

0303

BOX:

110

FOLDER:

1175

DESCRIPTION:

Moran, Ambrose

DATE:

08/07/83



1175

POOR QUALITY ORIGINAL

0304

15

*J. D. P.*

Counsel,

Filed

day of

1883

Pleas

*Not guilty.*

THE PEOPLE

*vs. J. and*

*Wm. Moore*

*murder*

INDICTMENT.  
Grand Larceny in the  
degree.

[528 (m) 531]

JOHN W. ROBERTSON

*Sept 10/83* District Attorney.

*Wm. D. C. C. C. C.*  
A TRUE BILL.

*John W. Robertson*

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

Police Court - 4 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

598

Wm. M. ...  
323 ...  
Offence ...

2  
3  
4

Dated July 15 1883

Magistrate  
Officer  
Precinct

Witnesses  
No. 320 ...



No. ...  
\$ 1000 to answer ...  
Street, ...

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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.

*Julia J. McGuire*  
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*

*[Signature]*  
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 Charles Waters

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 Deubrose who lives (now here)

from the fact that while the deponent  
was about to enter his premises a for side  
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 pocket and there and then  
took and seized the aforesaid money

Sworn before me this 15 day of July 1883

POLICE JUSTICE.

0309

from the person of deponent and  
run away.

Sworn to before me, J. C. [Signature] P. J. [Signature]  
this 1st day of July 1883

[Signature]  
Police Justice

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

AFIDAVIT—Larceny.

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. *23 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*

*[Signature]*  
Police Justice

0311

BOX:

110

FOLDER:

1175

DESCRIPTION:

Morgan, Edward

DATE:

08/13/83



1175

0312

BOX:

110

FOLDER:

1175

DESCRIPTION:

Jones, William

DATE:

08/13/83



1175

Counsel, *J. E. K.*

Filed 13 day of Aug 1883

Pleads *Indignity.*

THE PEOPLE  
 vs.  
 Edward Morgan  
 William Jones

*W. E. Jones*

Grand Larceny, Second degree, and  
 Receiving Stolen Goods.  
 [No 528-531-550]

JOHN McKEON,  
 District Attorney

A True Bill.

*J. L. Linn. Foreman*

Aug 23/83 Foreman.

*John D. Linn*  
*John D. Linn*  
*J. M. Linn*

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.**

0315

Police Court 4 District 622

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles E. Hunt

William Jones

Erasmus Sprague

Office of Grand Jury

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Residence

Street

Dated

July 16 1883

Magistrate

Wm. Sprague

Precinct

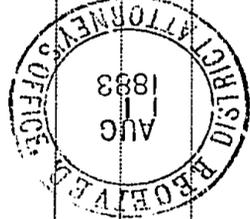
Witnesses

No.

Street

No.

Street



No.

Street

\$ to answer

Erasmus Sprague

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 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 July 16 1883 Erasmus Sprague 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.

0317

Sec. 198-200

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

William Jones 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 if waiver cannot be used  
against him if 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  
M

Taken before me this

day of

May 26

188

[Signature]  
Police Justice.

0318

Sec. 198-200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*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. *Walter*

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*

*[Signature]*  
Police Justice.

0319

District Police Court.

Affidavit - Larceny.

CITY AND COUNTY OF NEW YORK, } ss.

Charles E. White

of No. 1 East 14 Street, aged 31. Rippling Creek being duly sworn, deposes and says, that on the 25th 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 their 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 front of said premises and this deponent said property in the possession of Jones at the corner of 3rd Ave and 14th Ave and the said Morgan was in company of said Jones at the time deponent therefore charges the said deponents with felonious taking of stealing the said property  
C. E. White

Sworn before me this

26 day of July 1883

Police Justice,

Charles E. White

Saw this

0320

BOX:

110

FOLDER:

1175

DESCRIPTION:

Morgan, Theodore

DATE:

08/10/83



1175

POOR QUALITY ORIGINAL

0321

Baird Hood

*[Handwritten signature]*

6th (101) N.Y. City, 1883

776

Counsel, *[Handwritten name]*

Filed 10 day of Aug 1883

Pleas *[Handwritten]*

IN THE PEOPLE  
vs.  
Frederic  
[Handwritten name]  
[Handwritten]

INDICTMENT.  
Grand Larceny in the Second Degree.  
[Handwritten]

JOHN McKEON,  
District Attorney.

