any way accounted for in the books of the firm?

A The sum of money was accounted for by his entering on the stub of his check book and marking it "Exchange".

Q Then the word "Exchange" on that stub would mean an exchange of the check for the money represented thereby.



06 16

6

A I don't-- it don't mean to me anything of the kind.

Q What does it mean?

A That is for him to explain.

Q You can't tell us what it was?

A There was no such thing as "Exchange".

Q You can't tell what it means?

A I know what the purpose of putting it there was.

Q Tell us what the purpose was then?

A For getting me to sign a check ostensibly for newspaper advertising, which he filled up for his own purpose with an entirely different amount than that due to the newspaper.

06 17

Q And you say that the use of the word "exchange" means--

A I mean the use of the word "exchange" on the stub of the check book was to cover up a fraud.

Q Now, tell me what you understood the word "exchange" to mean as written on the stub of the check book?

Mr. Moss: He has answered it.

Mr. Wagener: No, he has not. He is afraid to answer it. He is dodging around it like a cat round a bush.

Q (By Mr. Wagener): Now, tell me what you understand the word "exchange" to mean--that is opposite this check in the stub of the check-book?

A I understand that word "exchange" as it appears on the stub of the check book to be a method of covering up a fraud.

Q Will you swear that the word "exchange" on the stub does not mean an exchange of that check for money?

A I do absolutely.

Q That is an answer. Now, haven't you been in the habit of giving the defendant a large number of checks for use in the business?

A A large number of checks?

Q Yes.

A I signed all checks that were drawn for the use of the

06 18

business.

Q (Question repeated).

A Yes sir.

Q And the checks given in the name of Oscar Hauter--

A I don't know whether I gave him checks in his own name for the use of the business or not.

Q Did you ever testify that you gave him checks to his own order for the use of the business?

A I don't know whether I did or not.

Q If you ever so testified did you testify correctly?

A Possibly--with a qualification--I testified to the best of my knowledge.

Q At the time that you gave such testimony I suppose?

A Yes sir.

Q Can you tell whether you ever signed a check to the order of Oscar Hauter for money that he had put in the business?

A He never put any money in the business.

Q I repeat the question.

Mr. Moss: I object to it in its present form.

You assume that he put money in the business.

Q (Question repeated).

06 19

9  
Mr. Moss: I object. The last part of the question assumes that the defendant put money in the business.

Mr. Wagener: I will withdraw the question to save time.

Q (By Mr. Wagener): Did you ever testify that you had given checks payable to the order of this defendant for money that he said he had deposited with the funds of your business?

A Yes sir.

Q You did?

A Yes sir.

Q Can you now tell how many of those checks you gave him in the month of October, 1888?

A I know I gave him one.

Q You know you gave him one?

A Yes sir.

Q Can you tell the amount of that?

A October 31st--fifty dollars.

Q And was that check given because he said that he had deposited money of his own with the funds of the business?

A No, it was not.

0620

10

Q How many checks did you give him in the month of October, 1888, for moneys that he said he had deposited with the funds of your business?

A None.

Q You are positive of that?

A Positive of that..

Mr. Wagener: I think that is all.

-----00000-----

RE-DIRECT EXAMINATION:

Q (By Mr. Moss): In what capacity was the defendant in your employ?

A At the time of the arrest?

Q Yes.

A He was bookkeeper and cashier and collector.

Q At the time that this check purports to have been drawn, in what capacity was he in your employ?

A The same.

Q At what salary?

A Eighteen dollars.

Q Eighteen dollars--what?

A A week.

Q Anything else?

0621

A No sir.

Q Did he ever advance any money to you or to the New York City Press Association?

A Not a dollar.

Q Did you ever authorize him to give this check to Mr. John G. Folsom?

A Never.

Q Did you know that he had given this check to Mr. John G. Folsom at the time?

A No; not until after the arrest.

Q Do you know how many checks he has given to Mr. John G. Folsom?

A Yes sir; I have quite a number of them.

Q That is the same John G. Folsom that is referred to in this complaint?

A Yes sir; I believe he gave <sup>him</sup> ~~me~~ checks for eight months rent, with my signature on them.

Q Did you ever authorize him to do that?

A No sir.

Q Did you ever know anything about it until after he was arrested?

A No sir; not a word.



0622

Mr. Moss: I believe that is all.

-----00000-----

RE-CROSS EXAMINATION:

- Q (By Mr. Wagener): How many checks were given out in your business in October, 1888?
- A I cannot tell without reference to the check book.
- Q Was it a part of his business, before paying out any check, to consult you about it?
- A Yes sir.
- Q Each and every check?
- A He could not pay any check without consulting me.
- Q Each and every check?
- A Yes sir; each and every check.
- Q You gave him checks on three occasions, didn't you--that he said he had deposited his own money with the funds of the office.
- Q Only on two.
- Q Do you swear to that positively now?
- A Yes sir.
- Q And if you ever said at any time in this or any other proceeding, that you gave him checks on three occasions, it was not correct?

0623

13

A No sir; it was not correct, as subsequent investigation proves.

Q Did you at any time say in the examination of a criminal proceeding instituted by you against this defendant, that checks might have been given to this defendant for use in your business? I want yes or no.

A I don't remember what I said on that subject.

Q You don't remember?

A No sir.

Q Now, did you ever testify in any proceeding against this defendant brought by you, to the following: "I might give him a check or checks for himself for use in the business". Answer yes or no.

A Yes sir, I believe I said that.

Q Was that true?

A It was a simple question--

Q Was it true?

A It was true that I said so.

Q Was it true?

A It was true that I might have done what I said.

Q You may have given him a check for himself for use in the business?

0624

14

A For the use of the business--what I mean is, a check to his own name.

Q That is what I mean.

A Precisely. I may have done that.

Q You may have done that?

A Yes sir.

Mr. Wagener: That is all.

-----00000-----

THE PEOPLE REST AND THE DEFENDANT RESTS.

-----00000-----

0625

F. J. ALLEN,  
PROPRIETOR.

F. T. KEITH,  
MANAGER.

Astor House,  
Broadway and Barclay and Vesey Streets.  
On the European Plan.

New York, June 18<sup>th</sup> 1889.

Hon. Judge Martin.

Dear Sir:—

My cases came up in Part I yesterday, but Judge Cowing refused to try them on the ground that he would try prison-cases only, they being the most urgent.

While this may be so in general, it certainly is not in this particular case, for as your Honor knows, I have not been able to earn anything for the last six months, and while the complainant is in possession of what little we had saved, we are destitute and getting more so from day to day.

Mr. DePassor has yesterday made the motion to dismiss three of the other indictments, which has been granted,

0626

leaving now four yet in force, which I could clear myself from in less than twenty minutes.

If not Recorder Smyth is found willing to try my cases, would not your Honor consent to try them right after the one in progress now?

