

0204

BOX:

87

FOLDER:

949

DESCRIPTION:

Meyer, Henry

DATE:

12/12/82



949

0205

109

Counsel *B. J. O'Connell*  
Filed *12* day of *Dec* 188*2*  
Pleads *Not guilty* (13)

*vs.* THE PEOPLE  
*vs.* *P*  
*Denny Morgan*  
Grand Larceny, Second degree, and  
*Robbery with a Deadly Weapon*

JOHN McKEON,  
District Attorney

A True Bill.

*Ex. J. Moore*  
*Part 2 Jan 4, 1883*  
*Foreman.*  
*Tried and convicted*  
*5 yrs S.P.*

*Dept of Justice*  
*Wm. R. R. R.*  
*Heard March*  
*1882*  
*Dept of Justice*  
*for Shap. Larceny*  
*& Reson for it*  
*Memor to S.P.*



0206

Form 112.

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

Police Court—First District.

occupation clerk Bernhard Newhouse aged 44 years  
of No. 364 & 366 Broadway (C/o Field chairman 76 miles Street), being duly sworn, deposes  
and says, that on the 4th day of December 1887  
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:

Five Paper Boxes containing Five dozen Silk  
Handkerchiefs in all

of the value of Fifty two dollars and fifty Cents Dollars,  
the property of Henry C. Fields and his Copartners  
and in care and charge of deponent

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

from the fact that deponent caught said defendant  
in the act of taking stealing and carrying away  
the aforesaid property

P. Newhouse

Sworn to, before me, this

of

1887

day

Police Justice.

0207

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

DISTRICT POLICE COURT.

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

Question. What is your name?

Answer.

Henry Meyer

Question. How old are you?

Answer.

41 years

Question. Where were you born?

Answer.

Germany

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

Answer.

Philadelphia Penn

Question. What is your business or profession?

Answer.

Clerk

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

Answer.

I decline to answer or make  
a statement

Taken before me, this

day of

December 1888

Henry Meyer

Arthur J. [Signature] Police Justice.

0208

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 Henry Meyer

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 200 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 8 December 188 Samuel White 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.



0209

BAILED,

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

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

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

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

Police Court <sup>131</sup> District.

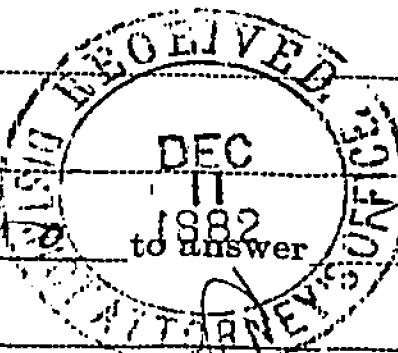
THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Ronald Meyer*  
*364 & 366 Broadway*  
1 *Henry Meyer*  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Offence, *Grand larceny*

Dated *8 December* 188 *7*  
*A. J. White* Magistrate.  
*Willis B. Pres* Officer.  
*25 Pres* Clerk.

Witnesses, *Henry C. Fields* ✓  
No. *364 Broadway* Street,  
*R. J. Gardner* ✓  
No. *364 Broadway* Street,

No. \_\_\_\_\_ Street,  
\$ *102.00* to answer \_\_\_\_\_  
*Wm*





02 10

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry Meyer

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

Henry Meyer

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

The said

Henry Meyer

late of the First Ward of the City of New York, in the County of New York, aforesaid, *on the*  
~~seventh~~ *on the* day of *December* in the year of our Lord one thousand eight hundred and  
eighty- *two* , at the Ward, City and County aforesaid, with force and arms  
*sixty handkerchiefs of the value*  
*of one dollar each*

of the goods, chattels and personal property of one

*C. Field*

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*

0211

BOX:

87

FOLDER:

949

DESCRIPTION:

Miller, Edward G.

DATE:

12/15/82



949

02 12

185

Filed 15 day of Dec 1882  
Pleas Not guilty - CP

THE PEOPLE

vs.

P

Edward S. Miller

John P. Thompson

Against in the  
County of Polk, Iowa.  
District of Iowa.

JOHN McKEON,

District Attorney.

A True Bill

Geo. H. Moore

Foreman.

Jan 2/83

Heads of Family & day  
Sealed & Shipped.  
Jan 3/83 A. H. G.

