

0303

BOX:

110

FOLDER:

1175

DESCRIPTION:

Moran, Ambrose

DATE:

08/07/83



1175

0304



1883

Spence  
V. Buckley.

# THE PEOPLE

22. / Ave  
188.

684. 1 <sup>ms.</sup> *Am. prose* P

over

**INDICTMENT.**

# WYOMING

P. 2. Sept. 16/23  
District Attorney.

*District Attorney.*

Hand  
D.L.

# A True Bill.

**A True Bill.** *Let's Clear it.*

John Van-  
Rensselaer

*Foreman.*

0305

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Ambrose Moran*

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

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

The said *Ambrose Moran*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the ~~fourteenth~~ day of July in the year of our Lord one thousand eight hundred and eighty-~~three~~, at the Ward, City and County aforesaid, with force and arms *two promissory notes for the payment of money of the kind commonly called United States Treasury notes, the same being then and there due and unsatisfied, for the payment of, and of the value of five dollars each, two other promissory notes for the payment of money of the kind commonly called Bank notes the same being then and there due and unsatisfied, for the payment of and of the value of five dollars each, and two other promissory notes for the payment of money of the kind commonly called United States Treasury notes, the same being then and there due and unsatisfied, for the payment of, and of the value of two dollars each*

of the goods, chattels and personal property of one *Charles Waters* on the person of the said *Charles Waters* then and there being found, from the person of the said *Charles Waters*

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

**JOHN McKEON, District Attorney.**

0306

BAILED,

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

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

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

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

Police Court, District. 590

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*William M. Mather*  
323 East 35th St.  
*Shubert & Mather*

Offence *Larceny from Person*

Dated *July 15* 1883

*Harbison* Magistrate.  
*Deft* Officer.  
*21* Precinct.

Witnesses *John J. Deane*  
No. *320 East 35* Street.

No. \_\_\_\_\_ Street,  
No. \_\_\_\_\_ Street,  
§ *1000* to answer *J. J.* Street,  
*Deane*

RECEIVED  
JUL 17 1883  
DISTRICT ATTORNEY'S OFFICE

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 *July 15* 1883

*[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.



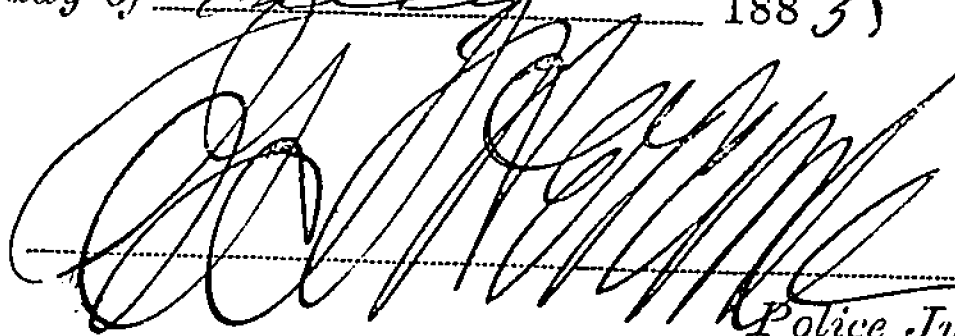
0307

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 45 years, occupation Housekeeper of No.

320 East 35<sup>th</sup> Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Charles Waters  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 15<sup>th</sup>  
day of July 1883 } Julia J. McGuire

  
Police Justice.

0308

4 District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }  
OF NEW YORK, } ss

of No. 323 East 35 Street, 31<sup>st</sup> Ward  
being duly sworn, deposes and says, that on the 14 day of July 1883  
at the \_\_\_\_\_ City of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time  
the following property, viz:

Good and lawful money  
of the United States to wit:  
two five dollar bills and two  
two dollar bills in all fourteen  
dollars \$14.00

the property of

Deponent

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

from the fact that while the deponent  
was about to enter his premises a for said  
at about 5 1/2 P.M. and while pulling  
the bell of said premises the defendant  
got between the deponent and the door  
and hooked him aside and by force  
and violence put his hand in deponent's  
right hand front pocket and there and then  
took and seized the aforesaid money

POLICE JUSTICE.

Sworn before me this

15<sup>th</sup> day of July 1883

0309

from the person of defendant and  
run away.

Sworn to before me J. C. Lee D. C. J. on  
this 29th day of July 1883  
J. C. Lee  
Police Justice

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

AFFIDAVIT—Larceny.

23.

Dated 188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0310

Sec. 198-200

4 District Police Court.

CITY AND COUNTY  
OF NEW YORK } ss.

*Ambrose Moran* 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. *Ambrose Moran*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *689 First Avenue for 3 months*

Question. What is your business or profession?

Answer. *Handyman*

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*

*Ambrose Moran*

Taken before me this

day of

*July 1934*

Police Justice



0311

BOX:

110

FOLDER:

1175

DESCRIPTION:

Morgan, Edward

DATE:

08/13/83



1175

03 12

BOX:

110

FOLDER:

1175

DESCRIPTION:

Jones, William

DATE:

08/13/83



1175

Counsel, *W. H. K.*

Filed 13 day of Aug 1883

Pleads

*Proquity.*

THE PEOPLE

vs.

*R*

*Edward Morgan*

*William Jones*

*Defendant*

Grand Larceny, Second degree, and  
Receiving Stolen Goods.  
[54 528-531-550]

JOHN McKEON,  
District Attorney

A True Bill.

*H. L. Lamm. Foreman.*

*Aug 23/83.*

*John D. Lamm. District Attorney*

*9 Mrs. Lamm*

*7/2*

0313

03 14

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Edward Morgan and William Jones*

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

*Edward Morgan and William Jones*

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

The said *Edward Morgan and William Jones*

late of the First Ward of the City of New York, in the County of New York, aforesaid, ~~on the~~  
*24th* ~~on the~~ day of *July* in the year of our Lord one thousand eight hundred and  
eighty- *three*, at the Ward, City and County aforesaid, with force and arms  
*sixty yards of carpet of the value*  
*of seventy cents each yard*

of the goods, chattels and personal property of one *Joshua Gregg*  
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.



03 15

And the Grand Jury aforesaid, by this indictment, further accuse the said —  
*Edward Morgan and William*  
*Jones* \_\_\_\_\_

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

The said *Edward Morgan and William*  
*Jones* \_\_\_\_\_

late of the First Ward of the City of New York, in the County of New York  
aforesaid, on the *24th* day of *July* in the year of our Lord  
one thousand eight hundred and eighty-*three*, at the Ward, City and County  
aforesaid, with force and arms *sixty yards of carpet*  
*of the value of seventy cents*  
*each yard* \_\_\_\_\_

of the goods, chattels and personal property of *Joshua Gregg* \_\_\_\_\_

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

unlawfully and unjustly, did feloniously receive and have; ~~the~~ the said *Edward*  
*Morgan and William Jones* \_\_\_\_\_

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

**JOHN McKEON, District Attorney.**

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

0317

Sec. 198-200

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

William Jones

Question. How old are you?

Answer.

36 Years

Question. Where were you born?

Answer.

Indiana

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

Answer.

163 Reed Street 9 Years

Question. What is your business or profession?

Answer.

Produce

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

Answer.

I Am not Guilty of the Charge I was to get a half a dollar for carrying the Carpet

William Jones  
Made

Taken before me this

day of

188

Charles J. Smith  
Police Justice.

0318

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

Edward Morgan 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. Edward Morgan

Question. How old are you?

Answer. 25 years

Question. Where were you born?

Answer. England

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

Answer. 93 Market Street

Question. What is your business or profession?

Answer. Writer

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

Answer.

I Am Not Guilty  
Edward Morgan

Taken before me this

day of

July 26  
1898  
Frank J. [Signature]  
Police Justice.



0319

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK, } ss.

of No. 1 East 14 Street, appt 31. Rippling Creek  
being duly sworn, deposes and says, that on the 25 day of July 1883

at the \_\_\_\_\_ City of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent in the night time

the following property, viz :

about 60 Yards of  
Paper of the Value of  
forty dollars \$40.00

the property of Robert G. Gregg and Joshua Gregg and  
in the care of and charge of the deponent  
of John Mitchell the night watchman  
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 Edward Morgan and William

Jones (both known) with the intent  
to deprive the owner of said property  
from the fact that previous to said  
larceny the said property was in  
possession of said premises and this deponent  
said property in the possession  
of Jones at the corner of 3rd Ave and 14th  
and the said Morgan was in company  
of said Jones at the time deponent therefore  
charges the said defendants with felonious  
taking & stealing the said property  
Chas E White

Sworn before me this

26 day of July

1883

Police Justice,

0320

BOX:

110

FOLDER:

1175

DESCRIPTION:

Morgan, Theodore

DATE:

08/10/83



1175

Bail Hood  
F.S.

6th  
Counsel, *John*  
Filed 10 day of Aug 1883  
Pleads *Indigently (13)*

vs. THE PEOPLE  
vs. *Frederick*  
*Wm. Morgan*  
*[2 cases]*

INDICTMENT.  
Grand Larceny in the Second Degree.  
[552823531] (MONEY)

JOHN McKEON,  
District Attorney.

A True Bill.  
*John L. P. Hunt*  
*Sept 5th* Foreman  
*Speed & Corvick*  
*S. P. 2 of Law.*  
*Sept 5th* 11th 43

POOR QUALITY  
ORIGINAL

0321

POOR QUALITY  
ORIGINAL

0322

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 Morgan*

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

*Theodore Morgan*

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

The said *Theodore Morgan*

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

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

of the goods, chattels, and personal property of one

*Joseph D. Sailer*

then and there being found,

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

JOHN McKEON, District Attorney.



POOR QUALITY  
ORIGINAL

0323

Testimony in Case  
of Theodore Hagan

filed by 1883

0324

4-2  
 The People vs. Theodore Morgan  
 Court of General Sessions. Part I  
 Before Judge Cowing. Sept. 5. 1883.  
 Indictment for grand larceny in the second degree.  
 Joseph F. Sailer, sworn and examined. I  
 have seen the prisoner. I first saw him  
 at Mr. Smith's office 23 Chamber St. on  
 Friday the 13<sup>th</sup> of July to the best of my knowledge.  
 I had never seen him before to my knowledge.  
 I saw an advertisement in the N.Y. Sun  
 for a young man that had \$25 or \$50. I  
 answered this advertisement through a let-  
 ter and I received a letter telling me to  
 call at 23 Chamber St. I went to the office  
 and met Mr. Ray. I think he was the first  
 gentleman I spoke to. I asked for Mr. M.  
 T. That was the signature to the letter I  
 received. Mr. Ray said, Here is the gentle-  
 man you wish to see. Mr. Morgan sat  
 there, and he invited me into the other  
 room I went into the other room. I  
 told him I called there seeing this ad-  
 vertisement, and receiving a letter I had  
 come there; and I asked him what I  
 was to do? and he stated he was a meat  
 and butter dealer at Fulton Market,  
 and that he wanted a young man to  
 work for him; that other people who had  
 been working for him had been dishonest.