Should your Honor advise me so, I will have my bail-party give me up, and gladly go to the Punks in order to secure a trial.

Kindly excuse me for giving this trouble, but I am almost despondent, and hardly know what to do.

Most respectfully yours

Oscar Hunter

0627

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

188.

Raple }  
v. } \$151.80  
Oscar Hunter }

Nevis - advertising U.S. Mutual  
Accident Ins Co.  
320 Bway.

Chas A O'Rourke -  
R. E. Dodge -

Mr O'Rourke states that there  
is no evidence to connect  
him up in this matter  
& no deft entries in the  
books -



0628

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

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

*Oscar Maister*

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

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

The said *Oscar Maister*,

late of the City of New York, in the County of New York aforesaid, on the *thirtieth*  
day of *October*, in the year of our Lord one thousand eight hundred and  
eighty-*eight*, at the City and County aforesaid, with force and arms, in the  
*day* time of the same day, divers promissory notes for the payment of money, being  
then and there due and unsatisfied (and of the kind known as United States Treasury  
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the  
payment of and of the value of *one hundred and fifty*  
*one*  
dollars; divers other promissory notes for the payment of money, being then and there due  
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination  
to the Grand Jury aforesaid unknown, for the payment of and of the value of  
*one hundred and fifty one*  
dollars; divers United States Silver Certificates of a number and denomination to the Grand  
Jury aforesaid unknown, of the value of *one hundred*  
*and fifty one*  
dollars; divers United States Gold Certificates of a number and denomination to the  
Grand Jury aforesaid unknown, of the value of *one hundred*  
*and fifty one*  
dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid  
unknown, of the value of *one hundred and fifty*  
*one dollars and eighty cents,*

of the goods, chattels and personal property of one *Charles A.*  
*Maister*, then and there being found,

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

JOHN R. FELLOWS, *District Attorney.*

0629

Second COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further  
accuse the said Oscar Hunter  
of the same CRIME of Grand LARCENY, in the  
second degree, committed as follows:

The said Oscar Hunter,—

late of the City of New York, in the County of New York aforesaid, on the  
thirtieth day of October, in the year of our Lord  
one thousand eight hundred and eightyeight, at the City and County aforesaid, being  
then and there the deba and servant of Charles  
A. O'Rourke,

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

Charles A. O'Rourke,—

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

did afterwards, to wit:

on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,  
feloniously appropriate the said sum of money—

to his own use, with intent to deprive and defraud the said Charles  
A. O'Rourke,—

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and  
personal property of the said Charles A. O'Rourke—

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

JOHN R. FELLOWS, District Attorney.

0630

Witnesses:

John A. O'Hara

M. B. Conforth

R. R. Rader

I have examined the  
within: and have seen  
the complaint and this  
witnesses about the facts.  
I am of the belief that  
there is no case against  
the defendant upon the  
evidence, and would  
advise a dismissal  
of the same -

W. J. June 3, 1889

JOHN A. O'HARA  
Attorney at Law

#249  
Counsel, J. P. W. W. W. W.  
Filed 23 day of June 1889  
Pleads, *Charges*

THE PEOPLE

vs.

Oscar Hunter  
(2 cases)

See list of witnesses.

JOHN R. FELLOWS

District Attorney

March 12/1889

A TRUE BILL.

W. J. Brothman  
Foreman.

Indictment  
Dismissed

Grand Larceny 2nd degree.  
[Sections 528, 531, Pennl Code]

0631

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Oscar Hunter

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

Oscar Hunter

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

The said Oscar Hunter,

late of the City of New York, in the County of New York aforesaid, on the  
29<sup>th</sup> day of October, in the year of our Lord  
one thousand eight hundred and eighty-eight, with force and arms, at the City and  
County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly  
act and assist in the forging a certain instrument and writing, to wit: an  
order for the payment of money  
of the kind called bank checks:—

which said forged instrument and writing—  
is as follows, that is to say:

No. 444 New York, Oct 29<sup>th</sup> 1888  
The Nassau Bank  
Pay to the order of Oscar Hunter  
Fifty Dollars  
\$50.00/100  
C. A. O'Rourke  
mgr.

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

0632

SECOND COUNT:—

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

Oscar Hunter

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

The said Oscar Hunter,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, to wit:

an order for the payment of  
money of the kind called bank checks,

which said forged bank check  
is as follows, that is to say:

No. 744 New York, Oct 29<sup>th</sup> 1888

The Nassau Bank

Pay to the order of Oscar Hunter

Fifty Dollars

\$50 no/00

C. A. Browne

mgr.

with intent to defraud, he the said Oscar Hunter  
then and there well knowing the same to be  
forged, against the form of the Statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0633

**BOX:**

337

**FOLDER:**

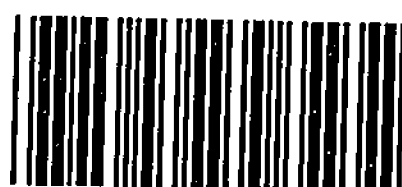
3187

**DESCRIPTION:**

Heinrich, Philip

**DATE:**

01/24/89



3187



0634

**Witnesses;**

Abbe Mulcahey

Thomas F. O. Nickra

Abt - Rankl.

Paired by

Christopher Heinrich  
136 Prince St.

Counsel, *Car. E. Croghill*

Filed  
22 May 1889

Pleads, *Early* 654

THE PEOPLE

**vs.**

Philip Henrich

Ordered to N. Y. Court of  
Over and Terminor for trial  
April 17/90

**JOHN R. FELLOWS.**

*District Attorney.*

11/10/2010 Dec 4/25/10

# A True Bill

For Borden

April 16, 1890  
Foreman.

lined and acquitted

0635

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Erindie Heimich*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Erindie Heimich*  
of the CRIME OF ARSON IN THE *Third* DEGREE, committed as follows:

The said *Erindie Heimich*, \_\_\_\_\_

late of the *Fourth* Ward of the City of New York, in the County of New York aforesaid, on the *Nineteenth* day of *November*, in the year of our Lord one thousand eight hundred and eighty-*eight*, at the Ward, City and County aforesaid, with force and arms, in the *night* time of the said day, a certain *building* of one *William T. Jones*, there situate, ~~there being then and there within the said~~  
~~some human being, to wit:~~

feloniously, wilfully and maliciously did set on fire and burn, 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  
*Erindie Heimich*  
of the CRIME OF ARSON IN THE *Third* DEGREE, committed as follows:

The said *Erindie Heimich*, \_\_\_\_\_

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, in the *night* time of the said day, a certain *building* of one *Erindie Heimich*, there situate, ~~there being then and there~~  
~~within the said~~  
~~some human being, to wit:~~

feloniously, wilfully and maliciously did set on fire and burn, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0636

**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 R. Fellows.*

And The Grand Jury ~~of the City and County of New York~~, by this indictment, accuse  
*you* ~~the said Philip Heinrich~~  
of the CRIME OF ARSON IN THE *Third* DEGREE, committed as follows:

The said *Philip Heinrich*, \_\_\_\_\_

late of the *South* \_\_\_\_\_ Ward of the City of New York, in the County  
of New York aforesaid, on the *twentieth* day of *November*,  
in the year of our Lord one thousand eight hundred and eighty-*eight*, at the  
Ward, City and County aforesaid, with force and arms, in the *night* time of the said  
day, a certain *building* \_\_\_\_\_ of one *William T. Gussner*,  
there situate, there being then and there within the said *building* \_\_\_\_\_  
*insured against loss or damage by fire*  
*some human being, to wit:*  
*the said corporation called the Manhattan*  
*Fire Insurance Company, the Pacific Fire Insurance*  
*Company and the Manhattan Fire Insurance Company*  
feloniously, wilfully and maliciously did set on fire and burn, 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.