02 13

Police Court— 2 District.

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

of No. 483 Fifth Avenue.

Agnes 27 married being duly sworn, deposes and says, that  
Thursday the 13<sup>th</sup> day of December.

in the year 1882 at the City of New York, in the County of New York.

She was violently and feloniously ASSAULTED and BEATEN by Edward Miller  
(nowhere) who wilfully and maliciously  
pointed aimed and discharged at  
deponent's person one shot from a  
revolving pistol loaded with powder  
and ball. Deponent knocked the  
said Edward's arm up and the  
ball from the pistol entered the  
ceiling of the room. The said Edward  
then seized hold of deponent and  
pulled deponent from a bed threw  
deponent on the floor and attempted  
to fire a second shot at deponent's  
person.

with the felonious intent to take the life of deponent, or to do ~~her~~ <sup>her grievous bodily</sup> harm; and without any  
justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be ~~prosecuted~~ 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 December 1882.

B. J. Murphy POLICE JUSTICE.



02 14

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Edward Miller 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 Miller

Question. How old are you?

Answer.

Thirty Years.

Question. Where were you born?

Answer.

New York City.

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

Answer.

101 Barrow Street 4 months

Question. What is your business or profession?

Answer.

Trunk 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 of the charge.

Edward G. Miller

Taken before me this

10th

1882

day of December

1882

Police Justice.

02 15

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 \_\_\_\_\_

\_\_\_\_\_ *Edmund G. Miller* \_\_\_\_\_  
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 *December 13<sup>th</sup>* 188 *2* *B. W. Brady* 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.

02 16

Police Court 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Maggie Miller

483 1/2 St. N. E.  
Edmund G. Miller

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

Dated December 13 1882

B. H. Pidgeon Magistrate.  
John J. Graham Officer.  
29 Clerk.

Witnesses, Clara Stevens

No. 483 1/2 St. N. E. Street,

Mary Fay

No. 483 1/2 St. N. E. Street,

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

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

\$ Comm to answer

Comm

BAILED,

No. 1 by \_\_\_\_\_

Residence \_\_\_\_\_ Street,

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street,

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street,

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.



0217

Dear Sir  
 I have the honor to acknowledge the receipt of your letter of the 11th inst. in relation to the above named matter. I have the honor to inform you that the same has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,  
 Yours, very truly,  
 J. J. [Signature]  
 J. J. [Signature]



02 18

Nov. 2<sup>nd</sup> 1883.  
Hon Judge Eldredges

Dear Sir  
Edward Miller having  
been in my employ for  
about one year during the  
time found him honest and  
industrious and if necessary  
would cheerfully employ  
him again hoping you will  
be as urgent as possible

I remain Yours  
J. L. Dunn  
J. H. Oway

0219

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 G. Miller

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

Edward G. Miller

of the CRIME OF ~~Shooting at another with intent to kill,~~ <sup>Assault in the first degree,</sup> committed as follows:

The said

Edward G. Miller

late of the City of New York, in the County of New York, aforesaid, on the  
~~twelfth~~ day of ~~December~~ in the year of our Lord  
one thousand eight hundred and eighty ~~two~~ with force and arms, at the City and  
County aforesaid, in and upon the body of ~~another~~ <sup>Maggie Miller</sup>  
in the peace of the said People then and there being, feloniously did make an assault  
and to, at and against ~~her~~ the said ~~another~~ <sup>Maggie Miller</sup>  
a certain ~~pistol~~ then and there loaded and charged with gunpowder and one  
lead bullet, which the said ~~Edward G. Miller~~  
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 ~~her~~ the said

~~another~~ <sup>Maggie Miller</sup>

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 G. Miller

of the Crime of ~~Shooting and Discharging off a~~ <sup>Assault in the second degree</sup> ~~at another, without~~  
~~justifiable or excusable cause, with intent to injure such other,~~ committed as follows:

The said

Edward G. Miller

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 ~~another~~ <sup>Maggie</sup>

~~Miller~~

then and there being, wilfully and feloniously did make an

assault and to, at and against ~~her~~

the said

~~another~~ <sup>Maggie</sup>

~~Miller~~

a certain

~~pistol~~

then and there loaded and

charged with gunpowder and one leaden bullet, which

~~he~~

the said

Edward G. Miller

in ~~his~~

right hand, then and there had and held

~~the same being an instrument likely to produce grievous bodily harm~~

~~without justifiable or excusable cause,~~ did then and there shoot off and discharge, ~~with~~ <sup>wrong</sup>

intent, thereby

the said

~~wilfully and feloniously, then and there to injure,~~ 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,

0220

BOX:

87

FOLDER:

949

DESCRIPTION:

Miller, Frederick W.