0325

and that he would not hire anybody unless they gave security of \$25 or \$50 - \$50 he wanted. I told Morgan I had not the money with me, that I was a perfect stranger here, I came from Jersey city. I did not know anything about the business. He said, that was all right, you can soon learn. A mosquito can do the work as far as that is concerned, you can mark down in a book if I sell fifteen sheep if I tell you the man's name. I told him, yes, I was no pen man and no bookkeeper. He said, that was all right. I said I had no money except three to four dollars. I had \$35 of my own money and I could borrow fifteen dollars from my brother if he thought the job was good. He said, give me a little deposit to bind the bargain. I gave him three dollars. I went to hand it to Smith and Smith says, "Hand it to Morgan." You need not be so particular, I said. Smith said, that is his business. I handed the three dollars to Morgan, got a receipt and left the office. So then on the Saturday I told Morgan I would have to go up on the Pacific river to see



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my brother, that he was an engineer working for Morris and Cummings to get the rest of the money and probably I could not be there until late Saturday afternoon. He said Saturday afternoon would do. It was Friday when I was talking with him. So as soon as I went home Friday I told my sister-in-law to stop at my brother's house Jersey city. I went up right away on the Pacific river to see my brother. I showed him the letter I received. I went up and I told him to get my money off my sister-in-law. I got fifteen dollars of my sister-in-law and came back Saturday. I went to see Mr. Morgan at the Market. I went around enquiring for him. A man told me that he did not know anybody that had a stall by the name of Morgan. Another man pointed me to a man saying, "Here is a man who used to work for him; his stall is there. I walked outside the Market, I saw Morgan standing on the corner talking to Mr. Scribner but I did not know him at the time; he is in Court; this was Saturday morning. I asked Mr. Morgan where his stall was? He says, "Didn't you see me in there?" No sir. He took me in the Market, he took me in the stalls and told me he owned



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the stalls and that the ice box had been dirty and he was washing it out. He took me down to the market from there and showed me another stall and the fixtures on it. I thought everything was right. I said, I have the money. Mr. Morgan, I would like to have the situation. That was two stalls he showed me and called them his own. Then he said to me, "I want to see a young man here, you can go over to Smith's office and I will be there in the course of half an hour or so. I went over to Smith's office, went in there and sat down and waited for Morgan to arrive. When he came in we went into another room and Smith came in. Smith in the presence of Morgan says, "Have you come for business?" I says, "yes sir." Smith says, "Tell him just now what the thing is and I will know how to draw up the papers." So I told him that Morgan had hired me to work in Fulton market for ten dollars a week till the 1<sup>st</sup> of Sept; then he was to give me fifteen, and I was to deposit fifty dollars with Morgan for my honesty. This fifty dollars was returnable to me at any time I wished to leave his employ. Smith drew up the paper. (Paper shown

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marked Peoples exhibit A) That is my signature and that is Morgan's signature. Then Mr. Morgan and Mr. Ray and I went down stairs. Morgan asked me in to treat me. I told him I never drank anything, that I was strictly temperate and never smoked nor chewed. He insisted upon my coming down, I took a cigar, and Mr. Morgan and I walked down Chamber to West St. I think it is, I won't be positive, it is down on the same street to Washington Market. On the way down Morgan told me that he held notes against Mr. Huffman for two hundred dollars I understood him to say, and he gave me Mr. Huffman's address in Jersey city. He told me when I was ever there that I might call around and see him and tell him to come over to New York or it would not be well for him. He says, you need not say anything around the market to anybody. If they ask you anything simply tell them that you have not come there to steal anything. When we got down to Washington Market he stopped down to see some butcher, and bid me good bye. I went home. I got some things for my sister-in-law in Jersey city. On Monday morning I turned up

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to go to work in Fulton Market at stall 21. When I got there I found Morgan and a young man by the name of James Moore. He (Morgan) told me that he hired this young man, that he intended to put him down on the other stall, that he understood the business, that I need not care if he had half a dozen hired there so I got my money when Saturday night came. I worked at this stall two weeks. James Moore worked three days there and then quit. I think it was the next Monday that Sh. Scribner came to work. He worked one week and when the Saturday night came in the second week Morgan called me one side in the stall and said, "Joe, I don't want you to say anything to this man of what I am going to say to you. Speaking of Scribner he said he did not like him. He had given me orders to look out for Scribner, to watch him. I went outside the market. He (Morgan) said, 'we made three or four good sales.' I says, 'yes right quick.' He said, 'I tried to keep an account of it in my head. I could not. I made one sale of 12 cents, and when you come back take notice if it is on the book and see if it is there.'



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17  
You need not say anything." I sauntered around the wharf. I went back into the market after a while and went over to the desk; on the book the sale that he spoke of the twelve cents was not down. He did not say anything to me until Saturday night; then he told me if I did not hear from him the next week to come the next Monday morning, he would be rid of Scribner at that time; he represented Scribner to me as a partner, that he was going to put three hundred dollars in the business; he told me afterwards that Scribner he did not believe he could get the money. That was the second week that Scribner was there. Morgan came over to see me the following Tuesday at Jersey City to my brother's house; he came and knocked at the door. I was sitting reading the paper alone. I invited him in. He said, "Joe, I came over to see you to see if you would not let me have twenty five dollars. I said, Mr. Morgan, you know my circumstances, you know I have not any money. That I have loaned you everything I had and that I borrowed fifteen dollars off my brother. He said, I thought



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you could get it. There has got to be something done. I don't like Scribner, I guess he would not be there after what I said to him last night; he went away kind of mad. My suspicions were aroused. The next day I went to the Market on Wednesday. Morgan was alone; he had a little meat out there. While I was sitting there Scribner came into the market; he came in the stall and we passed the time of day. So finally he called me in the back of the store. Morgan was present. He says to me, "Joe, does Morgan owe you anything?" Says I, "no." He says, "Are you sure?" I say, "No, I am not sure." He says, "How much does he owe you?" I say, he owes me fifty dollars. Scribner told me about how he had taken a mortgage on these things and gave him forty five dollars. We sat and talked a while together. We began to find out some means to get our money back. Scribner went and said something to him. We began to tell the people here we had been used. Morgan called me in the stall and said, "Joe, are you not going to work here any more?" I said, "No, sir; I took you for a gentleman." He

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said, "I am nothing else." Then give me my money and I will go away from here," I said. So he got another man to attend to the stall; he went out alone, he was gone 15 or 20 minutes; he came back. I was in Mr. Haines' stall, and he called me in his stall. He says, "you go over to Mr. Smith's office and get your money; you be careful of what you are saying around here or I will make you sweat." So I got Scribner to go to Jersey city with me to get that paper. I thought I could not get the money without it. We went over and came back. I went up to Smith's office. Smith was not there Mr. Ray was there, and he says, "Morgan is in the other room." I says, "I don't want to see Morgan, I came to see Smith." While I was sitting there waiting another young man came out of this room. Morgan came back to me and says, "Joe, I want to see you." I went into the room with Morgan, and he says, "Joe, now if you fellows will only keep quiet. I will get you your money. I have had three or fellows here this morning that are willing to put the money up, but I

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could not take them down into the market and show them around because you knocked me out so that I could not take them down." I says, "Morgan, is not my money here?" He says, "No." I says, "didn't you tell me to come here and get my money and said it would be here? Is there not any money here?" He said, "No, I have not got any." Mr. Scribner and I went out of the office together; we went to the Market and stayed around there. We went down to the Truhs and Justice Powers told us to come up to this Court. Neither one of us had any money. Morgan got all we had. We went up to detective Headquarters and stated our case to Mr. Healey and he sent detective Hines to answer another advertisement. Cross Examined. I did go to work for Mr. Morgan and worked for two weeks; he was to give me employment. I could stay there as long as I wanted to. Morgan did a little business at the stand in Fulton Market. I did not know anything about the meat business. Redirect Examination. Morgan told me he owned the stalls Nos 21. and 189. It was on the faith of all the representations



0334

of his which I have mentioned that I paid him the money. I really believed the statement that he owned the stalls to be true; he told me he owned those stalls and sold several for fourteen hundred dollars; he made those representations to me before I let him have the fifty dollars. I relied upon them in parting with my money and I would not have done so unless he made them. After I made the demand he failed to pay the money. I made the demand the day that he went with me up to Smith's office. I could not recollect the day of the month. It was either the next Wednesday or the next Thursday he laid me off. He paid me ten dollars a week for those two weeks. Chipman H. Scribner, sworn. I know the prisoner. I was not a partner of his. While the last witness was working in his stall in Fulton Market I went there. I worked there one week. I answered an advertisement in the Sun of July 10<sup>th</sup>. I was then stopping at the Carlton House New York. Magan called at the Carlton House to see me. I was out and he left a note for me to call at 23 Chamber St. the next day at ten o'clock at the office.



0335

of Fred P. Smith. I called the next day at ten o'clock; it was about three days after I answered the advertisement. I called at Smith's office. I said, "Fred P. Smith?" He says, "I am the man." Morgan was not present. I said, "I am C. W. Scribner from the Carlton house." He said, "It is not me you want to see, it is Theodore Morgan; he will be here in a short time if you will wait. He said he would be in about eleven o'clock. I went out and called back again at 11 o'clock. Morgan had not come yet. I think in about 15 minutes Morgan came. Said Smith, "Here is the man you want to see now." He said to Morgan, "Why should you tell this man to call and see me? It is not me he wants to see, it is you. I guess you are kind of cross," he said, "this morning; you want a cigar." Smith said, "I will take a cigar." He took two cigars out of his pocket; he gave one to Smith and one to the other man in the office. I do not know his name; he has desk room in the office. Morgan came over to me in a staggering kind of way and said, "Do you want to see me?" I suppose

0336

I do. He asked me to step into the other office; I did so, and while in there he told he was a butcher in Fulton market; that he kept meat, butter, eggs and cheese and that he wanted a young man to work for him; that he had a man working for him called Gardner who proved to be a thief, that he stole in one week a large amount, I think it was \$340; he said he would not hire another without a money deposit for their honesty. I had reference and I took it out of my pocket and asked Morgan to look over my reference. I don't remember that he gave the number of the stalls, but he told me he owned three stalls in Fulton market and a house in Brooklyn; he said he would not employ me unless I put up fifty dollars. I told him I guessed I could get it. I went to Boston and got it. I met Morgan on several occasions before the money came at the stall; he represented to me, "These are my stalls," at the stall 21 and 180; they were both together; he showed me a large ice chest and said it and the stall belonged to him. There was no person in the stall when he was talking to me. Mr. Sailer was working for him then. I don't know that he heard any thing we said.

0337

Morgan talked kind flow and so did I. Morgan told me he would give me a job at ten dollars a week till Sept. 1<sup>st</sup> and then he would give me fifteen. I was to put up the fifty dollars for my honesty, and if I left I was to get the money; he said he would secure me, he would give me his note or a mortgage on the fixtures of stalls Nos 21 and 180. After the money came I told Morgan I had it; he said that he would make out the mortgage. I told him I could not give him but forty five dollars; he said that was all right. So he took me to Mr. Nolan's office on Chamber street (the defendants counsel). He said to Nolan, "What do you charge for making out a chattel mortgage?" He said, about \$3.50. He said, "We are poor, that is too much he said; can not you do it for two dollars?" Nolan said, "I will do it for two dollars." Nolan made out the mortgage and he took it up and had it recorded. I paid Morgan forty five dollars. (The mortgage marked People's Exhibit B was put in evidence) This was on the 23<sup>rd</sup> of July. We went to the recording office together in the Square, and after we came out he told me to go down to the stall and go to work. This was about 9 1/2 o'clock.



0338

in the morning. I went down to stall 21 and stayed there till he came. There was no name up over the stall. I had little work to do there; there was a sheep or two. I cannot say how many, may be one or two and nothing else; he had a very small stock; he some times would have three or four sheep; that was about the average extent of his stock. On Friday night of that week he told me he wanted to get rid of Sailer the last witness; he told me that Sailer was a good enough boy - he said he did not consider him very honest and he wanted to get clear of him. He told me to watch him, and in the first place at the market he represented <sup>me</sup> ~~him~~ as a partner. He said there was so much talk in the market about him (Morgan) that he wanted to make them think it was all right, that I was a partner; he said, "I want you to back up what I say." I said, it did not make any material difference to me what you represent. "Nobody asked me the question except Sailer. He said, 'you have gone into partnership with the old gentleman.'" I said, "yes." Friday night Morgan said to me, "I want to discharge Sailer and I don't know how to do it." I said,



0339

Why not? As long as Sailer is in your employ  
and you do not want him, all you have  
got to do is to tell him so. "He said I owe  
Sailer \$25. I said, Of course you ought to  
pay him that. "He said, "I cannot pay him  
now, of course it is good. I want you to go  
to Sailer and tell him that you are a  
partner, that we could do our own work  
and we could get along without him, and  
say to him, if Morgan owes you anything,  
he is good for it and he will pay you."  
He said a great deal more than that which  
I cannot remember. I said I would pay  
something to Sailer the next day on Satur-  
day, which I did. I said to Sailer, "Business  
is very quiet, I guess we can do ~~the~~  
work ourselves." Sailer did not say any-  
thing. After some talk I got my pay for  
the first week. Morgan said that Sailer  
and I would take all the money he took  
in and more to. I told him he would have  
to pay me anyway, that he got all my  
money and I had no money to pay my  
bills. He paid me ten dollars. Monday  
morning I came and I said, "Joe is  
not here, you have discharged him."  
He says, "yes, I have discharged him."

0340

The witness then went on to state how he and Sailer acted together in making a complaint against Morgan and having him arrested.

John Gardner sworn. I had a conversation with the defendant in June or July when he said that he hired those stands in Fulton market.

Isaac Bennett sworn. I owned part of the fixtures of stand 20 in Fulton market. Morgan told me he rented the stand 20; it belongs to Richard Baker.

Frederick P. Smith testified that he drew up the contract (People's Exhibit A)

The jury rendered a verdict of guilty with a recommendation to mercy

0341

J. A. Walter

of  
Theodore Morgan.

witness:—

Chipman H. Loring

9 Hicks St.,

Brooklyn.