*South*  
**SECOND COUNT—**

And the Grand Jury aforesaid, by this indictment, further accuse the said  
\_\_\_\_\_ *Philip Heinrich* \_\_\_\_\_  
of the CRIME OF ARSON IN THE *Third* DEGREE, committed as follows:

The said *Philip Heinrich*, \_\_\_\_\_

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the  
year aforesaid, at the Ward, City and County aforesaid, with force and arms, in the *night*  
time of the said day, a certain *building* \_\_\_\_\_ of one *John*  
*the said Philip Heinrich*, there situate, there being then and there  
*within the said building* \_\_\_\_\_  
*insured against loss or damage by fire*  
*some human being, to wit:*  
*the said corporation called the Manhattan*  
*Fire Insurance Company, the Pacific Fire Insurance*  
*Company and the Manhattan Fire Insurance Company*  
feloniously, wilfully and maliciously did set on fire and burn, against the form of the  
Statute in such case made and provided, and against the peace of the People of the State  
of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0637

**BOX:**

337

**FOLDER:**

3187

**DESCRIPTION:**

Hellmann, Theodore

**DATE:**

01/25/89



3187

0638

282

Witnesses:

August P. Rogers

Banker to the

Value of the stock

F.B.

Counsel,

Filed

25<sup>th</sup> day of May 1889

Pleads,

THE PEOPLE

vs.

Theodore Bellman

JOHN R. FELLOWS,

District Attorney.

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

A True Bill.

Wm. J. Woodbury Foreman.

May 25/89

Wm. J. Woodbury  
141<sup>st</sup> New St



0639

Police Court— 3 District.

Affidavit—Larceny.

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

August Roggenheim

of No. 100 Ludlow  
occupation BarberStreet, aged 29 years,  
being duly sworndeposes and says, that on the 5th day of January 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property viz:

One Trunk containing four pair of pantaloons  
one coat one vest One woolen jacket  
Two cotton Shirts Four pair of drawers  
Five under Shirts and other property all  
of the value of Forty dollars

the property of August Oubitzky in the care and  
charge of deponent

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

from the fact that deponent gave said defendant  
the aforesaid property to take to No 203  
East 56th Street in said City and for him  
said defendant to deliver said property  
to the owner August Oubitzky

Deponent says that he is informed  
by said Oubitzky that said defendant  
did not deliver the aforesaid property  
on said date. Deponent says that said  
defendant acknowledged and confessed in  
the presence and hearing of said Oubitzky  
that he sold said property to a  
peddler

August Roggenheim

Sworn to before me, this 16 day  
of January 1889

Samuel H. Smith Police Justice.



0640

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Theodor Hellmann

Question. How old are you?

Answer.

39 years

Question. Where were you born?

Answer.

U S

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

Answer.

9 Baring

2 days

Question. What is your business or profession?

Answer.

Laborer

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

Answer.

I am guilty of the charge  
Theodor Hellmann.

Taken before me this 16  
day of July 1889  
Sam'l C. McNeill  
Police Justice.

0641

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 30 years, occupation August Klubitzky  
203 E 56 of No.

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

Sworn to before me, this 16  
day of January 1888 August Klubitzky

Police Justice.

0642

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

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

Dated Jan 16 1889 Samuel C. Hill 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.

0643

282  
Police Court---3 District. 85

THE PEOPLE &c,  
ON THE COMPLAINT OF

August Raggenthien  
100 vs. Ludlow  
Frederic Hermann

Office of  
Recorder  
F. J. [unclear]

BAILED,

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

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

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

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

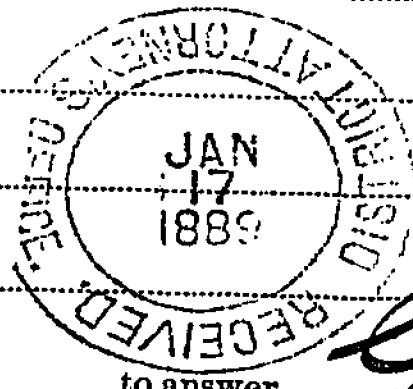
Dated 16 January 1889  
Daniel O'Reilly Magistrate.  
Rea Officer.  
11 Precinct.

Witnesses August O'Leary  
No. 203 E 56 Street.

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

No. \_\_\_\_\_ Street.  
\$ 10000 to answer

COMMITTED.



92/2

0644

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Theodore Hellmann*

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

*Theodore Hellmann*

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

The said

*Theodore Hellmann*

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

*four pair of trousers of the value of five dollars each, one coat of the value of seven dollars, one vest of the value of three dollars one pocket of the value of two dollars, two shirts of the value of one dollar each, four pair of drawers of the value of one dollar each pair, five undershirts of the value of fifty cents each, one trunk of the value of two dollars and divers other articles of clothing and wearing apparel of a number and description to the Grand Jury aforesaid unknown, of the value of five dollars*

of the goods, chattels and personal property of one

*August Kiehlitzky*

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

*John R. Fellows*  
District Attorney

0645

**BOX:**

337

**FOLDER:**

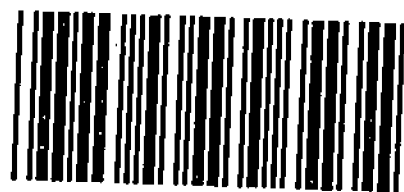
3187

**DESCRIPTION:**

Hern, George

**DATE:**

01/31/89



3187



POOR QUALITY  
ORIGINAL

0646

Witnesses:

Geo B Pyeason

Geo B Pyeason

Geo B Pyeason

In the case of an informed  
that the officer is dead after  
the lapse of time it is all  
to take & trying it. No injury  
appears to have been done to  
the officer etc witness attests  
I therefore recommend the def  
discharge or let him recognize  
All right Stephen J. Lane  
dep and dist atty

Counsel,

Filed

day of January 1889

Pleas,

Not guilty of city of

THE PEOPLE

vs.

George E. Horn

72 March 1. 1889  
Bail for. failed & sent to

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

JOHN R. FELLOWS,

District Attorney.