A True Bill.

*[Handwritten signature]*

*[Handwritten signature]*  
Foreman

*[Handwritten signature]*

*[Handwritten signature]*

U.S.

POOR QUALITY ORIGINAL

03222

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 J. 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

Section in Case  
Theodore Mafan  
filed by 1883

0324

40  
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 letter 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. J. That was the signature to the letter I received. Mr. Ray said, "Here is the gentleman 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 advertisement, 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

0326

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

0327

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

0328

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 work-  
ed at this stall two weeks. James Moore  
worked three days there and then quit.  
I think it was the next Monday that Mr.  
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."

0330

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 every thing I had and that I borrowed fifteen dollars off my brother. He said, I thought

0331

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. He began to find out some means to get our money back. Scribner went and said something to him. He 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

0332

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 four fellows here this morning that are willing to put the money up, but I

0333

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. He went down to the Scrubs 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 Examination. 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 nothire 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 dont 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 sent 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 dont 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 defendant's 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; cannot 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.

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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,

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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 \$15. 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 say  
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

E. A. Mallett

of  
Theodore Morgan.

witness:—

Chipman H. Scribner

9 Hicks St.,

Brooklyn

John Gardner

0341

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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~~ <sup>in</sup> ~~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

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

*A. H. Scribner*

POOR QUALITY ORIGINAL

0344

B.N. Aug 10/83

62 \*  
Counsel,

Filed 10 day of Aug 1883  
Pleads *Indigently* (2)

Grand Larceny, Second Degree, etc.  
Receiving Stolen Goods  
[5452824 531]

THE PEOPLE vs. *Sheldon*  
*Wm. J. Morgan*  
*2 scores*

JOHN McKEON,  
District Attorney

A True Bill.  
*John P. [Signature]*  
Foreman.  
*Other papers against*  
*Duo Morgan in the case*

*Bair Hood*  
*Ed*

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 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 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 Chipman H. Sander 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

Court General Session

Dated Oct 1/83

Rufus B. Boring  
 City Judge

The People

vs  
 Theodore W. Boring

County - on New  
Trial & arrest of  
Judgment

Thomas H. Lane

Atty

R. Church St.  
at

0346

0347

New York Court of General Sessions

The People vs Thomas Mufson

To the Honorable

Judge Cowing

Act 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

Whichever C. C. 1784 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 decisions as rendered 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 set 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

Plestone's case 1. Campb. 494 & 212  
Reprinted 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  
, that 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 that charge - and it must  
appear that the prosecutor parted with  
his property by reason of the false pretences  
or one of the pretences charged

Cases Case 7. C. & P. Page 351

People vs Haynes 11 Wend 557

The falsity of the pretence or charges  
must be proved

Powers Criminal Cr. 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

Case Bin Cr. 2<sup>d</sup> Edition page 426

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

Case & Cr. 460

Here at most the loan did not  
expire until the 1<sup>st</sup> of September and  
the defendant 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 Thomas Mayan

To the Honorable

Judge Cowing

Act 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 "Larceny 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 token or writing is ~~void~~

I find that a statute had been once passed in England 7 & 8 George 4. Chap 29. Act 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

0352

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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 Act of Parliament.

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Which is C. C. 1784 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 decisions as rendered under them must therefore apply.