John Gardner

0342

City and County of New-York, SS.:

Chipman H. Scribner, of No. 9 Hicks street, in the City of Brooklyn, being duly sworn, deposes and says: That on the 10<sup>th</sup> day of July, 1883, there was an advertisement in the New-York Sun calling for a young man with from twenty five dollars to fifty dollars to fill a permanent position, the address given by the advertiser being M. T., <sup>new York Sun office</sup> ~~33 Chambers street, Room 8;~~ that deponent answered the said advertisement and <sup>at the said number</sup> ~~at the said number~~ in Chambers street he saw a man who said his name was Frederick P. Smith, and told deponent that he would want to see a man by the name of Theodore Morgan; that deponent waited until the said Morgan came in and was introduced to him by the said Smith; that deponent and the said Morgan went into a private room and the said Morgan represented to deponent that he was in the butcher business in Fulton Market; that he had a young man in his employ there who had cheated him and that he didn't propose to hire any other man without a deposit as security for his honesty; that the said Morgan also told this deponent that he owned the stalls, fixtures, &c., in No. 21 Fulton Market, and that he also owned a house in Brooklyn but did not state where it was situated; that the said Morgan told deponent that if he would give him fifty dollars to secure him against any loss on account of deponent's dishonesty he would engage deponent as clerk in his said butcher business at a salary of ten dollars a week until the first of September, 1883, and that after that date his salary would be fifteen dollars a week; that as security for the return to deponent of the said fifty dollars the said Morgan told him that he would give him a chattel mortgage on his tools, fixtures, &c., in his said stall at No. 21 Fulton Market; that deponent agreed to deposit the fifty dollars and did ~~so~~ on the 23rd. day of July, 1883, deposit forty five dollars, that being all that he could raise, and took a chattel mortgage ( a copy of which is hereunto annexed ) on the above described property; that deponent went to work for the said Morgan the same day and remained in his employ one week, one day and a half, and at the end of that time the said Morgan told deponent that he had no further use for his services as he had no stock on hand; that deponent replied that he did not care anything about it but that he wanted his money; that the said Morgan paid to him ten dollars for <sup>one week's</sup> ~~one week's~~ services and when deponent asked him for the return of the <sup>forty five</sup> ~~forty five~~ dollars deposited for security, the said Morgan told him that he did not have it then ~~and~~ that he would have to wait, that there was a man who was going into partnership with him from whom he would get five hundred dollars, and that as soon as he got this money he would return to deponent the said forty five dollars; that on Sunday, August 5<sup>th</sup>, 1883, the said Morgan came to deponent's house and told him that if he would let the matter of the forty five dollars ~~drop~~ stand as it was and not make any fuss about it he would give deponent employment, but deponent replied that he did not want employment from him but that he wanted his money; that on the morning of the 7<sup>th</sup> day of August, 1883, deponent went to Fulton Market and saw a man standing in front of stall No. 21 who told deponent that his name was Bennett and that he, Bennett, owned most of the things in the said stall, and when deponent told him that he, deponent, had a chattel mortgage on the same, the said Bennett warned him not to touch any thing there, that if he did he would make deponent sweat.

And deponent further says that when he first went to work



0343

for the said Morgan he, the said Morgan, told him that he must represent himself as a partner, and when deponent asked him why he should do that the said Morgan replied that it was because there was a good deal of talk about the Market; that the said Morgan also told deponent that a young man in his employ by the name of Joseph F. Sailer was a thief and that deponent must watch him; that deponent has since been informed by the said Sailer that the said Morgan told him, the said Sailer, that deponent was a thief and that he, Sailer, must watch him, the said deponent.

And deponent further says that he has been informed by one John Gardner ( whose present address is unknown to deponent but who will be produced when wanted ) that the said <sup>Morgan</sup> Gardner told him, the said Gardner, that he, the said Morgan, wanted to get three hundred dollars out of deponent and that as soon as he did he would discharge him.

And deponent further says that although he has demanded the return to him of the said forty five dollars deposited in the hands of the said Morgan for the purpose above set forth, he, the said Morgan, has failed and refused to return the same.

Sworn to before me, this :

8<sup>th</sup> day of August, 1883. :

*John H. Newman*  
Notary Public, N. Y. Co.

*A. H. Scribner*

Bail \$1000-

FS

B.N. Aug 10/13

62 \*

Adrian

Counsel,

Filed 10 day of Aug 1883

Pleds Adversely (13)

THE PEOPLE

vs.

Frederick

James Morgan  
[2 cases]

Grand Larceny, Second degree, etc.

[5552824 531]

JOHN McKEON,  
District Attorney

A True Bill.

John McKeon  
Foreman.

Other papers against  
Dad Morgan in the case

POOR QUALITY  
ORIGINAL

0344

0345

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 Morgan

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

Theodore Morgan

of the CRIME OF GRAND LARCENY in the ~~second~~ degree, committed as follows:

The said Theodore Morgan

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the 23rd ~~on the~~ day of July in the year of our Lord one thousand eight hundred and eighty-three, at the Ward, City and County aforesaid, with force and arms

one promissory note for the payment of money of the kind commonly called United States Treasury notes, the same being then and there due and unsatisfied, for the payment of and of the value of twenty dollars, one other promissory note for the payment of money of the kind commonly called Bank notes, the same being then and there due and unsatisfied, for the payment of and of the value of twenty dollars, one gold coin of the United States <sup>of America</sup> of the kind commonly called double eagles, of the value of twenty dollars, and one other gold coin of the United States of the kind commonly called half-eagles of the value of five dollars.

of the goods, chattels and personal property of one Chapman H. Scribner 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 McLean  
District Attorney.

Motion in arrest  
of judgment and  
for a new trial are  
both denied

Coast General Session

Dated Oct 1/83

Refus Blowing  
City Indg

The People

vs  
Theodore W. Blowing

County - on new  
trial & arrest of  
Judgment

Thomas W. Blowing  
vs  
R. Charles H. Blowing  
at

0346



0347

New York Court of General Sessions  
The people vs Thomas Mayan

To the Honorable  
Judge Cowing

Sect 528. Code

"With the intent to deprive or defraud the true owner of his property or of the use or the benefit thereof or to appropriate the same to the use of the taker"

1st "Takes from the possession of the true owner or of any other person or obtains from such possession by color or aid of fraudulent or false representations or pretence or of any false tokens or writings is guilty

I find that a statute had been once passed in England 7 & 8 George 4. Chap 29, Sect 53 - it reads as follows

"That if any person shall by any false pretence obtain from any other person any chattel money or valuable security with intent to cheat or defraud any person of the same every such person

0348

Shall be guilty of a misdemeanor

Provided always that if upon the trial of any person indicted of such misdemeanor it shall be proved that he obtained the property in question in any such manner as to amount in law to larceny he shall not be acquitted of such misdemeanor, and no such indictment shall be removed by certiorari

The Statute 30. George 2<sup>d</sup> Chap<sup>t</sup> 24 repeals and from which the former seems to be copied - read as follows

"All persons who knowingly and designedly by false pretence or pretences shall obtain from any person money goods wares or merchandise with intent to cheat or defraud any person or persons of the same shall be deemed offenders against law, and shall be punished &c

Whitlock C. C. 1884 448

In these two statutes and in our statute. the "words by color or aid of fraudulent or false representation or pretence" - are the same and the discussions as under them must therefore apply.

The word larceny being used in the statute is simply a generic term

0349

Whether it was a taking by force  
or violence or whether it was by fraud  
or in what other manner. The mode  
of committing a larceny is only enlarged

Therefore the manner by which  
the crime was committed, must be  
set forth in the indictment, and if  
it was by fraud the facts constituting  
that fraud must be set forth - that  
the Court may see in law that  
the facts constituted a crime - and  
not seting forth in the indictment  
simply a conclusion of law -

The pretences must be distinctly  
set out in the indictment and must  
be proved as laid

2<sup>d</sup>. Russ Page 309

Plestor's case 1. Campb. 494 & 212  
Reported in 2<sup>d</sup>. Edition of Prosser C. C.  
Page 424

In this indictment there is no aver-  
ment whatever as to what was the fraud  
What is the use of using the word  
fraud in the Statute then unless the  
fraud is to be set forth in the indi-  
ctment, an indictment must be  
so drawn that it distinctly informs  
the defendants of the charge against



0350

Time and of the nature and facts  
constituting cheat charge - and it must  
appear that the prosecutor parted with  
his property by reason of the false pretences  
or one of the pretences charged

Coles case 7 C. & P. Page 351

People vs Haynes 11 Wend 557

The falsity of the pretence or charged  
must be proved

Rosses criminal w. 2<sup>d</sup> Edition

Page 425 & cases cited

Proof of the intent to cheat or  
defraud as laid in the indictment  
must be shown from all the ~~surrounding~~  
circumstances & must not be left to inference

Rosses Crim. 2<sup>d</sup> Edition page 426

1 English C.C. 460. Pluck's case

Ross & By 460

Here at most the loan did not  
expire until the 1<sup>st</sup> September and  
the defendants had ample time  
to pay. Tylor, even if he had to  
take in a partner or borrow the money  
for that purpose, and no cause of action  
arose until after the first of September  
and this indictment was found long  
before that time. The obtaining of the



0351

New York Court of General Sessions

The people vs Theodore Mayan

To the Honorable

Judge Cowing

Sect 528. Code

"With the intent to deprive or defraud the true owner of his property or of the use or the benefit thereof or to appropriate the same to the use of the taker"

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0352

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Richard C. C. 1784 448

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0353

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ment whatever as to what was the fraud  
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fraud in the Statute then unless the  
fraud is to be set forth in the indi-  
ctment, an indictment must be  
so drawn that it distinctly informs  
the defendant of the charge against



0354

by fraud  
Money could at most be only injured  
as being fraudulent after the time  
for payment had arrived and expired  
Rushworths case

Russell & Rymer, 317  
1 Starky on Ev. 396  
English Common Law 2 Vol. 14<sup>th</sup> 376

The mere breach of a warranty  
does not amount to a fraud  
See foot of Page 412 Persec for 2<sup>nd</sup> Edn  
& page 422. Same Edition as to  
the numerous cases cited. That  
did not come within the statute  
which are clearly in defendant's  
favor — The most that could be made  
of the case is a loan from Tylor — as under  
the decessions — and the time to pay not  
expiring — the case is in this respect  
fatally defective — The evidence of  
Scribner on his mortgage — being admitted  
is fatal. as he had ample security for  
his money and if he had not the  
rule of Caveat emptor applies  
All of which is respectfully  
Submitted on behalf of J. J. J.  
Thomas Nolan  
Defts atty



**POOR QUALITY  
ORIGINAL**

0355

that the Journal of the paper  
may be completed before  
I become a serious contributor  
and that the work for  
them the money enclosed  
as above, I will pay  
every month — for the next year  
beginning from the 1st of the next month  
the one year which I  
fully intend to continue —

10/10/19

POOR QUALITY  
ORIGINAL

0356

Ch ~~C. H. Scribner~~ 4/8/83

~~G. Hicks that~~

~~H. of~~

Schach is coke

George A. Jones - living in

your Brother. William has

lived upon me with the land

and he has not the

gentleman ~~as~~ the fortune

who owned Mr. Cashier with

a hundred of land - they have

had a long conversation

and Mr. Jones has offered

some land, a half interest

in the land - and in

the matter of the estate.

Especially for the

of the estate of the

you know him that

amount of one - 20

POOR QUALITY  
ORIGINAL

0357

Copied

7/8/23

George A. Gummer  
Schaaghticake  
Remondan Co

Sir,  
Your Brother William has called  
upon me with the enclosed statement  
and he has met the gentleman who  
desires the Cashier with a loan -  
-and dollars they have had  
a long conversation and Mr  
Morgan has offered your bro-  
ther a half interest in the bus-  
iness - Stand in Fulton Market  
for ~~the~~ Meat. Butter Eggs etc for  
\$300. Your brother wishes for  
to send him that amount at  
once - so that the partnership  
papers may be completed  
and business entered upon  
without any delay. He wishes

POOR QUALITY  
ORIGINAL

0358

He wishes you to send the  
money which he received  
from my care =

from the office

W. B. C. C. C.

2 1/2 hours

1/2 hour

He has received the money  
has written the above letter  
which I have enclosed

(Signed) William O. Gunn



POOR QUALITY  
ORIGINAL

0359

Edw. J. Wilbur  
in  
Charles Morgan  
care

POOR QUALITY  
ORIGINAL

0360

John Gardner, 485 Hudson Ave., Brooklyn.

Joseph H. Lives, 85 Mercer St.,oklyn., E.D.

David Dinkles, 86 Eighth Ave., Newark.

Fred. P. Smith and James E. Wray, 23 Chambers.

James Moore, 986 Atlantic Ave., Brooklyn.

Grace Bennett, Ward's Hotel, Coney Island.