Quid termed  
Cohort 94  
April 17/89

A True Bill.

Geo B Pyeason  
Foreman.  
Discharged on fees  
non recognizance

April 8/89. accepted  
debt. m. d.



0647

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

POLICE COURT, 1 DISTRICT.

Police officer  
of the 2nd Precinct Police  
Ira B. Ryerson aged 21 years  
Street, being duly sworn, deposes and says,  
that on the 22 day of January 1889  
at the City of New York, in the County of New York,

George Stern (now here)  
did unlawfully and feloniously assault  
deponent, without justification or part of  
said assault.

That deponent while on  
Greenwich Street arrested two boys aged  
about 15 years on the complaint of James  
Sommerfeld of No 227 Greenwich Street,  
charging them with disorderly conduct,  
and while he had said two boys in  
custody and in the act of conducting  
them to the Station House said defendant  
George Stern jumped from a front  
balcony hold of opposite Court Caller, saying  
to deponent let go, deponent informed  
said defendant that he was a Police  
officer, and showed said defendant  
his shield. That said defendant then  
held the cotton work (here shown) over  
deponent, saying let go, and he by  
force tore said two boys from deponent,  
and they escaped.

Sworn to before me this } Ira B. Ryerson  
23<sup>rd</sup> day of January 1889 }

John Brown  
Police Justice

0648

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*George Herin* 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. *George Herin*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *417 Greenwich Street 3 years*

Question. What is your business or profession?

Answer. *Cartman*

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

Answer. *I am not guilty*

*G E Herin*

Taken before me this

*23*

day of

*January*

*1883*

*John J. ...*  
District Police Justice.

0649

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

Dated January 23 1889

John J. [Signature] 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.

0650

E. Jan 23. 2 Pm

367 123  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Ira B. Ryerson

vs. George Heron

1

2

3

4

Offence *Carrying*  
*Weapon*

Dated Jan 23 1889

John Ryerson Magistrate.

Ryerson Officer.

2 Precinct.

Witnesses James Sommerfeld

No. 277 Madison Street.

No. Street.

No. Street.

\$ 1000 to answer

*Can*

*Arrested*  
*Prisoner*

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

*Bail renewed by*  
*Mich 20/89 by*  
*Frederick M. Metter*  
*124 Harrison Avenue*

0651

*Police Department,  
of the City of New York,  
300 Mulberry Street,  
New York,*  
April 20th, 1894.

Joseph Hennessy Esq.,

Rep. Asst. Dist. Attorney

Dear Sir:-

In reply to your favor of the 19th inst. I would respectfully state that Ira B. Ryerson resigned from the force in Jan. 1890.

Very respectfully

*Wm. J. Kelly*  
Chief Clerk.

(His last residence was 456 9th avenue)

0652

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*George E. Herm.*

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

*George E. Herm.*

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

The said

*George E. Herm.*

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

*Ira B. Ryerson*

then and there being a *patrolman* of the Municipal Police of the City of New York, and as such *patrolman* being then and there engaged in the lawful *arresting and* ~~arresting~~ *detention* of a *person to the Grand Jury* aforesaid *unknown*

and the said

*George E. Herm.*

him, the said

*Ira B. Ryerson*

then and there feloniously did beat, strike, wound and otherwise ill-treat, with intent then and there and thereby to prevent and resist the lawful *arresting and* ~~arresting~~ *detention* of the said *person to the Grand Jury aforesaid unknown* as aforesaid, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.



0653

BOX:

337

FOLDER:

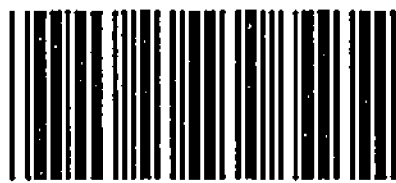
3187

DESCRIPTION:

Hepe, Joseph

DATE:

01/31/89



3187



0654

Witnesses;

Ex Nuptial

Anna to -

James Knappe

Counsel,  
Filed 31 day of June 1889  
Pleads, Not Guilty.

THE PEOPLE

vs.

B  
Joseph A. Heber.  
Felix W. H.

Ex Mediamer from S.S. Feb 7. 89.

PETIT LARCENY.

Sections 528, 532 Penal Code

JOHN R. FELLOWS,

District Attorney.

A True Bill.

New York City.  
Res. the Hon. J. H. H.  
Foreman.  
Counseling.  
Feb 7/89 F.

0655

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss:POLICE COURT, 2 DISTRICT.

Edward Nugent  
 of No 220 West 31<sup>st</sup> Street, being duly sworn, deposes and says,  
 that on the 14<sup>th</sup> day of January 1889  
 at the City of New York, in the County of New York,

Joseph A. Hess, now here,  
 did feloniously make, forge  
 and utter the annexed  
 instrument in writing, pur=  
 porting to be an order or  
 receipt to deposit money,  
 Annie, to deposit the sum of  
 the sum of Ten Dollars,  
 and did write and forge  
 to and upon said instrument  
 the name of "Edward Nugent"  
 with the intent to cheat and  
 defraud. That deponent  
 is further informed that  
 in the afternoon of said  
 day the said forged instru=  
 ment was handed to her  
 by a District messenger (boy,  
 and that believing it to  
 be genuine she procured  
 ten dollars and gave the  
 money to her sisters who  
 accompanied said boy to  
 the corner of 6<sup>th</sup> Avenue and  
 30<sup>th</sup> Street but failed to find  
 any one to deliver the money  
 to. That deponent is further  
 informed by John Marpie,  
 now present that the annexed

0656

writing and envelope, which is the forged instrument aforesaid, was given to him at the office of the American District Telegraph Company at the south west corner of 30<sup>th</sup> Street and Broadway, to deliver to No. 222 West 31<sup>st</sup> Street. That said Coy further informs deponent that as he left the Telegraph office aforesaid the defendant stood at the door and said to him "Take that note (meaning the forged instrument) to Mrs. Nugent at 222 West 31<sup>st</sup> Street and fetch the answer back to me at 30<sup>th</sup> Street and C. Avenue and we will make it all right with you, and if they ask you where you came from say from Pier 35 North River." That deponent is further informed by said Coy, Murphy, that he went and delivered said note or forged instrument to deponent's wife and returned

POLICE COURT—

DISTRICT.

THE PEOPLE, &amp;c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated

188

Magistrate.

Officer.

Witness,

Disposition

0657

with deponents Miss Sisters  
to 6 Avenue and 8th Street  
and failed to find the  
deponent.

That deponent has known  
the deponent a number  
of years and knows that said  
deponent knew deponent  
worked at River 33 North  
River.