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0353

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 set forth in the indictment  
simply a conclusion of law -

The pretences must be distinctly  
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2<sup>d</sup> Russ Page 309

Plestone's case 1. Campb. 494 & 212  
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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

0354

by fraud  
Money owed at most be only inferred  
as being fraudulent after the time  
for payment had arrived and expired

*Pushworth's case*

*Russell & Pym, 317*

*1 Starky on Ev. 396*

*English Common Law 2 Vol. 141 376*

The mere breach of a warranty  
does not amount to a fraud  
See foot of Page 412. *Prose* 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 Tyla — 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 left  
Thomas Nolan  
Defts atty

0355

POOR QUALITY ORIGINAL

that the [unclear] paper  
may be [unclear]  
[unclear] [unclear] [unclear]  
[unclear] [unclear] [unclear]  
[unclear] [unclear] [unclear]  
at [unclear] [unclear] [unclear]  
[unclear] [unclear] [unclear]

(Signed) [unclear] [unclear]

0356

POOR QUALITY ORIGINAL

~~Ch C. H. Scribner~~ <sup>4/5/83</sup>  
~~of Hicks Street~~  
~~New York~~  
 Schach is a  
 George A. Jones - ~~has~~  
 your Brother William has  
 taken upon me with the  
 cost, and he has met the  
 gentleman ~~with~~ the fortune  
 who owes Mr. Cashier with  
 a hundred dollars - they have  
 had a long conversation  
 with Mr. Jones has offered  
 him ~~to~~ a half interest  
 in the business - ~~and~~ in  
 addition ~~to~~ Mr. Cashier  
 for ~~the~~ ~~same~~  
 of ~~the~~ ~~same~~ ~~amount~~  
 You know him that  
 amount at once - ~~to~~

POOR QUALITY  
ORIGINAL

0357

Copied

7/8/23

George A. Yummer  
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-  
-ness - Stand in Fulton Market  
for ~~the~~ Meat. Butter Eggs etc for  
\$300. Your brother wishes you  
to send him that amount at  
once - so that the partnership  
papers may be completed  
and business entered upon  
without any delay. He wishes

0358

POOR QUALITY  
ORIGINAL

The Whites have the honor to send the  
following address addressed  
to them in my care =

John W. White

111 E. Centre

St. Louis, Mo.

Mo. 63101

In the request on the  
has within the above letter,  
which I fully answer

(Signed) William O. Gunn

POOR QUALITY  
ORIGINAL

0359

Get it. without  
in Thomas Morgan  
care

POOR QUALITY  
ORIGINAL

0360

John Gardner, 485 Hudson Ave., Brooklyn.

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

David Stikles, 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. Ames }  
" " Healy } Police Hd. Qts

---

POOR QUALITY  
ORIGINAL

0361

Theodore Morgan —

12/3/83

— and —

Messrs W. E. & J. F. Dutz  
Hulton Market  
Partnership  
Accounts

POOR QUALITY  
ORIGINAL

0362

In the matter  
of

Therese Morgan

Witness:

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

Charles Hoffmann  
271 East St.  
Jersey City.

POOR QUALITY  
ORIGINAL

0363

People's Home in 1883

As 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. P. Smith  
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



0366

BOX:

110

FOLDER:

1175

DESCRIPTION:

Moullé, Eugene A.

DATE:

08/03/83



1175

POOR QUALITY ORIGINAL

0367

The assessor may be advised that bail needed is \$5000  
Dec 8/83 Ed

1871 Aug 3-1883

Counsel, *W. H. Hill*  
Filed *3* day of *Aug* 188 *3*  
Pleads *Abrogation*

THE PEOPLE  
vs.  
*Engene A. P*  
*Moussi*  
Murder in the  
Second Degree  
[Section 1871]

JOHN McKEON,  
District Attorney  
*12 Sep 26, 1883.*  
*Tried & acquitted*  
A TRUE BILL.

Foreman,  
*S. W. Comstock*

POOR QUALITY ORIGINAL

0368

The assessor may  
be assumed to  
Bail which is  
paid at \$5000  
Aug 8/83 FD

1871 Aug 3-1883

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

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

JOHN McKEON,  
District Attorney  
*12 Aug 26, 1883.*  
*Tried & acquitted*  
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, unlawfully, 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 discharge; and the said Eugene A. Moulle, with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth and discharged, as aforesaid, 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. Moulle 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. Moulle, 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 her."  
"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

Veer vs State 6 Bost (Linn) 629

See page 125 f

A violent defense, can not 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 puttes several  
hours before, does not constitute ~~assault~~

Read entire law 126 a

It must, be such a case, as could not be  
founded 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 verdict

An assailant cannot kill his assailant  
with a deadly weapon with a deadly  
weapon in self defence, 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 Cr 106

Necessity of Killing  
see *Spang 126* etc

Threats 128 K

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

0373

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

Fear-grounded or threats, or other  
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.]