Detectives Sgt Hines } Police H.Q. 96  
" " Healey }

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POOR QUALITY  
ORIGINAL

0361

Theodore Morgan -

12/5/83

- and -

Messrs H. E. & J. J. Dutz

Partnership  
Account  
Tutton Market

POOR QUALITY  
ORIGINAL

0362

In the matter  
of  
Theodore Morgan.

Witness:

Joseph F. Sailer,  
255 Van Vorst St.  
Jersey City.

Charles Hoffmann  
271 Eighth St.  
Jersey City.



POOR QUALITY  
ORIGINAL

0363

People's Home 783

We the undersigned, Theodore Morgan  
and Joseph F. Sailer do hereby agree  
to stand with each other, as follows:  
Theodore Morgan agrees to hire Joseph  
F. Sailer to work at the stand No 21  
Fulton Market at the weekly wages of Ten  
Dollars per week, until the 1st of September  
1883, after that date his wages will be  
raised to fifteen dollars per week - and  
the said Joseph F. Sailer, has paid the  
sum of Fifty dollars to the said Theodore  
Morgan, as security for his honesty; which  
Theodore Morgan agrees to pay to the said  
Joseph F. Sailer at any time, by his  
going (Morgan), one week's notice of his  
(Sailer's) intention to leave said (Morgan's)  
employment.

This agreement is entered into by us  
from and by our own individual respon-  
sibility and from no representations made  
of any kind or character by Fred. Plumb  
23 Chambers Street New York City.

In presence of —  
Dated New York  
14 July 1883

Theodore Morgan

Joseph F. Sailer

0364

City and County of New-York, SS.:

Joseph F. Sailer, of No. 255 Van Vorst street, Jersey City, New-Jersey, being duly sworn, deposes and says: That on the 10<sup>th</sup> day of July, 1883, he saw an advertisement in the New-York Sun calling for a young man with twenty five dollars or fifty dollars; that to such a one a good situation would be given; that the address given by the advertiser, as deponent thinks, was box No. 132 Sun Office; that the advertisement was signed M. T. that deponent answered the said advertisement, asking what the fifty dollars was for, and received a letter signed M. T., stating that the writer was in the meat and butter business, and asking deponent to call at No. 23 Chambers street; that deponent called there and asked for M. T. and an old gentleman sitting in the room showed deponent to another man with whom deponent went into another room; that deponent afterwards learned that this last named man was Theodore Morgan; that deponent told the said Morgan that he had come in answer to the said advertisement and asked him if he could get the situation and what would be his duties; that the said Morgan replied that he had two stalls in Fulton Market and that he wanted somebody to help him cut meat and tie it up, that he had a young man there but that he was not honest and had run him behind one hundred and fourteen dollars in two weeks, and that he had made up his mind that he would not hire anybody else without security as to his honesty; that deponent then replied that he had not much money with him, some three or four dollars; that the said Morgan told him to give him two or three dollars to bind the bargain and that he, deponent, could have it back at any time; that deponent told the said Morgan that he, deponent, would have to see his brother James, who lived on the Passaic River, to borrow the money, as he did not have as much as fifty dollars of his own; that the said Morgan said that if deponent would come down to the store on the following Monday with the fifty dollars that would do; that deponent gave the said Morgan three dollars to bind the bargain and received a note for the same; that before deponent left the said Morgan at No. 23 Chambers street, he, the said Morgan, told this deponent that he was a nephew of ex-Governor Morgan; that deponent went to New-Jersey that same day and borrowed fifteen dollars from his said brother James, which he put with thirty five dollars of his own money, and that on the 14<sup>th</sup> day of July, 1883, he came over to Fulton Market, met the said Theodore Morgan and was accompanied by him to the office of one Frederick P. Smith, No. 23 Chambers street; that deponent paid the fifty dollars into the hands of the said Smith and received as a receipt therefor the paper which is hereunto annexed; that deponent worked for the said Morgan two weeks, for which he received ten dollars a week, and then the said Morgan asked deponent to lay off for a week in order to enable him, the said Morgan, to get rid of a man he had working for him by the name of Chipman H. Scribner; that on the 31<sup>st</sup>. day of July, 1883, the said Morgan came over to deponent's house in Jersey City and asked for a loan of twenty five dollars; that deponent refused to let him have it, and the following day deponent went over to Fulton Market to see how Morgan's business was getting on, and Morgan asked deponent if he could not afford to work for him for seven dollars a week until business got better; that deponent made him no answer to this proposition, but the next day, August 2<sup>nd</sup>., 1883, deponent told the said Morgan that he would not work for him any more, whereupon the said Morgan told deponent that the fifty dollars which he had

0365

deposited was up at Smith's, No. 23 Chambers street, and for him to go up there and get it; that deponent went to Smith's office, that Smith was not there but the said Morgan was, and deponent asked him for the money; that the said Morgan told this deponent then that he had told him that his money would be there but was not there then, and told deponent that if he would keep quiet and not knock him up around the Market he would pay him the money; that there had been two or ~~then~~ three men there to see him, the said Morgan, but that he could not take them down to the Market to show them the stalls on account of the noise deponent and others had made there in telling about the way in which he, the said Morgan, had treated them.

And deponent further says that the said Theodore Morgan has refused to pay him back the said fifty dollars deposited as <sup>before said</sup> ~~before~~ to before me, this :  
8<sup>th</sup> day of August, 1883. :

*John A. Newman* Esq  
Notary Public, N. Y. Co.

*Joseph F. Sailer*

0366

BOX:

110

FOLDER:

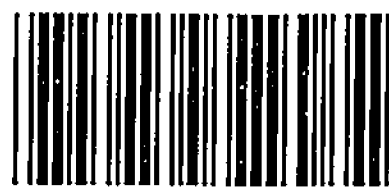
1175

DESCRIPTION:

Mouille, Eugene A.

DATE:

08/03/83



1175



POOR QUALITY  
ORIGINAL

0367

The fees may  
be advanced &  
Bail released at  
price of \$5000  
Dec 8/83 Ed

Counsel, *W. H. Hill*  
Filed *3* day of *Aug* 188 *3*  
Pleads *Objection* (6)

THE PEOPLE  
vs.  
*Eugene A.*  
*Monsie*  
MURDER in the  
Second Degree  
[Section 184]

JOHN McKEON,  
District Attorney  
*12 Sep 28, 1883.*  
*Widely acquitted*  
A TRUE BILL.

Foreman,  
*S. W. Comstock*

POOR QUALITY  
ORIGINAL

0368

The Sept may  
be commenced  
Bail set at \$5000  
Aug 8/83

1883 Aug 3-1883  
Counsel, *W. H. Hill*  
Filed *3* day of *Aug* 188 *3*  
Pleads *Indigence*

THE PEOPLE  
vs.  
*Eugene A. P*  
*Monsie*  
Murder in the  
Second Degree  
[Section 184]

JOHN McKEON,  
District Attorney  
*12 Aug 26, 1883.*  
*Indigence*  
A TRUE BILL.

Foreman.  
*S. W. Comstock*

0369

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Eugene A. Moulle

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

Eugene A. Moulle  
of the CRIME OF Murder in the Second Degree,  
committed as follows:

The said Eugene A. Moulle

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

Christopher Moore, in the peace of the People of  
the State of New York, then and there being, unlaw-  
fully, feloniously, and with a design to effect the  
death of him the said Christopher Moore, did  
make an assault; and the said Eugene A. Moulle  
a certain pistol then and there charged and  
loaded with gunpowder and one leaden bullet  
which said pistol he the said Eugene A. Moulle  
in his right hand then and there had and held,  
to, at, against, and upon him the said Christopher  
Moore, then and there feloniously, unlawfully, and  
with a design to effect the death of him the  
said Christopher Moore, did shoot off and dis-  
charge; and the said Eugene A. Moulle, with the  
leaden bullet aforesaid, out of the pistol afore-  
said, then and there by force of the gunpowder  
aforesaid, shot off, sent forth and discharged, as  
aforesaid, him the said Christopher Moore, in and  
upon the neck of him the said Christopher Moore

0370

then and there feloniously, wilfully and with a design to effect the death of him the said Christopher Moore did strike, penetrate and wound; giving to him the said Christopher Moore then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth and shot out of the pistol aforesaid by the said Eugene A. Moullé in and upon the neck of him the said Christopher Moore, one mortal wound of the breadth of one inch and of the depth of six inches, of which said mortal wound, he the said Christopher Moore then and there did die.

And so, the Grand Jury aforesaid, do say: that he the said Eugene A. Moullé, him the said Christopher Moore, in the manner and form, and by the means aforesaid, at the City and County aforesaid, on the day and in the year aforesaid wilfully, feloniously, and with a design to effect the death of him the said Christopher Moore, did kill, and murder, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John McKeon

District Attorney.



0371

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

James Adams

"He had the better of him."

"She ran down the Avenue"

Great bodily harm, falls far short  
of the most serious. Bodily harm; the  
one may endanger life, the other is...

Rems vs People 30 Ill 256

Greer vs State 6 Bost (Linn) 629

See page 125 f

A violent defense, can only be  
employed, where there is a violent attack.

126 a

The burden of proof rests with the def

126 a

Evidence of a difficulty but parties several  
hours before, does not constitute ~~hostile~~

Read entire case 126 a

It must, be such danger, as could not be  
prevented against, by calling for assistance, or  
seeking the protection of the law 126 a

0372

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

2

As of a motion to show a pistol

An assistant cannot kill his opponent  
with a deadly weapon with a deadly  
weapon in self defense, until he has  
notified him by his conduct, that he has  
abandoned the conflict, and if he has  
not so notified him, he must take the  
consequences. *State vs Smith*

6 Nov 186

Necessity of Killing  
See *Page 128*

Threats 128 K

The law must be resorted to for self defense  
in whose life has been threatened, and who has  
been threatened with a deadly weapon may  
kill. *See 128 K*

0373

3  
District Attorneys Office.  
City & County of  
New York.

Fear-grounded threats, or false  
information, that one lies in wait  
will not justify Kelly &c 1281

0374

**PART 2.**

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the Officer at the Court-Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

**S U B P O E N A**

FOR A WITNESS TO ATTEND THE

**Court of General Sessions of the Peace.**

The People of the State of New York,

To Solomon Applebaum

of No. 15 777 Mercer Street,

GREETING :

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the 28 day of Sept. instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Charles Jacobson

in a case of Felony whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

Witness, Hon. FREDERICK SMYTH, Recorder, of our said City, at the City Hall, in our said City, the first Monday of Sept. in the year of our Lord 188 2

JOHN McKEON, *District Attorney.*



0375

People  
Moullé { Sept 27. 53

Dr McPherson. evidence had  
signature of Jerry in evidence

James Adams

The man was shot at  
2 Minutes to 8 o'clock  
Moullé

He had the letters of him.

He ran down the Avenue

Wm Murphy

Lena Lerow

02

If any other person had seen would you not  
have seen it?

Adams and Moore were together

searched !!

0376

Defence  
 Mr. Rusk  
 Speck  
 Confess jury  
 Police Magistrate. -  
 Henry Allen  
 138 William St.  
 Charlotte Fork  
 Sergt. Beadler  
 Hunter Fork  
 Susan - Riley  
 do do  
 A. Ramel.  
 do do  
 J. Norman.  
 do do  
 Henry Snow  
 do do  
 Geo. Marchette.  
 do do  
 Geo. E. Smith  
 Officer Lerow :-  
 do do  
 Mr. Smith.  
 do do  
 Chas. E. Deubert-  
 do do

0377

3

Mr R. Shet : Good Character

Ernest Murphy :-

Clifford A. Morice

Pistol taken  
before.

As we were going out Mr  
Murphy said that so times  
3<sup>rd</sup> time. - ~~Morse~~ and his gang  
are waiting to lay you out.

Chas P. Dubois -

Good Character

Mr. Filleto

do do -

Mr. Bergman

do do

E. J. Berlump -

do do

J. Risher

do do

Eugene A. Muller -

Cliff Morice : warned me.

0378

Defence

~~Mr. Kuntzberg speaks:-~~

Notes

Melstee = not one of the many  
Bank Churns &c - but could be  
soon changed.

Rebut. Much hastened



0379

District Attorney's Office.

City & County of  
New York.

The People.

vs  
Eugene A. Moore

Sunday July 18th at 8.30 P.M. at  
shot and killed Christopher Moore, leaving  
an orphan child - 7 years old. Shot opposite Gap  
Hall 34th St side bet 3rd Avenue.

I Dr Meepemer.

2 James Adams. More presence in, when he rose.

when they met Moore struck him. Moule  
caught both of Moore's hands. Shot at  
once pistol full cocked, Adams said  
don't shoot (Moore said yes then you see

Moule engaged  
in an embrace  
business one  
Sunday.