Signed before me } Edward Nugent  
this 22<sup>nd</sup> day of January 1889

J. M. Patterson

Police Justice

Edward Nugent further  
examined say - That he  
did not write the annexed  
instrument or authorize any  
one to do so and that  
the same is a forgery. That

0658

He further says that he did not  
send any message to his  
wife on said day for  
any money or anything  
any other person to do so  
and that he did not ask  
direct or request the dependant  
to send any message whatever  
to his wife.

Sworn to before me this } Edward Nugent,  
22<sup>nd</sup> day of February 1889 }

W. H. Patterson

Police Justice

DISTRICT.

AFFIDAVIT.

188

Magistrate.

Officer.

0659

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 16 years, occupation Telegraph Messenger of No. 304 East 26<sup>th</sup> Street, being duly sworn deposes and

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

Sworn to before me, this 22<sup>nd</sup>  
day of January 1888 }

John Marpie

John Platterson

Police Justice.



0660

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss.

2  
District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty

Joseph A. Hesse

Taken before me this

day of

188

Police Justice.

0661

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

John Carey

of 16th Precinct Police Street, aged years, occupation Police Officer being duly sworn deposes and says

that on the 14th day of January 1889 at the City of New York, in the County of New York he arrested

Joseph H. Hesser (now here) on Complaint of Edward Nugent of no 222 West 31st St. who charged the said Hesser with Forgery.

Deponent further says that he has not sufficient evidence now in Court to make a complaint and asks that the said defendants be held until Sunday Janry 20th 1889 at 10 o'clock am to enable deponent to secure further evidence

John Carey

Sworn to before me, this 19

of Jan 1889

day

Police Justice.

0662

Police Court-- 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Joseph H. Hess vs.

AFFIDAVIT.

*for 19-10*

Dated June 19 1889

Patterson Magistrate.

Carey A. Rogers Officer.

Witness,

Disposition

Ed. M. M. M.

4/11/11

June 21 - 2 1/2 PM

July 22 - 2 1/2 P.M.

0663

*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 A. Hess*  
*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* *May 22* *188* *John Peterson* *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.*

0664

Police Court--- 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Edward August  
220 West 31<sup>st</sup>

Joseph A. Hess  
July 17

Returned Feb 8/89  
At 11 P.M. by

Offence  
"Vagrancy"

Dated January 22 1889  
Patterson Magistrate.

Jordan Officer.  
16 Precinct.

Witnesses Albert S. Jordan  
No. 16 Precinct Police

John Marple  
No. 304 East 26<sup>th</sup> Street.

Annie August  
No. 220 West 31<sup>st</sup> Street.

\$ 1000 to answer G.S.  
Comd.

BAILED.

No. 1, by Israel Lowenstein  
Residence 314 - W. 2<sup>nd</sup> Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

General Sessions, the Clerk to be  
conveying the commission of a felony

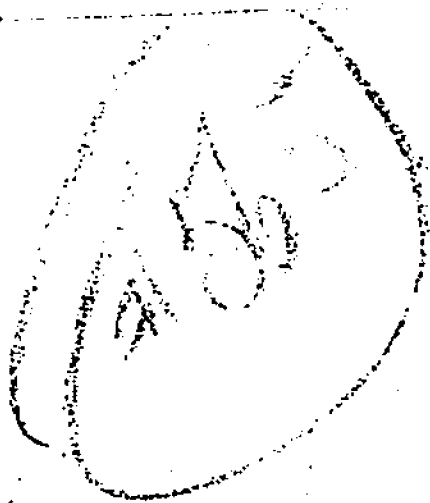


0665

New York Jan 14<sup>th</sup> 89

Amie send me Ten. Dollars in a  
hurry. I am waiting for it and I got  
to half it. if you havent it got to your  
Mother and get it. inclose it in the  
Envelope and give to Meringer.

Edward. Nuzen.





0666

222 West 31 St

City

0667

Court of General Sessions

The People -  
agst  
Joseph A. Hess }

Please take Notice: that at opening of the Court, I will move the said Court at Part III thereof to dismiss the indictment herein on the ground that the facts alleged in the complaint herein and placed before the Grand Jury shows that the alleged crime was larceny by false pretense or false token; the indictment however is a plain indictment for larceny and the Court of Appeals has decided that on the state of facts such an indictment is not valid.

To

John R. Fellows Esq.  
Dist Atty

Yours &c

Purdy & M'Loughlin  
Attys for Def.

0668

Court of General Sessions

The People

agst

Jos. A. Huen

Notice of Motion

Cindy M. Longhlin  
attys for def.

0669

**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 A. Hepe.*

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

*Joseph A. Hepe*

of the CRIME OF PETIT LARCENY committed as follows :

The said

*Joseph A. Hepe*

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

*in money, good and lawful money of the United States*  
*of America and of the value of ten dollars,*

of the goods, chattels and personal property of one

*Anne Cugent*

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

*John R. Fellows,*  
*District Attorney.*

0670

**BOX:**

337

**FOLDER:**

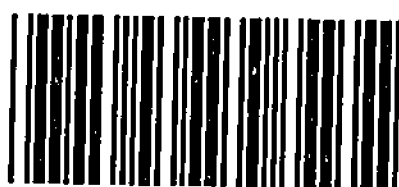
3187

**DESCRIPTION:**

Hess, Alfred

**DATE:**

01/30/89



3187

Charles Gordon  
of New York

Salma the blue  
the fish append  
77

Counsel, *J. D. Kiny*  
 Filed *day of May* 188*9*  
 Pleads, *Not guilty*

THE PEOPLE

*W. Delmont.*  
" " " "

*Alfred Stoss*

*(12)*

JOHN R. FELLOWS,  
District Attorney.

PR Geo. J. 5/89  
pleads 1/22 1899.

Theodore  
Foreman.  
2412 East 7th

0671



0672

Police Court-1<sup>st</sup> District.

Affidavit-Larceny.

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

Charles Nelson  
of No. 15 Bowers Street, aged 28 years,  
occupation laborer being duly sworn  
deposes and says, that on the 21 day of January 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession and  
person of deponent, in the night time, the following property, viz:

Good and lawful money  
of the United States of the  
amount and value of thirty-  
dollars

the property of

Refrigerator

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 Frederick Hess (now here)

for the reasons following, to wit:  
as deponent was walking on  
Bayard Street having the said  
money <sup>in his hand</sup> the said defendant  
seized said money and ran  
away with the same.

Charles Nelson

Sworn to before me, this 22 day

of January 1889

John J. McDonald Police Justice.

0673

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Frederick Heas* 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.

*Frederick Heas.*

Question. How old are you?

Answer.

*20 years.*

Question. Where were you born?

Answer.

*South America*

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

Answer.

*11 Delancey Street. 3 months*

Question. What is your business or profession?

Answer.

*Butcher*

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

Answer.

*I am not guilty.*

*Alfred Weiss.*

Taken before me this

*29*  
*day of January 1889*

Police Justice.

0674

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.....

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

Dated Jan 22 188 9 Thos. J. [Signature] 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.