**SUBPOENA**  
FOR A WITNESS TO ATTEND THE  
**Court of General Sessions of the Peace.**

*CB*

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  
Moore } Sept 27, 53

Dr. McPherson evidence Hall  
Inquisition of Jerry in evidence

James Adams

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

Moore

He had the letters of him.

He ran down the Avenue

Wm Murphy

Leona Brown

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

Adams and Moore were together

searched!!

0376

Depone  
 Mr. Randall Speck  
 Confers with  
 Police Magistrate. -  
Henry Allen  
 138 William St.  
Charlotte Ford

Sergt. Quacken Charlotte Ford

Julian - Pily                      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 Debraut                        do    do

0377

3

Mr J. R. Shett : Good Character

Erasmus 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 Silletto . . . . . 50 50 -

Mr Bergman . . . . . 50 50

E. J. Berlump - . . . . . 50 50

J. Risher . . . . . 50 50

Eugene A. Muller - Good Character

Cliff Morice : warned me.

0378

Defunct

~~W. Kuntz~~ ~~of Pennsylvania~~

Notes

Melstee = not one of the many  
Bank Charters etc - but could be  
good charter.

Rebut. Much hastened

0379

District Attorneys Office.  
City & County of  
New York.

The People.

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 Mesemer.  
2 James Adams. More presence in, when they met Moore struck him. Moulle  
caught both of Adams hands. Shot at  
once pistol full cocked, Adams said  
dont shoot (Adams said get down you are

Moulle engaged  
in an unlawful  
business on  
Sunday.

William Murphy

Saw Moore & prisoner clinked  
Adams said look out ve

William Jegan

Took club to strike him and

D. Brown 1  
Ja. Adams 1  
Wm Murphy 7  
William Murphy 2  
G. H. Moore 3  
Wm Jegan 3  
Laura Clifford 4

Hammer vs People  
Shooter vs People

POOR QUALITY ORIGINAL

0380

*Handwritten notes:*  
Minkgang  
for a year

138  
Police Court - 3rd District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

David Gussner  
of Peace

1 Eugene A. Moulle

Offence: *Homicide*

Dated July 20th 1883

Magistrate: *Samuel S. Stey*

Witnesses: *James O'Brien*

No. 228 E. 34th St.

Witness: *Stemiala Hysophy*

No. 218 E. 34th St.

Witness: *William Murphy*

No. 521 3d Avenue

Witness: *William Green*

Witness: *William Green*

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

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

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

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

Dated *July 20th* 1883 *Salou A. [Signature]* Police Justice.

POOR QUALITY ORIGINAL

1888

MEMORANDA.

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

21 E Pres  
 Widower has a girl seven years old  
 Resided at Hotel Place  
 Hotel 20 Ave betw 4th & 5th

Shot by Eugene  
 Muelle at 3:14  
 P. M. 2-11-88  
 on the sidewalk  
 on Broadway  
 July 14/88 at  
 Eugene Muelle  
 was a bookkeeper  
 at Jackson's saloon  
 507 Third Ave.  
 Received had  
 various occupations  
 at different times  
 being a fur dealer  
 once

Shot shot wound  
 2 inches muscle  
 left ear and 5/8  
 inches from the  
 symphysis of  
 the jaw  
 lodged between  
 Atlas and  
 axis and  
 caused rupture  
 of spinal cord  
 from hemorrhage

P. M.

AN INQUISTION

On the VIEW of the BODY

Christopher Moore

whereby it is found that he came  
 to death by

fracture of  
 the neck of the  
 left cervical  
 vertebra

PHILIP MERKLE, Coroner.

Engaged taken on the  
 of July 1888  
 before JHS

POOR QUALITY  
ORIGINAL

0382

TESTIMONY.