William Murphy

Saw Moore & prisoner clinked

Adams said look out ve

William J. Regan

Took club to strike him and

Adams 1  
Jas. Adams 1  
Jas. Murphy 1  
William Murphy 1  
G. H. Monac 1  
Wills J. Regan 3  
James Clifford 1

Hamagen vs People

Shooter vs People

POOR QUALITY  
ORIGINAL

0380

138  
159

*Whitney*  
*for a year*

Police Court - Third District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

David Greenberg  
vs  
Eugene A. Moulle

1 Eugene A. Moulle

2

3

4

Offence *Murder*

Dated *July 20th* 188*3*

*Smith* Magistrate.

*George J. O'Leary* Officer.

*George J. O'Leary* Precinct.

Witnesses *James O'Leary*

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

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

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

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

No. 228 E. 34th Street.  
*Stemiala, Murphy*

No. 218 E. 34th Street,  
*William Murphy*

No. 521 3d Avenue Street,  
*Edmond J. Malone*

*202 E. 30 St*  
*William Green*

*136 West St*  
*James E. O'Leary*

*337 E. 36 St*  
*filed July 20/83*

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

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

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

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

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

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

Dated *July 20th* 188*3* *Salmon B. Smith* Police Justice.

POOR QUALITY  
ORIGINAL

0381

MEMORANDA.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
35 Years. — Months. — Days	W. S.	Morgue	July 16/88

21 E Pres  
Widower has a  
girl seven years old  
Resided at Hotel Place  
Hotel 20002 betw 14th & 15th

Shot by Eugene  
Mouille at 34th  
St. 3d St  
on the sidewalk  
on Sunday evening  
July 15/88 at  
Eugene Mouille  
was a bookkeeper  
at Macomb's saloon  
307 Third Ave -  
Deceased had  
various occupations  
at different times  
being a fur dealer  
once -

Shot shot wound  
2 inches in the  
left ear and 5 1/2  
inches from the  
symphysis of  
the chin  
lodged between  
the two mandibles  
and  
caused compound  
of spinal cord  
from hemorrhage

P. M.

Dea.  
Quar.

AN INQUISITION

On the VIEW of the BODY

Christopher Moore

whereby it is found that he came  
to death by

suicide

Wound of the

neck leaving

left external

jugular vein

Original taken on the

of July  
before 1888

PHILIP MERKLE, Coroner.



POOR QUALITY  
ORIGINAL

0382

TESTIMONY.

Dr. M. J. O. Messenger being sworn says: On July 16<sup>th</sup> 1883 at the Morgue attached to Bellevue Hospital I made an autopsy on the body of deceased. I found a scalp wound on the back part of the head over the region of the middle of the occipital bone. The scalp wound did not penetrate down to the skull it was lacerated and contused in appearance and about two inches in length. On the left side of the neck two inches under the left ear I found a pistol bullet wound on probing the same I found the ball had passed backward and lodged between the Atlas and axis of the Spinal Column. It had passed through the External Jugular Vein in its course. On opening the Spinal canal, it was found that a hemorrhage had compressed the spinal cord through clot. The clot extended from the first Cervical to the seventh Cervical Vertebra. The bullet was found to have been flattened by coming in contact with the bones of the Spinal Column. The brain was oedematous, the pia mater slightly thickened. The dura mater very adherent to skull cap, and base of skull. The brain was otherwise normal. Both Lungs were congested and oedematous. The valves of the heart were somewhat calcified. The muscular structure of the heart was quite fatty. The Liver was nutmegged, granular and rather harder than normal. Kidneys congested and granular. The mucous membrane of the stomach very much inflamed. Death in my opinion was due to <sup>hemorrhage from</sup> pistol shot of the neck wounding External Jugular Vein and from compression of the Spinal cord by clot caused by rupture of blood vessel by coming in contact with bones of Spinal Column.

this 19<sup>th</sup> day of July

1883.

Philip Mearns

CORONER.



POOR QUALITY  
ORIGINAL

0383

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the *Coroner's Office*  
No. *13415* *Chatauw* Street in the *4th* Ward of the City of  
New York, in the County of New York, this *19th* day of *July*  
in the year of our Lord one thousand eight hundred and *93* before

PHILIP MERKLE, CORONER,

of the City and County aforesaid, on view of the Body of *Christopher Moore*  
now lying dead at

*Nine* Upon the Oaths and Affirmations of  
good and lawful men of the state of New York, duly chosen and  
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the  
said *Christopher Moore* came to his death, do  
upon their Oaths and Affirmations, say: That the said *Christopher Moore*  
came to his death by a pistol shot  
*from the corner of the street* reflected at  
*July 19th at 7.30 PM.* from a  
pistol in the hands of *Eugene Mould*  
and we further find that the shooting  
was justifiable and done in self defence

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

*M. Hatfield*  
*H. Croft*  
*Henry Reynard*  
*H. Roman*  
*F. E. Smith*  
*Chas. Kaiser*  
*Sam. Lortew*  
*E. McHugh*  
*Sam. C. Haller*

JURORS. *2136 Third St*  
*2159 Third Ave*  
*2169 Third Ave*  
*2179 - 3 Ave*  
*151 E 116 St*  
*2197. 3rd Ave*  
*2158 - 3rd Ave*  
*2137. 3 Ave*  
*2155 - 3rd Ave*

*Philip Merkle*

CORONER, E. S.

POOR QUALITY  
ORIGINAL

0384

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

East District Police Court.

Eugene S. Moulli 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. Eugene S. Moulli

Question. How old are you?

Answer. 40 Years

Question. Where were you born?

Answer. France

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

Answer. 475 3d Avenue 6 months

Question. What is your business or profession?

Answer. Jeweller

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.

On Sunday July 15th 1883  
I was at Stearns Saloon  
when Franky Mome Jas Adams  
and James Murphy came in  
and asked for the best brandy  
serving Mome as a treat I asked  
for the money in advance.  
Mome laid down a dollar. I  
took out 45 Cents and then he  
commenced quarreling with  
me and said he would not pay that  
and called me a Goddammed  
french bastard and a son of a  
bitch and other vile names.  
Not to make any trouble I gave  
him back his dollar.

Subscribed

Tested before me this

1883

Police Justice.

POOR QUALITY  
ORIGINAL

0385

2

J Murphy  
Said he will  
lay way out

and told him to clear out  
that I did not want him  
in the place any more. Then  
he was holding something in  
his hand like a beer punch or  
a pistol I don't know what it  
was. Jimmy Adams said to  
him "Don't do that"  
I will catch the son of a bitch  
out side more said. He said  
I will lay for you out side and  
lay you out. They two went out.  
It was about 5 PM.

I left the place a little after 7 PM  
in company with Monae.  
Before leaving the place Jerry  
Murphy told me Monae was going  
to waylay me, and told me to  
look out for myself. Monae  
also told me he heard the same  
thing out side. Going out with  
Monae, Murphy and two others  
said "Eugene go down 20 and  
it will be better for you because  
Fursty more and his gang  
is laying for you. I having heard  
that warning I took a pistol from  
behind the bar. I don't know who  
it belonged to as I don't carry a  
pistol. I took it to protect myself  
on going out. Monae and I  
went toward 20 and about a  
dozen buildings, when it  
began to rain heavily.



POOR QUALITY  
ORIGINAL

0386

3

I said why should we go in this rain  
around by 20 avenue when I can  
live a block and a half from here.  
I was carrying an umbrella and  
walking arm in arm with Monie.  
We had hardly crossed  $\frac{3}{4}$  of the block  
across 34th St going down toward  
my house, when all of a sudden  
I received a blow at the back of the  
head which dazed me for perhaps  
 $\frac{1}{2}$  a minute. I turned around and  
Monie caught me by the arm and  
struck me in the face with his fist.  
I grabbed him and said "What  
is the meaning of this; what have  
I done?" I clinched him when he  
caught my thumb in his mouth  
and held on to it with his teeth.  
I disengaged my self from him  
and attempted to go toward  
Monie who had left me, when  
Monie caught up to me by the  
gutter; we clinched again and  
there he butted me on the nose  
with his foot head, and the blood  
flowed and stained my shirt and  
clothes, and then I saw a gang  
of his <sup>who summoned</sup> friends and believing my  
life in danger I pulled my  
pistol and shot Monie. From  
there, I walked away <sup>fast</sup> about  $\frac{1}{2}$   
the block, when I heard some  
one call. "Eugene I want to see  
you."



POOR QUALITY  
ORIGINAL

0387

I turned around, and recognized  
Gunn (the officer). I said "Hello  
Dane is that you", he told me. Those  
fellows will kill me. I asked him  
to let me go home and wash my  
self. I then went with him to the  
Station house.  
I knew the character of Gunn. I  
knew him to be a dangerous man  
and had been arrested, and  
two weeks before he had tried to lay  
me out. I never carried a pistol before  
except in the army.

Eugene A. Maurice

Sworn to before me  
this 20th of July 1883

Police Justice

POOR QUALITY  
ORIGINAL

0388

Coroner's Office.

TESTIMONY.

1.

Officer David Gerson, of 10<sup>th</sup> Regt  
says. On Sunday July 15<sup>th</sup> about 8:30  
in the evening while on car 34<sup>th</sup> St &  
3<sup>rd</sup> Av. (N.E.) I stopped and spoke  
to deceased Moore and Chris. Adams  
I said people going to Rockaway  
will get out <sup>today</sup>. After standing for  
some time 2 men came up 34<sup>th</sup> St  
from 2<sup>nd</sup> Av. I did not know them  
at the time, the deceased was standing  
with his back toward 2<sup>nd</sup> Av. and  
the two men came up from 2<sup>nd</sup> Av. and  
the deceased got a glimpse of the two  
men, he (deceased) started to run  
across the street. I then afterwards  
saw the deceased go after them and  
raise his hand to the prisoner. I  
then heard a pistol shot and some  
one said that ~~some one~~ <sup>some one</sup> ~~had~~ <sup>had</sup> shot, I  
then heard Eugene had shot Christie, I went after  
the prisoner who said is that you Dave  
and said come to the house till I  
wash myself. I said, No, that <sup>you</sup> had  
<sup>shot a man and</sup> <sup>you would have to put him under</sup>  
blood on Mr Mule from the nose  
<sup>up</sup> <sup>off</sup>. I then went to the Station House, he  
was bleeding all the way to the Station.  
Mr Mule said that deceased had threatened  
to lay him out. I never knew prisoner to

Taken before me,

this 19<sup>th</sup>

day of July

1888.

Philip Morke

CORONER.

POOR QUALITY  
ORIGINAL

0389

2.

Coroner's Office.

TESTIMONY.

carry a pistol, prisoner had said to me when I first saw him Is that you Dave, hurry up them fellows will kill me, the prisoner ~~he~~ showed me his finger where deceased had it in his mouth the <sup>finger</sup> was bleeding

David Gerrow.

James Adams being sworn says. I reside at 228 East 134<sup>th</sup> street. I am working now at Long Branch. I think the trouble commenced about a drink in the afternoon. About 5 o'clock in the afternoon <sup>of Sunday July 15</sup> I met Moore and a man <sup>named</sup> James Murphy. Murphy said to Moore and I, he had just had a drink of good brandy on the corner, Moore said come on and I will treat <sup>them</sup> to some brandy we went in and drank and the prisoner who was behind the bar said who pays for this (60 cents) Moore said I'll pay for it, but Murphy said this aint the same brandy I had a while ago, but the prisoner said it was, Moore put down a dollar bill and said I wonder if he will have the check to charge for that, Eugene instead of charging

Taken before me,

this 19<sup>th</sup> day of

July

1883.

Philip M. ~~Swan~~ CORONER.

Sworn to before me this  
20th of July 1883  
Jesse B. Smith  
Police Justice



POOR QUALITY  
ORIGINAL

0390

3.

Coroner's Office.

TESTIMONY.

60¢ charged 45¢, Moore then demanded  
15¢ more change, which he said was  
coming to him, prisoner refused to give  
it to him and ran up to the end  
of the bar, picked up a club and said  
to Moore if you don't leave this place  
I will kill you, I want no more  
trouble with you, I said to prisoner  
put down that club, he said what  
I you going back or me I said no  
give Christy back his change and  
he done it giving Christy 10¢ more  
than was coming to him, I said to  
Moore give it to him back and he  
did. Moore said I go while going out  
I'll give you a chance to fight, I'll  
kill you. I'll punch you in the  
nose as soon as you get through  
your work, nothing more was said.  
~~I saw with more~~ ~~Moore~~ ~~say~~ After supper  
time when I saw Moore he said to me  
what ought I do with that Frenchman  
I said nothing, Moore said I'll  
punch him in the nose if I am  
arrested for it, I was persuading him  
not to get into any trouble, afterwards  
I was talking to Mr Gerow, ~~Adams~~  
when prisoner came along with another

Taken before me,

this 19<sup>th</sup>

day of,

July

1883.