0675

352 / 124  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles Hickman*  
*Alfred B. Bony*  
*Frederick Less*

*Officer*  
*from person*

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

2 .....  
3 .....  
4 .....

Dated *Jan 22* 188*9*

*Gorman* Magistrate.

*Devlin* Officer.

*6* Precinct.

Witnesses *Comp, sent to*  
*the House of Detention*  
*in default of 100 Bail*

No. .... Street.

No. .... Street.

\$ *1000* to answer

*Call*

*921*  
*1 hour*  
*run*

0676

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 10<sup>th</sup> DISTRICT.

of No. Sixth Avenue Street, aged \_\_\_\_\_ years,

occupation Police Officer being duly sworn deposes and says,

that on the 22<sup>nd</sup> day of January 1889

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

(now here) as a material witness  
for the People against one  
Frederick Hees charged with  
larceny from the person and  
this deponent believing that the  
said Keelson will not appear  
when wanted prays he may be  
committed to the House of Re-  
vision for witnesses

Peter Keelson

Sworn to before me, this

of

188

day

Police Justice,

0677

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Alfred Stess*

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

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

The said

*Alfred Stess*

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

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

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

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

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

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

JOHN R. FELLOWS, *District Attorney.*



0678

**BOX:**

337

**FOLDER:**

3187

**DESCRIPTION:**

Hickey, Daniel

**DATE:**

01/21/89



3187

0679

**BOX:**

337

**FOLDER:**

3187

**DESCRIPTION:**

Killron, William

**DATE:**

01/21/89



3187

Witnesses;

Thomas Lynch  
John A. Ryckman, Jr.

1951  
Counsel,  
Filed 21 May 1889  
Pleads, Chetwynd

THE PEOPLE  
16. 55 Putty 28.  
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98. 55 Putty 28.  
99. 55 Putty 28.  
100. 55 Putty 28.

JOHN R. FELLOWS,

District Attorney.

Open day 5

A True Bill.

Mr. May 30/89

Elmwood, Pa. 1889

Wm. T. Brown

Foreman

Mr. May 30/89

No 2. tried & acquitted.

0680

0681

Police Court— District.

Affidavit—Larceny.

City and County } ss.:  
of New York,of No. 172 Park Avenue Brooklyn Street, aged 70 years,  
occupation Laborer being duly sworndeposes and says, that on the 25 day of December 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession and  
person of deponent, in the daytime, the following property viz:One gold watch of the  
value of Fifty Dollarsthe 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 Daniel Hickey and WilliamWillow (both now here) who were  
acting in concert for the reasons  
following, to wit: on the above  
described date as deponent was  
standing on Broadway viewing  
a procession he at the time having  
the said watch in the left pocket  
of the coat then worn by him as  
a portion of his bodily clothing  
when he felt the defendant Hickey  
brush against him and immediately  
felt a tug at said watch. The defendant  
Hickey then ran away and whilst  
he (deponent) was endeavoring to catchSworn to before me, this  
day

188

Police Justice

0682

said Hickey the deponent was tripped by the defendant Williams as he believes by the information hereinafter stated. Deponent is informed by James T. O'Brien (then present) that he O'Brien seized hold of this defendant Hickey the said Hickey handed to him O'Brien a watch which watch you handed to the captain of a tango company which was passing at the time, which watch deponent has since seen and identified as being the watch which was stolen from him. Deponent is further informed by Officer Nicholas Ryegman (then present) that he Ryegman received from said Captain the said watch and further says that the defendant Williams approached the defendant Hickey whilst he was under arrest that he did converse with him, and when ordered away he did endeavor to throw deponent down by tripping him.

Sworn to before me } Thomas Lynch  
this 27<sup>th</sup> day of December 1888  
Police Justice

I have being no sufficient cause to believe the within named  
guilty of the offense within mentioned I order him to be discharged  
Police Justice

I have admitted the above named  
to be to answer by the undersigned hereinafter named  
Dated 1888

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars  
of the City of New York, until he give such bail.  
Dated 1888  
Police Justice

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

Police Court, District,	Offence—LARCENY
THE PEOPLE, &c., on the complaint of	
vs.	
1	
2	
3	
4	
Dated 1888	
Magistrate.	
Officer.	
Clerk.	
Witnesses,	
No. Street,	
No. Street,	
No. Street,	
No. to answer Sessions.	

0683

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Daniel Hickey* 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.

*Daniel Hickey*

Question. How old are you?

Answer.

*17 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*55 Rugter Street.. 1 year*

Question. What is your business or profession?

Answer.

*Plumber*

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*

*D. Hickey*

Taken before me this

*24*

day of *December* 188*8*

*Sam'l C. Smith*

Police Justice.



0684

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *William Killrow*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *22 Cherry Street, 8 years*

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*  
*William Killrow*

Taken before me this

*27*

day of *December* 188*8*

*J. C. Smith*

Police Justice.

0685

Thomas Lynch	}	Looney from
as		the person
Samuel Mackey and		Edward Van
William Holloway	}	Samuel O'Reilly
		Peace Justice
		Dec 20/1888

Continuation of the complaint  
by Mr. Gallagher.

Q On this day in question I presume you  
were following the target companies  
were you not?

A I was not following them I stood  
near the city hall and saw them

Q And there was quite a large crowd  
around you?

A A little crowd.

Q When did you loose your watch?

A When Mackey rubbed up against me  
I ran away and when I looked down  
my chain was gone.

Q Did you recognize the defendant  
as the party that crowded up against  
you at the time the watch was taken  
from you and he ran away and

0686

2

The crowd followed him.

Q There was quite a crowd around you?  
A About 10 or 12.

Q And they were all close up against you?

A Yes sir he was the closest. And he was the one that rubbed up against me. I was anybody else with the story at the time.

A How do I know, because as close as you are to me would I missed my watch.

Q Did you have any suspicion that he took your watch?

A Of course I had.

Q What was it that raised your suspicion?

A Being pushed so much rubbed up against so much.

Q Did you see the watch in Hicks's hands?

A Yes sir.

Q Do you know if he took the watch or not?

A Personally I do not.

0687

6

James T. (Pierce) being duly  
served deposes & says

By Melvin C. Ogden

Q What day do you know about this?  
A I was standing at Dorsey Street and  
looking at the target parade. When  
I heard the beating of the drums I ran  
across Broadway. When I saw this de-  
fendant running out in the middle  
of the street. When he went to Church St.  
and I saw Sullivan running after  
him and he halloed stop that man  
and I ran out and stopped him and  
he said here is the watch let me  
go and I took the watch and said  
no I will not let you go. When he halloed  
Jimmie and you going to get us  
ahead;

Q Who is Jimmie?

A The other defendant. Killian, and  
that is all I know

Q You are positive that it was Heisey  
that handed you the watch?

Answer

0688

4

Q Have you been talking to the complainant  
since this happened?

Answer

Q Who again? Answer.