Dr. M. J. O. Messener 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 a 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 M. J. O. Messener and Philip Moore 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. *13715* *Chatham* 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

*Marie* 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 *through the neck* inflicted at *the corner of 116 St* *July 17th at 7:30 PM* on 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*  
*J. D. Croft*  
*Henry Reynard*  
*H. Roman*  
*F. E. Smith*  
*Chas Kaiser*  
*Jim Costen*  
*E. McHugh*  
*Saml. C. Keller*

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, U. S.

POOR QUALITY ORIGINAL

0384

Sec. 198-200.

East District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Eugene S. Moulli being duly examined before the under-

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

Question. What is your name?

Answer. Eugene 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  
strong Mome as a bet 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.

Taken 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 bee punch or  
a pistol I dont know what it  
was. Jimmy Adams said to  
him "Dont do that"  
I will catch its son of a bitch  
out side more said. He said  
I will lay for you out side and  
lay you out. They then 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 am  
it will be better for you because  
Fursty more and his gang  
is laying for you. Having heard  
that warning I took a pistol from  
behind the bar. I dont know who  
it belonged to as I dont carry a  
pistol. I took it to protect myself  
on going out. Monae and I  
went toward 20 am about for  
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 may  
live a block and a half from here.  
I was carrying an umbrella and  
walking arm in arm with Monie.  
We had hardly crossed 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  
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 myself 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  
then 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 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 moon. 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. Maxwell

Sworn to before me  
this 20th of July 1883

Police Justice

POOR QUALITY  
ORIGINAL

0388

Coroner's Office.

TESTIMONY. 1.

Officer David Gerson, of 18<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.Y.) I stopped and spoke  
to deceased Moore and Chris. Adams  
I said people going to Raskaway  
will get out. 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~~ 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, there was  
blood on Mr Mule from the nose  
of ~~the~~ <sup>the</sup> ~~car~~ <sup>car</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

1882.

Philip Morke

CORONER.

POOR QUALITY ORIGINAL

0389

Coroner's Office.

TESTIMONY.

carry a pistol, prisoner had said to me when I first saw him I 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 Garrow.

Sworn to before me this 20th of July 1883  
Solomon B. Stewart  
Police Justice

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 of Sunday July 15<sup>th</sup> Moore and a man 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 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 A. ... CORONER.

POOR QUALITY  
ORIGINAL

0390

Coroner's Office.

TESTIMONY.

3.  
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 owing 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 ought, I'll  
kill me. I'll punch you in the  
nose as soon as you get through  
your work, nothing more was said.  
~~I saw with more~~ ~~Made sure~~ 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 M. Mearns

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 Green 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

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 Moore to speak to him about 2 years but 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 Moore and some ~~other~~ <sup>other</sup> ~~men~~ <sup>men</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 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 Werbee

CORONER.

POOR QUALITY  
ORIGINAL

0393

6.

Coroner's Office.

TESTIMONY.

Sworn to before me this  
20th of July, 1883  
John D. Stewart  
Police Justice

now 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 when  
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  
and Moore went in  
to have a drink, I went in afterwards  
with Blufford 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,  
Ralph Horner

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 34<sup>th</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>this</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.

Summits to be given me the 20th July 1883  
 John W. Stewart  
 Police Justice

POOR QUALITY  
ORIGINAL

0395

Coroner's Office.

TESTIMONY.

Maurice S. Clifford H. Morice, being  
~~an honest man~~ 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 prisoners 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 ~~but~~ because there is a gang up  
there going to lay Eugene out, we started  
down 24<sup>th</sup> at Tompkins 2<sup>nd</sup> St, we got  
down about half a block when it  
got 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 curbstones 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 Werke 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 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

Sworn to before me this 20th day of July 1883

L. H. Maurice

Solomon D. 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. Moore and the deceased~~ <sup>Mr. Moore and Mr. Moulle</sup> ~~and the deceased~~ <sup>Mr. Moulle</sup> ~~He was going with Mr. Moulle to bring a umbrella to the life.~~

Mr. Moore took hold of Mr. Moulle and struck him in the face when Mr. Moulle being unable to defend himself ~~gave a revolver and shot the deceased~~ <sup>gave a revolver and shot the deceased</sup>. All the other witnesses were threatening to thrust me and prevented me to say what

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  
"What I should say" I had  
not seen anything. I saw  
deceased <sup>over</sup> after Mr. Choule.  
I was on one side and Mr. Cliff  
on the other. I was at the <sup>side</sup> of  
Mr. Choule. 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> Gregors  
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 Clarke CORONER.