Philip Munkler

CORONER.



POOR QUALITY  
ORIGINAL

0391

4.

Coroner's Office.

TESTIMONY.

man, as soon as Moore saw prisoner  
he started after him and I started  
after Moore just as quick, Moore  
went up to the prisoner and I am  
positive that he put his hand on  
the prisoner's shoulder and then struck  
him, the prisoners friend ran away,  
the prisoner then grabbed hold of Moore  
with his two hands and he said  
why is he striking me, I said to  
Christy run away or else you may  
be arrested, I then saw the prisoner  
put his hand in his pocket, and  
draw a revolver, I said don't use  
your pistol, Christy said let him  
use his pistol, I am positive the  
pistol was full cocked, for as soon as  
he put it up to Moore's ear he fired  
I said to prisoner You have shot that  
man, he said Yes God damn you I'll  
shoot you, I backed away from him  
I think I saved myself through a man  
named Murphy coming on and saying  
Don't shoot him, then Geow the detective  
came up running, and the prisoner  
ran away. I went to see how Moore  
was, a crowd of about twenty people  
came up and congratulated me on my  
escape.

Taken before me, -

this 19<sup>th</sup>

day of July

1883

Philip Walker

CORONER.

POOR QUALITY  
ORIGINAL

0392

5.

Coroner's Office.

TESTIMONY.

I picked up prisoner's hat and went  
to where he worked but the store was  
closed and I gave it to some other man  
I knew ~~to~~ <sup>to</sup> speak to him about  
2 years but I knew his face about  
10 years. I know the prisoner about  
a year, since he came to work for  
Mr. Maccom, I never knew prisoner to  
carry a pistol, I don't think the prisoner  
was sober.

Sworn to before me this  
20th of July 1883

Jas Adams  
Police Justice

Jeremiah Murphy of 218 E. 34th street.  
being sworn says. I have been in the liquor business  
but not of late, I came out Sunday July  
15 in the evening and heard ~~that~~ <sup>from</sup> Moore  
~~and some one else~~ <sup>that they were</sup> had some trouble  
about drinks in Maccom's store, another  
man named Clifford also told me  
I went into Maccoms in the evening and  
I told ~~the~~ the prisoner to go home some  
other way in order to avoid trouble.  
I went out and spoke to Mr. Maccom  
and when prisoner came out I told him  
again to go another way, he went away  
and came back again, I remained there  
and afterwards heard the shot saw the

Taken before me,  
this 19th day of July 1883.

Philip Werber

CORONER.

POOR QUALITY  
ORIGINAL

0393

6.

Coroner's Office.

TESTIMONY.

I came to before me this  
20th of July, 1883.  
John D. Thurnick  
Police Justice

man fell and said to Mr. Stacom  
there see that man, there was a good  
crowd around the man after the shot  
was fired — the prisoner lives in Third  
Avenue about a block and a half south  
of Stacom's store on the same side of  
the street.

James M. Murphy

William Murphy of 571 Third St being  
sworn says. I am a bartender for my  
brother at 45 East and 2nd St. On Sunday  
July 15. about 4 or 5 o'clock, with  
Mr Moore at Stacom's corner where  
Mr James Murphy came out and said  
I just had some good Brandy, then  
some one said Come and we'll take a  
drink of good Brandy, James Murphy  
~~Daniel Lawrence~~ and Moore went in  
to have a drink, I went in afterwards  
with Clifford and another man to have  
a drink. I asked for ginger ale and the  
bartender said Ginger ale is 10¢, I then  
went out and afterwards Moore and  
his friends came out and said they  
had some dispute about drinks, In the  
evening bet 7 & 8 o'clock, I was standing  
under the elevator at the corner of 3rd

Taken before me,

this 19<sup>th</sup>

day of

July

1883.

Philip H. Harker

CORONER.



POOR QUALITY  
ORIGINAL

0394

Coroner's Office.

TESTIMONY,

7.

street & 3<sup>rd</sup> St. <sup>that is</sup> at. Tacoma corner. N.E.  
Moore said to me I am going to hit  
that Frenchman when he comes out  
I saw 2 men come up 3<sup>rd</sup> St. towards  
3<sup>rd</sup> St. and go down the Avenue, and saw  
Moore follow the men and saw Moore  
and the prisoner afterwards clinched  
and saw them ~~not~~ strike at each other  
I had followed them down and saw  
the prisoner get his hand in his back  
pocket and draw the pistol, raise it  
and fire, Adams had said look out  
Christy he has got a hold of pistol  
I said to prisoner who was backing  
Mr Adams up look out you son of a  
bitch you are after killing me man,  
the prisoner <sup>then</sup> turned around and went  
down the avenue, I saw Mr Geron  
arrest the prisoner near his own house  
Geron said come on Eugene you have  
shot that man, I heard prisoner  
say hold on let me go up stairs.  
Geron said No I cannot you have  
got to come to the Station House  
I said Dave that man is dead, don't  
leave him go, I then saw the police  
take the dead man away

William Murphy

Taken before me,

this 19<sup>th</sup>

day of

July

1883,

Philip Morkle

CORONER.

Summit before me the 20th July 1883  
John H. Stewart  
Police Justice



POOR QUALITY  
ORIGINAL

0395

Coroner's Office.

TESTIMONY.

Maurice L. Clifford H. Morice, being  
~~known~~ <sup>known</sup> I reside at 207 East 30<sup>th</sup>. I am in  
the banking business. On Sunday  
evening July 15 I was in company  
with ~~the~~ the prisoner coming out  
of Macom store when a gentleman  
outside said to prisoner hold on don't  
go that way. we said why not, he  
said because there is a gang up  
there going to lay Eugene out, we started  
down 34<sup>th</sup> at Toronto 2<sup>nd</sup> St. we got  
down about half a block when it  
at the time was raining very hard  
I said let us turn back, I don't  
see why two people walking quietly  
along should be molested, we walked  
up to N.E. cor. 33<sup>rd</sup> at 2<sup>nd</sup> St. and  
just as we got near the curbstone some  
one came from behind and put his  
hand on the prisoners back; and struck  
him twice in the face, prisoner turned  
and grasped him, as soon as he did there  
was a crowd got around him and  
I could hardly see what they were doing  
in another moment a shot was fired, I  
did not know at the time who fired  
the shot, but I saw deceased fall flat  
on his back, and the crowd scattered

Taken before me,  
this 19<sup>th</sup> day of July 1883.  
Philip M. Burke CORONER.

POOR QUALITY  
ORIGINAL

0396

Coroner's Office.

TESTIMONY.

9.

I have not saw the prisoner since that time, I knew the prisoner for over a year, and never knew him to carry a pistol, I <sup>had</sup> heard the deceased threaten to lay the prisoner out the first chance he got. I heard the deceased call the prisoner a God damn French son of a bitch.

Subscribed before me this  
20th day of July, 1883

L. H. Maurice

Solomon B. Dyer  
Police Justice

William Ferguson of 136. Mott street. being sworn says. I am a boot black. On last Sunday evening July 15th I was at the corner of 34th st and 3rd St between 7 and 8 o'clock. I was polishing shoes there. I saw the struggle between Mr. Moulle and the deceased. He was going with Mr. Moulle to bring a umbrella to the house.

Mr. Moore took hold of Mr. Moulle and struck him in the face when Mr. Moulle being unable to defend himself drew a revolver and shot the deceased. All the other witnesses were threatening to thrust me and prevented me to say that I

Taken before me,

this 19th day of July, 1883.

Philip Mearke CORONER.

POOR QUALITY  
ORIGINAL

0397

Coroner's Office.

TESTIMONY.

70

not seen anything. I knew  
deceased before this  
occurrence. I never heard  
deceased threaten Mr.  
Moule. I know the  
Mrs. Moule. All the witnesses  
threatened me. They told  
me directly that I must  
say nothing. They said to me  
that I should say "I had  
not seen anything". I saw  
deceased <sup>over</sup> after Mr. Choult.  
I was on one side and Mr. Cliff  
on the other. I was at the <sup>side</sup> of  
Mr. Choult. Mr. Moule had  
a cigar in his mouth and an  
umbrella in his hand. I did  
~~not see the beginning of the~~ saw  
Mr. Moore strike deceased and  
Mr. Moule had his face full of  
blood. Mr. Moore took Mr.  
Moule by the back of the neck and  
struck him.

William <sup>his</sup> Bregens  
Sworn to before me <sup>near</sup>  
this 20th day of July 1883

Solomon Smith

Police Justice

Taken before me,  
this 19<sup>th</sup>

day of

July

1883.

Philip M. Burke

CORONER.



POOR QUALITY  
ORIGINAL

0398

Coroner's Office.

TESTIMONY.

John Corey being sworn says:  
I am a special officer of  
the 18th Prec. I examined  
the thumb of the prisoner  
the next morning after  
the shooting. The prisoner  
showed me where he ceased  
had bitten him. I saw the  
ball of the thumb lacerated  
and in prints of teeth on the  
ball of the thumb and on the  
nail thereof.

I went to before me this  
20th of July, 1883 -  
John Corey  
Police Justice

John Corey

Lawrence Clifford being sworn says:  
I reside at 333 E. 36th St.  
I am a gardener. On  
Sunday afternoon last after  
my dinner I walked up  
Third Ave. When I got to  
the corner of 34th I sat  
down there. A friend of mine  
told me that Mr. Moule  
had asked him to go to  
Harlem to see Mr. Stacom  
as he wanted to be relieved  
from his duties ~~temporarily~~ <sup>at seven o'clock</sup> and I

Taken before me,

this 19th

day of

July

1883.

Philip W. Barker

CORONER.



POOR QUALITY  
ORIGINAL

0399

Coroner's Office.

TESTIMONY.

offered to accompany my  
friend to Harlem. We  
went up to Harlem and  
saw Mr. Stacom who told  
us that he would be down  
directly. After we returned  
from Harlem we went to  
Mr. Stacom's saloon at the  
corner of <sup>West</sup> 125th St & 4th  
and my friend and I  
had a drink. He drank  
weiss beer and I took  
either ginger ale or Weiss  
beer. I do not remember  
which. At that time I heard  
a dispute between Mr. Moulle  
and Mr. Moore deceased. There  
was a dispute about sixty  
cents. Mr. Moore said I want  
my change he got fifty cents  
and a dollar which did  
not satisfy him. He said to  
Mr. Moulle you son of a bitch  
give me my change. Mr.  
Moulle took a club and asked  
Mr. Moore to go out when  
deceased left the store. It was  
seven o'clock in the evening.

Taken before me,

this 19<sup>th</sup> day of July 1883.

Philip M. Burke CORONER.

POOR QUALITY  
ORIGINAL

0400

Coroner's Office.

TESTIMONY.

13

<sup>under an awning</sup>  
I was sitting in 34<sup>th</sup> St. about  
two or three houses from the  
corner of third Ave. between  
207<sup>th</sup> & 209<sup>th</sup> Aves. I was sitting  
before the furniture store. Mr.  
Mouille and Mr. Clif were  
~~from 207<sup>th</sup> Ave~~ towards Second Ave on 34<sup>th</sup>  
at that time. After that Mr.  
Murphy told me that there  
was a quarrel at the corner  
of 34<sup>th</sup> St. & 3<sup>rd</sup> Ave. I was on  
the southeast corner. I saw  
<sup>to the scene of a quarrel</sup> over there and found deceased  
and Mr. Mouille had clinched.  
As I got within about three feet of  
them Mouille fell. I said my  
god Christ are you shot. He  
remained there until put on a  
stretcher. I heard the shot  
fired. It was not a very loud  
report.

Sporn to before me this  
20th of July 1883  
Philip Barker  
Police Justice

Officer Gerny recalled &  
from Mouille says  
Mr. Mouille on the night  
of the occurrence was sober  
and showed no signs of  
intoxication in his walk or  
by his language. <sup>He was excited</sup> there was about

Taken before me,

this 19<sup>th</sup> day of July 1883.

Philip Barker  
CORONER.

POOR QUALITY  
ORIGINAL

0401

Coroner's Office.

TESTIMONY.

14

fifteen or twenty people around them at the time of the fighting. I could not tell who had done the shooting. I did not see him in the crowd. I heard the shot and did not see Mr. Choules until he was between 33 & 34th St. It was raining very hard. There were a number of people under the station to protect themselves. I could not find out who was fighting or account of the crowd surrounding deceased and Mr. Choules. There were at least a dozen present. I knew deceased a good many years. He had been in other affrays before. He was shot in front of Glass Hall between 7 and 10 years ago. He was shot in the neck and the bullet came out under his ear. He was very quick to resent an insult. He has been in a good many affrays where people tried to hurt him and he tried to hurt others.

Taken before me,

this 19th day of

July

1883.