Q And didn't the officer tell you what  
testimony to give here?

Answer

Q What did he say?

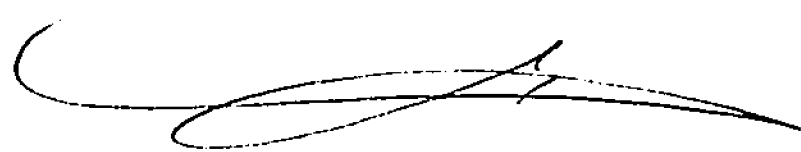
A He told me to tell just what I told  
you.

Q Just these exact words?

A To tell the truth what I knew about it.

Q Didn't he tell you anything else?

Answer



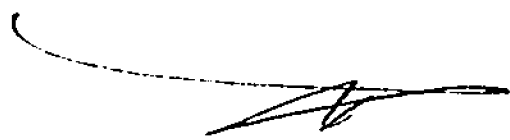
0690

John Kennedy being duly sworn  
deposes and says

I am the captain of the light guard  
Arise

Will you see the respondent take  
anything from the complainant?

Arise I saw an arrow running and the  
man and somebody pulled stop  
they had chased him. When this  
fellow was stopped we arrested  
and that is all I know about it





0691

6

Statement of Daniel Henry the  
defendant.

Mel Gallagher counsel for defendant  
he only desires to make statement.  
I was coming at the Second night guard  
and saw a party running and  
I ran along to see what was the  
matter and when I got to the crossing  
those three fellows got me and  
held me and called the officer  
and handed him a watch and  
they said it was me that gave them  
the watch and took me in  
Mr. Kellam was passing by at  
that time, and he ran down to see  
what was going on and he came  
with me and on my way to the  
station house, I told him to get me  
some cigarettes and the officer told  
him where to get them in a bakery  
and ordered him away and when he  
got as far as the station house he  
called another officer from the  
other side of the street and took him in.

0692

7

Q Do you have the watch in your possession  
at any time?

A Yes.

Q Do you have the watch?

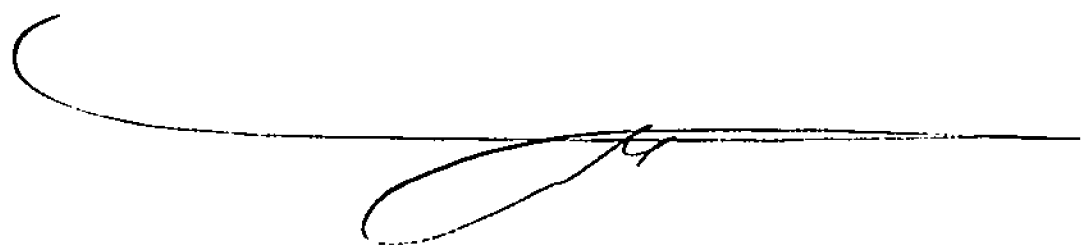
A Yes.

Q What do you do for a living?

A Work at plumbing.

Q Were you ever arrested before?

A Once for being drunk.



0693

8

William Kilbrow a defendant  
being duly sworn deposes & says  
that about a year or so ago  
a woman called on him  
and she said she was the wife of a man  
who had been arrested and he said to  
her to go to the station house and get  
him out.

Q And where was the station house?  
A It was on Broadway near the  
light house. Q And did you see  
the man who was arrested?  
A Yes, I saw him. Q And did you  
see him getting arrested?  
A Yes, I saw him. Q And did you  
see him being taken to the station house?  
A Yes, I saw him. Q And did you  
see him being taken to the station house  
again?

Q Were you with him that day?  
A Yes.

Q And do you know nothing about  
the clearing of the water?

A Yes, not a word.

Q And you see nothing here the water at all?  
A Yes. Case closed.

By the Court: I shall put in a sum of \$1000 each.

0694

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

defendants  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 250 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 Dec 27 1888 Sam'l C. Butler 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.

0695

195 / 5  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Thomas Lynch  
172 Park Ave  
Brooklyn  
Daniel Hickey  
William Killbuck

Law from person  
Officer

BAILED,

No. 1, by Michael Riordan  
Residence 10 Roosevelt Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

3  
4

Dated Dec 27 1888

O'Reilly Magistrate.

Ryckman Officer.

James T. O'Brien  
Witnesses 1910  
5 Precinct.

No. Call the officer Street.

\$1000 E Dec 28.2 P.M.

No. John Kenney Street.  
551 3rd Ave

No. Street.

\$1000 to answer

No. 1 - Bailed

COMMITTED

By 2 person

0696

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, DISTRICT.

Sworn to before me, this 28 day  
of December 1888


Police Justice,

John Kenney  
of No. 551 3rd Avenue Street, aged 17 years,  
occupation Shipping Clerk being duly sworn deposes and says,  
that on the 25th day of December 1888  
at the City of New York, in the County of New York, he was present  
and ~~was~~ witnessed the commission  
of the larceny mentioned in the  
annexed affidavit and that he is  
the person mentioned as the Captain  
of a Target Company that he has  
read the said affidavit and that  
the facts stated therein on information  
of deponent are true of deponent's  
own knowledge

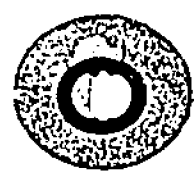
John Kenney



0697

 Prisoner *Daniel Wickey*  
Complainant *Thor Lynch*  
Officer *Ryckman*  
Date *Dec 25/88*

0698



12308  
DEC 29/88

0699

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 19 years, occupation Printer of No.

19 Beach Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Thomas Lynch

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

Sworn to before me, this 37 day of December 1888 & Jas T. O'Brien

Sam'l C. Bull  
Police Justice.

0700

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Nicholas A Ryckman*  
aged *38* years, occupation *Police officer* of No.

*5<sup>th</sup> Precinct Police* ~~Street~~, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Thomas Lynch*

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

Sworn to before me, this *27<sup>th</sup>* } *Nicholas A. Ryckman*  
day of *December* 188*8*

*Sam'l C. Beatty*  
Police Justice.

0701

Received My Day 30/89 in Part  
26000 of Bureau Session from Clerk  
K. Davis Esq Assistant District Attorney  
one grand warrant (No. 12308 by Property  
Clerk) which was directed by the Court  
to be given to me upon the termination  
of the trial of the People vs Daniel Hickey  
et al.

Thomas Lynch

0702

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against  
*Daniel Hickey and  
William Killbrow*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*Daniel Hickey and William Killbrow*  
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said *Daniel Hickey, and William  
Killbrow, both,*

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

*one watch of the value of  
fifty dollars*

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



0703

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
*Daniel Hickey and William Killbrow*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Daniel Hickey and William Killbrow* both—  
late of the City and County aforesaid, afterwards to wit: on the day and in the year aforesaid,  
at the City and County aforesaid, with force and arms,

*one watch of the value of  
fifty dollars—*

of the goods, chattels and personal property of one

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

*Thomas Lynch*  
unlawfully and unjustly, did feloniously receive and have; the said

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

JOHN R. FELLOWS,  
District Attorney.