POOR QUALITY ORIGINAL

0398

11

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.

Examined before me this  
 20th of July, 1883  
 Philip W. Barker  
 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. Moulle  
 had asked him to go to  
 Harlem to see Mr. Hacon  
 as he wanted to be relieved  
 from his duties ~~temporarily~~ <sup>at seven o'clock</sup> and I

Taken before me,  
 this 19<sup>th</sup> 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  
saw us. After we returned  
from Harlem we went to  
Mr. Stacom's saloon at the  
corner of <sup>crossing of</sup> No 57 34<sup>th</sup> St  
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 dashed  
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 Berke CORONER.

POOR QUALITY ORIGINAL

0400

13

Coroner's Office.

TESTIMONY.

<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 20<sup>th</sup> & 21<sup>st</sup> Aves. I was sitting before the furniture store. Mr. Moulle and Mr. Clif were ~~from~~ <sup>going</sup> towards Second Ave on 34<sup>th</sup> St. At that time, after that Mr. Murphy told me that there was a quarrel at the corner of 34<sup>th</sup> St. & 2<sup>nd</sup> Ave. I was on the southeast corner <sup>of the occurrence of a quarrel</sup> and there was found deceased and Mr. Moulle had clutched. As I got within about three feet of them I saw Mr. Clif fall. 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 20<sup>th</sup> of July 1883  
 Philip Moulle  
 Police Justice

Officer Gerny recalled Officer Jones, being sworn says Mr. Moulle 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 Moulle 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. Cloude until he was between 33<sup>rd</sup> & 34<sup>th</sup> 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 on account of the crowd surrounding deceased and Mr. Cloude. There were at least a dozen present. I knew deceased a good many years he had been in other affairs 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 affairs where people tried to hurt him and he tried to hurt others.

Taken before me,

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

July

1883.

Philip Morke

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

Sworn to before me  
this 20<sup>th</sup> day of July, 1883 }  
David Gerron,  
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 Moore) 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 15/83 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>rd</sup> Ave.
F. D. Croff	2159 - 3 <sup>rd</sup> Ave.
Henry Reynard	2169 - 3 <sup>rd</sup> Ave.
A. C. Rowland Jr.	<del>2157 10<sup>th</sup> 116<sup>th</sup> St.</del>
F. C. Smith	<del>2167 3<sup>rd</sup> Ave.</del>
Charles Kaiser	<del>2178 3<sup>rd</sup> Ave.</del>
John Cortell	2158 - 3 <sup>rd</sup> Ave.
E. W. Knight	2137 - 3 <sup>rd</sup> Ave.
Samuel C. Meller	2155 - 3 <sup>rd</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

POOR QUALITY ORIGINAL

0405

191

Aug 27 1883  
Munich

Counsel,  
Filed 23 day of Aug. 1883  
Pleads Request

THE PEOPLE

vs. R

Clattie

Murphy

Grand Larceny, Second Degree, and

Receiving Stolen Goods.

August 27/83.

JOHN McKEON,

District Attorney

Present Committed.

A True Bill.

John L. ...  
Foreman  
James ...  
...

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 nuthey*

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

*Blattie nuthey*

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

The said *Blattie nuthey*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *eight* ~~the~~ 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 of 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 th th

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

0400

Helene 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 Du old offender  
4 Poor record  
5 Police arrested  
6 Dred August 18 1888  
Offence Grand Larceny

Magistrate.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
Witnesses Dr. S. Hemminger  
No. 154 E 30 Street.  
Dr. Henry D. McLeod.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street,  
to answer

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

Hattie Mulvey  
guilty thereof, I order that she be held to answer the same and she 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 she give such bail.