Philip A. Barker

CORONER.



POOR QUALITY  
ORIGINAL

0402

Coroner's Office.

TESTIMONY.

He had no pistol in his pockets at the time I searched him. There were fifteen or twenty friends of deceased around them at the time of the quarrel

David Gerson,  
Sworn to before me  
this 20th day of July, 1883  
Solomon Smith

Police Justice

Taken before me,

this 19<sup>th</sup>

day of

July

1883.

Philip Barker

CORONER.



POOR QUALITY  
ORIGINAL

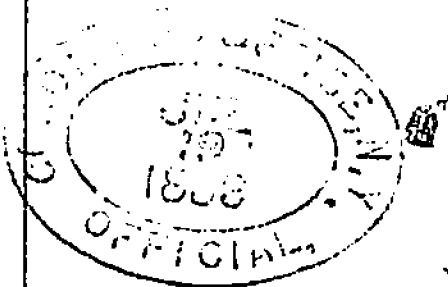
0403

Coroner's Office.

TESTIMONY:

Copy of verdict rendered by the jury in the case of the People (Christopher) vs. Eugene Moulle: We the undersigned find that the said Christopher Moore came to his death by a pistol shot wound of the neck inflicted at the northeast corner of Third Ave & 34<sup>th</sup> St. on July 18/83 at 7.30 P.M. from a pistol in the hands of Eugene Moulle and we further find that the shooting was justifiable and done in self defense.

William Hatfield	2136 3 <sup>d</sup> Ave.
F. D. Croft	2159 - 3 <sup>d</sup> Ave.
Henry Reynard	2169 - 3 <sup>d</sup> Ave.
A. C. Roul Jr.	2157 1 <sup>st</sup> Ave.
F. C. Smith	2154 3 <sup>d</sup> Ave.
Charles Kaiser	2178 3 <sup>d</sup> Ave.
John Cortell	2158 - 3 <sup>d</sup> Ave.
E. M. Knight	2137 - 3 <sup>d</sup> Ave.
Samuel V. Meller	2155 - 3 <sup>d</sup> Ave.



Taken before me,

this 19<sup>th</sup> day of

July 1883

Philip Morke

CORONER.

0404

BOX:

110

FOLDER:

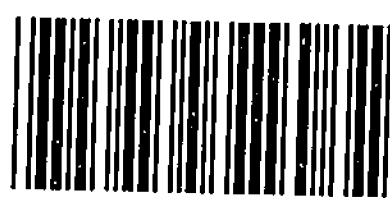
1175

DESCRIPTION:

Mulvey, Hattie

DATE:

08/23/83



1175

Aug 27 1883  
Muehler

191

Counsel,  
Filed 23 day of Aug. 1883  
Pleads *Waggett*

THE PEOPLE  
vs.  
*Clattie*  
*Murphy*  
*1883*

Grand Larceny, Second degree, and  
Receiving stolen goods.  
[5529 Aug 531]

*August 27/83.*  
JOHN MCKEON,  
District Attorney  
*Truett Corvett.*  
A True Bill.

*John L. ...*  
*Foreman*  
*W. ...*  
*Sept 1/83*  
*...*

POOR QUALITY  
ORIGINAL

0405



0406

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Blattie mutney

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

Blattie mutney

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

The said Blattie mutney

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the eighth day of August in the year of our Lord one thousand eight hundred and eighty-three, at the Ward, City and County aforesaid, with force and arms one clock of the value of twenty five dollars, two coats of the value of eight dollars each, one duster of the value of six dollars, and one syringe of the value of three dollars,

of the goods, chattels and personal property of one David Matthews

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 McKean

District Attorney

0407

Police Department City of New York,

NO. 300 MULBERRY STREET,

New York,.....188

Minnie Fisher alias Lena  
Meyer

Febr. 13<sup>th</sup> 1879.

Grand Jurors, 6<sup>th</sup> Dist.

Compt. Charles Milne  
208 East 46<sup>th</sup> St

Sept. 27<sup>th</sup> 1879.

Minnie Fisher alias Lena Meyer  
Grand Jurors

Compt. Dr. Langman  
151 West 43<sup>rd</sup> Street.

Sept 30<sup>th</sup> Sentenced to  
3 years Penitentiary by  
Judge Lawrence

0408

Helen Miller  
Dr. Langman

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

Police Court 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

David Mottley  
206 St 15

Hattie Mulvey

3. In the offence of  
4. Poor conduct  
5. Being arrested  
Dated August 18 188

Offence David Mottley

Magistrate.  
Officer.  
Precinct.

Witnesses Dr. S. Hemminger  
No. 154 St 30

Dr. Henry D. Mottley  
No. 2 St 39

Dr. S. Hemminger  
No. 206 St 15

to answer  
\$1000

Signature

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

Hattie Mulvey

guilty thereof, I order that she be held to answer the same and she 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 August 18 188 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

0409

Sec. 198-200

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Hattie Mulvey* 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.

*Hattie Mulvey*

Question. How old are you?

Answer.

*29 years*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*163 Chy st St (resided there 3 yrs)*

Question. What is your business or profession?

Answer.

*Dress 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*

*Hattie Mulvey*

Taken before me this

day of

188

Police Justice.



0410

21

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }  
OF NEW YORK, } ss

Physician  
206 West 15

Daniel Matthews

of No. 206 West 15 Street,

being duly sworn, deposes and says, that on the 8 day of August 1883

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 clock value Twenty five dollars  
Two pocket watches value fifteen  
dollars  
one mounted cluster value  
six dollars  
one Hydramic syringe value  
three dollars

together of the value of forty nine dollars  
the property of Complainant

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 Hattie Mulvey (now present)

from the fact that deponent  
is informed by Bridget Wagner  
Serrant in deponent's employ,  
that she admitted said Hattie  
to the house as she asked  
to see the deponent, and  
took her into the office of  
deponent as she wanted to  
see deponent to be treated. Said

Seem to be me this

1883

Police Justice

0411

Hattie remained short time  
 & left the house without  
 notifying any person in  
 the house immediately after  
 said Hattie left the property  
 as above described was missing  
 no other persons were in the  
 house from the time said Hattie  
 entered until she left —

Subscribed to before me  
 the 28th day of August 1883 } David Matthews M.D.  
~~City and County~~  
 of New York

Bridget Wagner residing  
 206 West 15th Street being sworn says  
 that she is a servant in Dr. Matthews  
 employ. Hattie Mulvey (now present)  
 came in and asked if the Doctor  
 was in. Deponent said no. and then  
 asked how long before he would be in.  
 Deponent said she could not tell. I  
 told her his hours between 6 & 8 PM.  
 She then said I live so far away  
 that before I could get home and  
 return it would be 8 o'clock. Deponent  
 then said you might a few moments.  
 She said nothing but came into the  
 house and went into the Doctor's office.  
 Deponent left her in the office. Deponent  
 shortly afterward went to the room and  
 she had gone and all the above  
 described property described in Doctor  
 Matthews affidavit was missing.

District Court  
 THE PEOPLE, &  
 ON THE COMPLAINT OF  
 the People of the City and County of New York

Subscribed to before me  
 the 28th day of August 1883 } Bridget Wagner

Dated

WITNESSES:

DISPOSITION

04 12

Testimony in the case  
of Mattie Mulvey

filed  
Aug. 1893.



0413

40  
The People  
vs.  
Hattie Mulvey Court of General Sessions. Part First.  
Before Recorder Smyth. August 27. 1883.  
Indictment for grand larceny in the second degree.

David Matthews, sworn and examined, testified I am a physician and reside at 206 West Fifteenth St; on the 8<sup>th</sup> of this month I had a clock, two coats, a duster, a hyperdermic syringe, a pair of eye glasses and a small scissors; the whole property was worth fifty dollars; the clock was on the mantel piece in my office; it had a globe over it and a pedestal; the globe was left; the goods were in a closet off the office. I left the house about 1/4 to two and returned about 1/4 or 20 minutes to six o'clock; then the property was gone; it was stolen from me. I have not seen the property since. I know nothing of the taking of the property except what I heard from others. I was not there. Cross  
Examined the clock is about fifteen inches in height and the dial is from five to seven inches in diameter. It seems to me it would weigh ten or fifteen pounds. The closet was across the room from the mantel piece. I think the house is about twenty to twenty two feet and the room must be ten or fifteen feet long. The syringe and the eye glasses were in the drawer of the desk.



0414

I had the syringe fixed at Freeman's and got it that very day. I saw the clock on the mantel piece when I left about 1/4 to 2. There is considerable driving on my street. I am a physician in active practice. Not many people call in the middle of the day; they usually call morning and evening, those who are familiar with my hours, but others occasionally call in the middle of the day. My regular hours are from 8 to 10 in the morning and 6 to 8 o'clock in the evening. I rent the upper portion of my house - furnished rooms and some of the people can get in without summoning the girl. Bridget Magrann, sworn and examined, testified. I live with Dr. Matthews and was living there on the 8th of this month. Do you know anything about this property and clock that was in the doctor's office? Yes sir. What is your position there? I am there as a servant. Did you have charge of these rooms? Yes sir. When did you see this property last? I saw the clock when I let the woman in, but the clothing I cannot say I saw it. I did not open the closet. The woman I mean was the prisoner. I let her in on the 8th of August. What time in the day? It was some time between five and six o'clock.

0415

State how this woman came in, what she asked for and what she said? She came to the door and asked me if the doctor was in. I told her, no. Then she wanted to know what time he would be in? I said I could not tell her; he might be in in a few minutes, he might be in in half an hour. I told her his hours were between six and 8 o'clock. She says, I live so far away in Eighty first St. that by the time I get home and back again it would be eight o'clock. I asked her if the doctor knew her? She said, No, he does not know me, but mentioned some drug, gist, I did not catch the name. I said, maybe she might wait a few minutes; she came in. Where did you take her? Into the doctor's office. At that time there was nobody in the office. I left her in the office. I went down stairs to the kitchen. I came up on the stairs every few minutes. I did not let the woman see me. Did the woman remain until the doctor came? No sir. I think the doctor got in about 20 minutes or a  $\frac{1}{4}$  to six. I am not sure. It was not more than five minutes after I was on the stairs when I found the woman had gone out. I do not think she was in the house more than twenty

0416

minutes. I went up at various times. I ran into the room to see if she might be there, and when I found she was not in there I ran out in the street; there was no sign of her; the clock was not on the mantel piece, it was gone. I did not examine the rest of the room; the doctor came in while I was in the office; then the loss of the clothing was discovered from the time that you admitted this woman to the doctor's rooms until you came up and found her gone and this property gone was there any one else there? No sir. Cross Examined. I had charge of the doctor's house all day. I do not remember that I let anybody into the doctor's house between 10 1/2 and 5 o'clock except the prisoner. The doctor has frequent visitors in the morning and I open the door. I had never seen the prisoner before that day. I saw her next at Headquarters when she was arrested. The minute I saw her I knew her. I am positive that is the <sup>woman</sup> ~~the~~ I recognized her voice when she spoke. Richard King sworn. I am a detective connected with Headquarters. I arrested the prisoner on complaint of Dr. Matthews at the corner of Delancey St and the Bowery. I did not find the property. I arrested her on the 16<sup>th</sup>. The jury rendered a verdict of guilty.