0704

**BOX:**

337

**FOLDER:**

3187

**DESCRIPTION:**

Hickey, John

**DATE:**

01/10/89



3187

0705

Witnesses:

*Geo. Barker*

*407*

Counsel,

Filed

day of

188

Pleads,

*North*

THE PEOPLE

*vs.*

*John Hickey*

Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code).

JOHN R. FELLOWS,

*72 Aug 17/84* District Attorney.

*pleads guilty*

*Pen 11 mos*

**A True Bill.**

*P.B.M.*

*Thos D. Woolley*

Foreman.

0706

Police Court—6<sup>th</sup> District.

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

James Burke  
of No. 172 Ashburton Avenue, New York, aged 20 years,  
occupation Bricklayer, being duly sworn  
deposes and says, that on the 25<sup>th</sup> day of December, 1888 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John  
Hickey (now here) John Stuer  
deposited on the head with a  
large Cobble Stone then and there  
held in the hands of the said  
Hickey cutting deponent's head

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 28<sup>th</sup> day  
of December, 1888.

James Burke  
Marshall Police Justice.

0707

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty of the  
Charge*  
*John Sickey*

Taken before me this  
day of *September* 189*4*

Police Justice.

0708

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 6 DISTRICT.

William R. Murray

of the 35<sup>th</sup> Precinct Police Street, aged \_\_\_\_\_ years,

occupation \_\_\_\_\_ being duly sworn deposes and says,

that on the 26<sup>th</sup> day of December 1888

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

John Hickey, now here, on a charge of assault against the person of one James Burke at about 8 P.M. on ~~September 25<sup>th</sup>~~ <sup>December 25<sup>th</sup></sup> in Grand Avenue near Moshulu. Said James Burke is suffering from an injury <sup>to his head</sup> received during said assault, is confined in Manhattan Hospital and unable to appear in court. The injury is severe and caused by a blow on the head from a large stone. Wherefore deponent asks that said John Hickey be held to ~~await the result of the injuries of~~ <sup>await the result of the injuries of</sup> said Burke

William R. Murray

Sworn to before me, this  
of December 1888

26<sup>th</sup>

day

Police Justice,



0709

Police Court-- 6 District.

THE PEOPLE, & c.

ON THE COMPLAINT OF

William R. Murray

vs.

~~James Butler~~  
John Hickey

AFFIDAVIT.

Assault on  
James Butler

Dated December 26 1888

Welde Magistrate.

Murray Officer.  
35

Witness,

Disposition, Com to arraign -  
result of Superior

0710

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

*John Vicker*  
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 *Dec 25* 188*8* *M. J. Burke* 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.

0711

#67  
Police Court--- 2012 District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

James Burke  
172 Park Street  
Goulbourn  
John W. Wicks

1  
2  
3  
4

Office

John

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated December 28 1888

W. R. Murray Magistrate.

Officer.

35 Precinct.

Witnesses Sam Officer

No. Street.

No. Street.

No. Street.

\$ 1000 to answer

Am

0712

MANHATTAN DISPENSARY AND HOSPITAL

131ST STREET AND 10TH AVENUE

J. HOOD WRIGHT, PRESIDENT  
CHARLES BROCK, SECRETARY  
BYRON S. COTES, TREASURER

E. R. SAMPSON, SUPERINTENDENT

NEW YORK, Dec. 27 1888

Hon. Judge Welde:  
Sir.

The man James Burke, who was assaulted at Kingbridge on the morning of the 26<sup>th</sup>, is doing as well as can be expected, and, should no unfavourable symptoms present themselves, will be able to appear in court to-morrow, the 28<sup>th</sup> inst.

Respectfully yours,  
F. Bierhoff,  
Acty. Amb. Surgeon.

0713

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 Sidney

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

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

The said John Sidney,

late of the City of New York, in the County of New York aforesaid, on the ~~twentieth~~ day of ~~December~~, in the year of our Lord one thousand eight hundred and eighty-~~eight~~, with force and arms, at the City and County aforesaid, in and upon the body of one James Burke, in the peace of the said People then and there being, feloniously did make an assault, and ~~in~~ the said James Burke, with a certain ~~stone~~.

which the said John Sidney in ~~this~~ right hand then and there had and held, the same being a deadly and dangerous weapon then and there wilfully and feloniously did strike, beat, cut, stab and wound, ~~the same being a deadly and dangerous weapon~~ and force as were likely to produce the death of the said James Burke, with intent ~~in~~ the said James Burke, thereby 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 John Sidney of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said John Sidney,

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 James Burke, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and ~~in~~ the said James Burke, with a certain ~~stone~~.

which the said John Sidney in ~~this~~ right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab 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.

0714

THIRD COUNT—

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

John Sidney

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

The said John Sidney.

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

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

with the said James Burke, with a certain stone

which he the said John Sidney

in his right hand then and there had and held, in and upon the head of him the said James Burke,

then and there feloniously did wilfully and wrongfully strike, beat, ~~stab~~, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said James Burke.

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

JOHN R. FELLOWS,

District Attorney.



0715

**BOX:**

337

**FOLDER:**

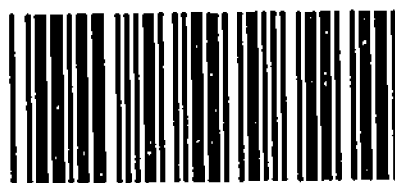
3187

**DESCRIPTION:**

Higgins, Thomas

**DATE:**

01/23/89



3187

0716

Witnesses ;

*Wm. H. Collins*

*1887* *23*  
Counsel, *23* day of *Aug* 188*9*  
Filed  
Pleads, *Guilty*

THE PEOPLE  
vs.  
*B*  
*Thomas S. Higgins*  
VIOLATION OF EXCISE LAW.  
(SELLING TO MINOR).  
[III Rev. Stat. (7th Ed.) p. 1082, § 15.]

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

*Geo B Woodruff*

Foreman.

Transferred to the Court of Special  
Sessions for trial and final disposition.

*Part 2d Aug. 21.....1886.*

0717

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas F. Higgins*

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

*Thomas F. Higgins*

of a MISDEMEANOR, committed as follows:

The said

*Thomas F. Higgins*

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

*eighteenth* day of *January* in the year of our Lord  
one thousand eight hundred and eighty-*nine*, at the City and County aforesaid,

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

who was then and there a minor under the age of fourteen years, to wit: of the age of

*seven* years, as *he* the said *Thomas F. Higgins*

then and there well knew and had reason to believe; against the form of the statute in such  
case made and provided, and against the peace of the People of the State of New York,  
and their dignity.

JOHN R. FELLOWS,

District Attorney.