Dated August 18 1888 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ 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 h<sup>er</sup> right to  
make a statement in relation to the charge against h<sup>er</sup>; that the statement is designed to  
enable h<sup>er</sup> if h<sup>er</sup> see fit to answer the charge and explain the facts alleged against h<sup>er</sup>  
that h<sup>er</sup> is at liberty to waive making a statement, and that h<sup>er</sup> waiver cannot be used  
against h<sup>er</sup> 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 Chyate 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  
No. 57 of No. 206 West 15

Daniel Matthews

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 coats value Fifteen  
dollars  
one mounted duster value  
Six dollars  
one Hydromic 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  
Servant 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

Seems to be the this

deponent

Police Justice

1883

04111

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 -

Sum to Jefferson

the 28<sup>th</sup> day of August 1883 } David Matthews M.D.

~~of the City and County  
 of New York~~

Bridget Wagner residing  
 206 West 15<sup>th</sup> 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 P.M.  
 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 doctors 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

Sum to Jefferson  
 the 28<sup>th</sup> day of August 1883 } Bridget Wagner

District Police Squire  
 THE PEOPLE &  
 ON THE COMPLAINT OF

Dated

WITNESSES:

DISPOSITION

04 12

Testimony in the case  
of Mattie Mulvey

filed  
July 1883.

0413

10  
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 5<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 Magran, 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, just, 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 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> 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

109777

Filed 15 day of Aug 1883

Pleads *Forquilty*

Assault in the First Degree, etc.  
(Firearms.)  
[§§ 217 and 218]

THE PEOPLE

vs.

*P*

Edward

*Trumpy*  
437 144  
436 216 144  
plumber!

JOHN MCKEON,  
District Attorney.

*I certify*  
*Pleas Assault & Ar.*  
A TRUE BILL.  
*Gregory*  
*John W. ...*  
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 *thirteenth* 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. Schurze* 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. Schurze* 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 *him* the said *Charles W. Schurze* 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. Schurze* then and there being, feloniously did, wilfully and wrongfully, make an assault, and to, at and against *him* the said *Charles W. Schurze* 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. LEON, 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 patrol ~~then~~ and ~~then~~ ~~charged~~ and ~~loaded~~ with gunpowder and one lead bullet which he the said Edward Murphy in his right hand then and then had and held, then and then feloniously did shoot off and discharge ~~then and there feloniously did that, 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 Genl \_\_\_\_\_  
Sessions.

My dear Sir:

In mercy  
enquire 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  
enquire into it, and  
if you can, for the  
sake of the childre

POOR QUALITY  
ORIGINAL

0422

Please that (Maw -  
Howe & Small have  
her case and \$5 of her  
money but the days in  
the bombs - Please

hear for Mercys sake  
Yours truly  
C. A. Blatner

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

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

John A. Brennan  
Notary Public (284)  
City and 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 Gal,

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

Very truly  
yours  
John H. ...

0425

Police Court District. 30.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles W. Schuyler  
2nd District  
Edward Murphy

Offence Felonious Assault

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

July 13

1883

Morgan Magistrate.

Schuyler Officer.

2nd Precinct.

Witnesses

Foundman Vale 3rd Precinct

No. Charles W. Schuyler

No. John Schuyler

No. Catharine Schuyler

No. 426 E 86 St

\$ 1500 to answer

AM



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 Edward Murphy

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

Dated July 13<sup>th</sup> 1883.

R. L. Morgan 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.

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.

*Ist of Mar.*

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 1888*

*Police Justice*

0427

Police Court— 5<sup>th</sup> — District.

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

Officer Charles W. Schultz,

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  
Broadsman Dale, and Officers James Ferguson  
and John Hayes, of the 23<sup>d</sup> Police Precinct, entered  
the 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

Charles W. Schultz

P. L. Morgan POLICE JUSTICE.

0428

BOX:

110

FOLDER:

1175

DESCRIPTION:

Murphy, John

DATE:

08/21/83



1175

0429

153  
COP

Counsel,

Filed 21 day of Aug 1883

Pleas *Not guilty!*

THE PEOPLE

vs. P

*John  
Munson  
H.D.*

INDICTMENT.  
Grand Larceny in the first degree.