0417

BOX:

110

FOLDER:

1175

DESCRIPTION:

Murphy, Edward

DATE:

08/15/83



1175



POOR QUALITY  
ORIGINAL

0418

10/27/83  
Filed 15 day of Aug 1883  
Pleads *Forquity*  
THE PEOPLE  
vs. *R*  
*Edward*  
*Trump*  
*437 144*  
*436 216 144*  
*plumbe*  
Assault in the First Degree. *32*  
(Firearms.)  
[§§ 217 and 218]  
JOHN McKEON,  
District Attorney.  
*I certify*  
*Pleads Assault 2 dy.*  
A TRUE BILL.  
*Guarantied by*  
*John McKeon*  
*Foreman.*  
Sept 17  
Sept 17 1883

0419

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
AGAINST

*Edward Murphy*

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

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

The said *Edward Murphy*

late of the City of New York, in the County of New York aforesaid, on the *fourteenth* day of *July* in the year of our Lord one thousand eight hundred and eighty *three* with force and arms, at the City and County aforesaid, in and upon the body of *Charles W. Schmitz* in the peace of the said People then and there being, feloniously did make an assault, and to, at and against *him* the said *Charles W. Schmitz* a certain *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which the said *Edward Murphy* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously, did then and there shoot off and discharge, with intent *to kill* the said *Charles W. Schmitz* 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

*Edward Murphy*

of the Crime of assault in the second degree, committed as follows:

The said *Edward Murphy*, 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 *Charles W. Schmitz* then and there being, feloniously did, wilfully and wrongfully, make an assault, and to, at and against *him* the said *Charles W. Schmitz* a certain *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which *he* the said

*Edward Murphy* in *his* right hand, then and there had and held, the same being an instrument likely to produce grievous bodily harm, feloniously did, wilfully and wrongfully then and there shoot off and discharge

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 M. KEON, District Attorney.~~



0420

~~Court of General Sessions of the Peace~~

Third Count:

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

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

Edward Murphy

~~of the Crime or~~

~~committed as follows:~~

~~on the said~~

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

The said Edward Murphy

late of the City and County of New York, on the thirteenth day of July in the year of our Lord one thousand eight hundred and eighty three, at the City and County aforesaid, with force and arms feloniously made an assault in and upon one Charles W. Schulze

then and there being a patrolman of the Municipal Police of the City New York, and as such patrolman being then and there engaged in the lawful apprehension of the said Edward Murphy for an assault

and the said Edward Murphy, to, at and against him, the said Charles W. Schulze, a certain revolver then and there charged and loaded with gunpowder and one leaden bullet, which he the said Edward Murphy in his right hand then and there held and held, then and there feloniously did shoot off and discharge ~~then and there feloniously did shoot, strike, wound and otherwise ill treat,~~ with intent

then and there to prevent and resist the lawful apprehension of himself 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 McKEON,**

*District Attorney.*

POOR QUALITY  
ORIGINAL

0421

BLAKSLEE & COX,  
Commission Merchants, Grain and Provisions,  
NEW YORK AND CHICAGO,  
64 EXCHANGE PLACE, COR. NEW STREET.

CHAS. D. HAMILL,  
CHICAGO.

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

To the Judge Gent  
Sessions.

My dear Sir:-

In mercy  
engine into this little  
woman's story - She has  
four children. Is the  
Wife of Edward Murphy  
who has been in the Tomb  
7 weeks - She says when  
he is out that he sep-  
arate himself & family  
as a Plumber - Please  
engine into it, and  
if you can, for the  
sake of the children



POOR QUALITY  
ORIGINAL

0422

Please that (Maw -  
Howe & H. Small have  
her case and \$15 of her  
money but the days in  
the bombs - Please

hear for Mercys sake  
Yours truly  
C. A. Slater

POOR QUALITY  
ORIGINAL

0423

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

Catharine Murphy being duly sworn deposes  
and says that she is the wife of one Edward  
Murphy indicted for assault in the first  
degree, and that she is entirely depending  
upon the said Edward Murphy for the support  
of herself & four children

Sworn to before me this

Catharine Murphy

16<sup>th</sup> day of Sept. 1883

John A. Brennan  
(284)  
Notary Public City & County of New York

0424

Police Department of the City of New York,

Precinct No. 23

New York, Sept 8<sup>th</sup> 1888

My Dear Sir,

Any action  
which you may take  
in the matter of the  
you will meet with  
my approval if you  
have of at any time  
hear from it send  
for me

Very truly  
yours  
John H. H. H.

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



0426

Sec. 198—200

5th

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

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

Question. What is your name?

Answer.

*Edward Murphy.*

Question. How old are you?

Answer.

*23 years.*

Question. Where were you born?

Answer.

*St. of Man.*

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

Answer.

*426 East 86th Street, about 3 or 4 months.*

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.*  
*E. Murphy*

Taken before me this

day of

*July* 188*3*

Police Justice.

0427

Police Court— 5<sup>th</sup> — District.STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss.

of No.

the 23<sup>d</sup> Precinct, Municipal Police of the City

of New York, being duly sworn, deposes and says, that

on Friday — the 13<sup>th</sup> — day of July —

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

attempted to be

he was violently and feloniously ASSAULTED and BEATEN by Edward Murphy,

nowhere, who shot at this deponent's

person with a revolving pistol

loaded with powder and ball, then

and then held in the hand of said

Edward Murphy. and under the following

circumstances to-wit: This deponent with

Brundeman Dale, and Officers James Ferguson

and John Hayes, of the 23<sup>d</sup> Police Precinct, enteredthe premises No. 426 East 86<sup>th</sup> Street, in said City,

for the purpose of arresting said Edward Murphy

upon the complaint of his Murphy's wife, Catherine,

who had complained that her husband, the said

Edward Murphy, had attempted to shoot her the

said Catherine, and whilst this deponent

with his brother officers were thus

in the discharge of their duty to wit

the arrest of said Edward Murphy

for attempting to commit a felony

upon the person of his (Murphy's) wife

Catherine, the said Edward Murphy, fired

said pistol, as above described, loaded with powder and ball

with the felonious intent to take the life of deponent, or to do him 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 13<sup>th</sup> day

of July 1883.

P. L. Morgan

Charles W. Schulze

POLICE JUSTICE.

0428

BOX:

110

FOLDER:

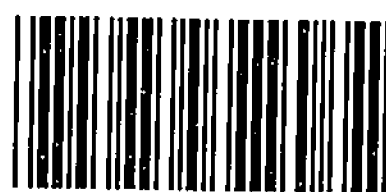
1175

DESCRIPTION:

Murphy, John

DATE:

08/21/83



1175



0429

153  
Counsel,  
Filed 21 day of Aug 1883  
Pleads Property.  
THE PEOPLE  
vs.  
John Murphy  
H.D.  
INDICTMENT.  
Grand Larceny in the first degree.  
[55528 & 530]  
John McKeeon,  
Sept 3<sup>rd</sup>. District Attorney.  
Filed Sept 11<sup>th</sup>.  
A True Bill.  
John Saml. Church  
5.1.83 years  
Edman.  
Attorney Aug 27<sup>th</sup> 1883. Signed  
apprehended 2<sup>nd</sup> m

0430

**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 Murphy*

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

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

The said *John Murphy*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *eleventh* day of *August* in the year of our Lord one thousand eight hundred and eighty-*three*, at the Ward, City and County aforesaid, with force and arms, in the night time of said day, one watch of the value of four dollars, one pocket book of the value of fifty cents, and a sum of money, to wit: the sum of two dollars in money, lawful money of the United States of America and of the value of two dollars.

of the goods, chattels and personal property of one *Christian S. Von de Hegde* on the person of the said *Christian S. Von de Hegde*— then and there being found, from the person of the said *Christian S. Von de Hegde*— then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

**JOHN McKEON, District Attorney.**

0431

PATENT  
Water Tight Cellar Bottoms.  
**ASPHALTIC CEMENT**  
Applied to wet cellars, damp basements,  
vaults, arches, brick and stone walls,  
brewery, packing house and sta-  
ble floors, etc., etc.  
**GRAVEL ROOFING**  
done in the best manner, on reasonable  
terms, and guaranteed for a long  
term of years.  
**PORTLAND CEMENT.**  
Walks, Floors, Courtyards, etc., laid in  
Portland Cement, in plain and orna-  
mental patterns, and in a variety  
of colors.  
Dealers in ASPHALTUM, GRAVEL ROOFING  
MATERIALS, PORTLAND and ROSK-  
DALE CEMENTS.

OFFICE OF

**Moen's Asphaltic Cement Company,**

*E. S. VAUGHAN, Treas.*

**Asphaltic Cement Patent Cellar Bottoms,**

103 MAIDEN LANE,

*New York, Aug 22<sup>d</sup> 1883*

*This Certifies  
That John Murphy has  
been in Our Employ during a large  
portion of the time during the  
past Year and we regarded  
him as an Excellent laborer and  
never had any reason to question  
his Sincerity*

*Very Respectfully to  
Wm. A. C. Carter  
E. S. Vaughan Pres*





0433

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

1812 District Police Court.

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

Question. What is your name?

Answer.

John Murphy

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

8 Washington St about six months

Question. What is your business or profession?

Answer.

Laborer

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

Answer.

I pick the property off the ground and did not know who own the same. I was drunk at the time  
John Murphy

Taken before me this

day of

1883

Police Justice.

0434

Form 10

POLICE COURT-FIRST DISTRICT.

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

of No.

that on the

in the County of New York.

day of

being duly sworn, deposes and says,  
1883 at the City of New York,

Sworn to, this  
before me.

day of August - 1883

Police Justice.

the 12<sup>th</sup> Precinct Police

11<sup>th</sup>

August

hearnested John Murphy  
the within defendant who is charged  
in the within complaint with Larceny  
from the person of the Complainant of  
Christian S Von De Hegde

Deponent  
further says that he has reason to and  
does believe that said Complainant will  
not appear and prosecute and asks  
that he may be committed to House of  
Detention in said City to appear as witness  
in within complaint.

John M. Cox



0435

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK, } ss.

of No. 81 West

House of detention Christian J Von De Hegde  
Street, 30 years Locksmith

being duly sworn, deposes and says, that on the 11 day of August 1883

in the night time at the City of New York,

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

the following property, viz :

One silver watch one pocket book containing  
careful money to the amount and value  
of two dollars in all of the value  
Six dollars

the property of

deponent

and that this deponent

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

John Murphy (now here)  
from the fact that deponent was asleep  
on a bench in the Battery Park about  
the hour of twelve o'clock on the night  
of said day when deponent was awakened  
by Officer John K. Cosgrove who had  
arrested said Murphy. immediately thereafter  
deponent missed the aforesaid property  
from the pockets of the clothing then and  
there worn by deponent and deponent  
saw said Officer search said Murphy and  
found the aforesaid property on the person of  
said Murphy

Sworn before me this

12 day of

August

1883

Police Justice,



0436

BOX:

110

FOLDER:

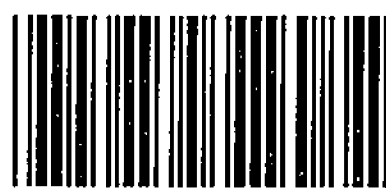
1175

DESCRIPTION:

Murphy, Mary

DATE:

08/23/83



1175

POOR QUALITY  
ORIGINAL

0437

186  
Counsel,  
Filed 23 day of Aug  
Pleads Mary  
1883

THE PEOPLE

vs.

Mary  
Murphy

INDICTMENT.  
Grand Larceny in the  
degree.

5252845530

JOHN McKEON,

District Attorney.

Sept 11/83

~~Pleads~~ Ind. requested.  
A True Bill.

John H. O'Connell

Foreman.

0438

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Mary Murphy*

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

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

The said *Mary Murphy*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the ~~Seventeenth~~ day of *August* in the year of our Lord one thousand eight hundred and eighty-~~three~~, at the Ward, City and County aforesaid, with force and arms *in the night time of said*

*day, one pocket book of the value of one dollar, four silver coins of the United States of America of the kind known as half dollars, of the value of fifty cents each, three other silver coins of the said United States of the kind known as quarter dollars of the value of twenty five cents each, and four coins of the said United States of the kind known as cents of the value of one cent each*

of the goods, chattels and personal property of one *John S. Skinner* on the person of the said *John S. Skinner*

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

*John S. Skinner*

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

**JOHN McKEON, District Attorney.**



0439

BAILED.

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

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

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

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

Police Court District. 2 665

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Skinner  
1596 Madison St.

Mary Murphy

Offence Larceny from Person

Dated August 18. 1883

Magistrate  
Suffolk

Witness James Skinner  
No. 1596 Madison St.

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

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

\$ 100 to answer \$ 100

Don

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 she be held to answer the same and she 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 August 18. 1883 \_\_\_\_\_ 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.

0440

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

2 District Police Court.

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

Question. What is your name?

Answer. Mary Murphy

Question. How old are you?

Answer. 37 years

Question. Where were you born?

Answer. Ireland

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

Answer. 227 South Avenue (resided there 2 yrs)

Question. What is your business or profession?

Answer. Work in a Laundry

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

Answer. I was given the money  
did not steal it  
Mary Murphy  
Memo

Taken before me this

day of

188

Police Justice.

0441

2 District Police Court.

Affidavit-Larceny.

CITY AND COUNTY  
OF NEW YORK, } ss

age 33

of No.

696 Water

Street,

John Skinner

being duly sworn, deposes and says, that on the

17

day of

August 1883

at the

City of New York,

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

of deponent,

and from his person in the

the following property, viz:

one pocketbook containing four  
fifty cent pieces three twenty-  
five cent pieces silver coin  
four pennies sword and  
couple money of the United  
States

Sworn before me this

the property of

Complainant

79/100 dollars

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 Mary Murphy

from the fact that deponent  
was walking on South Avenue,

and said Mary asked came  
up to deponent, and asked  
deponent to go with her  
into her house. She took deponent  
into a house in South Avenue,  
and in the yard of said  
premises thrust her hand  
into the left hand pantaloons  
pocket of the pants then on  
there was by deponent some cash  
being a part of deponent's clothing  
and took therefrom the above described property of deponent.

Police Justice.

188