55528 & 530

JOHN MCKEON,  
District Attorney.  
*John F. Waley.*

A TRUE BILL.

*John Saml. Q. Smith*

5.63 years  
Fugitive

*Attorney by 27th U.S.S. Dept  
Appointed 2nd*

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, August 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 was regarded  
him as an Excellent laborer and  
never had any reason to question  
his Sincerity*

*Very Respectfully  
Wm. C. C. Carter  
C. S. Vaughan Pres*

2240

153 188  
Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Christian D. Barker  
James J. Decker  
John Murphy

Office Larceny  
from person

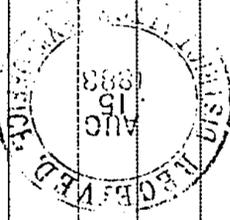
No. 1, by  
Residence  
No. 2, by  
Residence  
No. 3, by  
Residence  
No. 4, by  
Residence

Dated 12 August 1888

City Court  
Magistrate.  
John D. Coagrove  
Precinct.

Witnesses  
John D. Coagrove  
John D. Coagrove

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



to answer  
\$ \_\_\_\_\_  
Criminal Court committed to Warden & Keeper  
under full of \$300 funds to appear  
on return for his papers

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

(10)

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

Dated 12 Aug 3 1888 City Court Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ 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 \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

0433

Sec. 198-200.

1812

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

September 1887

David G. Conroy

Police Justice.

0434

Form 10

POLICE COURT-FIRST DISTRICT.

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

*John Cosgrove*  
of No. *the 121<sup>st</sup> Precinct-Police* Street,

that on the *11<sup>th</sup>* day of *August* being duly sworn, deposes and says,  
188*3* at the City of New York,  
in the County of New York.

Sworn to, this *11<sup>th</sup>* day of *August* 188*3*  
before me,  
*Cecily Cassey*  
Police Justice.

*I have arrested 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

1883

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 deponents 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 J. K. Cosgrove Police Justice,

C. A. H. G. J.

0436

BOX:

110

FOLDER:

1175

DESCRIPTION:

Murphy, Mary

DATE:

08/23/83



1175

POOR QUALITY ORIGINAL

0437

186  
Counsel,  
Filed 23 day of Aug 1883  
Pleads *Not guilty.*

THE PEOPLE  
vs.  
Mary Murphy  
INDICTMENT.  
Grand Larceny in the 4<sup>th</sup> degree.  
(52528 45530)

JOHN McKEON,  
District Attorney.  
Filed 11/83  
A True Bill.  
John H. P. [Signature]

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 Skinner on the person of the said John Skinner

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

John 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

Police Court - 21 District. 665

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Skinner  
1596 Madison St.

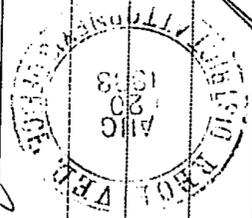
Mary Murphy

Offence: Larceny from Person

Dated August 18, 1883

James Sullivan  
Magistrate

Witness: James Sullivan  
No. 1596 Madison St.



No. \_\_\_\_\_ Street, \_\_\_\_\_  
to answer *Ad*  
*DOM*

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 she give such bail.

Dated August 18, 1883 *James Sullivan* Police Justice.

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

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

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

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

0440

Sec. 198-200

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. 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 Saenger (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

[Signature]  
1888

Police Justice.

0441

2 District Police Court.

Affidavit-Larceny.

CITY AND COUNTY }  
OF NEW YORK, } ss

John Skinner

age 33

of No. 696 Water Street,

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 Dime and  
couple money of the United  
States

Sworn before me this

together of the value of Two <sup>79</sup>/<sub>100</sub> 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

Mary Murphy from present  
from the fact that deponent  
was walking on South Saenger,

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 Saenger,  
and in the yard of said  
premises thrust her hand  
into the left hand pantalons  
pocket of the pants then caught  
there was by deponent some cash  
being a part of deponent's work clothing  
and took therefrom the above described property of deponent.

Police Justice  
1883