DATE:

12/20/82



949



Alth being ready  
 to proceed to trial  
 and the prosecution  
 not. As was that the  
 trial of this case  
 be postponed to the  
 March term 1883  
 with liberty to the  
 deft to take the  
 testimony of four  
 witnesses on the  
 usual basis to  
 deny  
 June 30th/83  
 F.S.

156 B. & C. 11  
 W. J. K.  
 (11) 25th  
 Day of Trial,  
 Counsel,  
 Filed day of Dec 1882  
 Pleads Not Guilty (21)

THE PEOPLE  
 vs.  
 Frederick W. Miller  
 March 15/83  
 Spied & Reported  
 Indigent

JOHN McKEON,  
 District Attorney.

A True Bill.  
 J. H. Wapner  
 Foreman.

0001



0222

First District  
Jennie West

The People <sup>and</sup>  
W<sup>m</sup> D Andrews  
Complainants  
agst  
Frederick W Miller  
Defendant

Before Hon  
Jacob Patterson  
Justice.  
June 23<sup>d</sup> 1882

Appearances.

Peter Mitchell for Prosecution  
W<sup>m</sup> F Kutzwing " Defendants.

Cross Examination of William D  
Andrews.

Q Mr Andrews what is your business?  
A I am the manager of the driven  
well patent and manufacturer  
of driven wells, inventor and  
dealer in machinery.

Q Have you a partner?

A I have.

Q What is his name?

A George H Andrews.

Q And he is your brother?

0223

Q Yes Sir he is my brother.

Q The defendant in this action  
Frederick W. Miller is your  
nephew?

A He is a nephew of my deceased  
wife's.

Q How long has he been in your  
employ?

A Several years.

Q How long

A I don't know 3 or 4 years I  
should think.

Q When did he cease to be in  
your employ ment - when did  
he leave your employ ment?

A On the 24<sup>th</sup> or 25<sup>th</sup> of May  
I think this year 1882.

Q What were his duties?

A He was foreman and super  
intendent of the men in  
driving wells.

Q Did he have any power in  
while he was with you for  
the making and driving of  
wells?

A He had not.

Q To whom did you delegate  
that power?

2

A we made all the contracts or signed them ourselves. I think without any exception the contracts were made by an agent Mr. Tye. but they were consummated by ourselves and underwriting.

Q Do you know in what business this young man your nephew is in at the present time?

A I do not except by hearsay.

Q Do you know that he is engaged in business similar to yours?

A I understand that he is and he told me he was to be, and I believe him to be.

Q Have you commenced any proceedings against him in the United States Courts?

A we have.

Q when you say we - who do you mean?

A I mean our firm or rather the company commenced in the name of the Lake Erie Water Company, of which we are managers and officers.

Q you claim that he has infringed

0225

upon your patents:

Q And do

A And through your counsel you have commenced proceedings against him in the United States Court?

A Yes sir

Q And those proceedings are now pending?

A Yes sir - the suit was brought whether it was served upon him or what <sup>is its present</sup> condition - I don't know I signed the complaint

Q What did you pay him a week for salary?

A 12 dollars a week and his board, (boarding at my brother's house.)

Q And you pay him his salary regularly?

A He was paid his salary regularly

Q By whom?

A The cashier

Q What was his name?

A He was cashier a portion of the time himself.

Q And you presumed that he paid himself?

A It so appears the books at all events - I was his salary paid him regularly



0226

A Every Saturday night with the others  
as charged on the books.

Q Did you the books?

A I have not here

Q You say the facts you have in  
your possession show that he was  
paid twelve dollars a week?

A Every week every Saturday night  
Q When he left your employment  
were you indebted to him in  
any way?

A We were not

Q Did you personally owe him  
anything?

A I don't know that I did

Q Do you say in that you are not  
indebted to this young man at  
that time in any amount?

A I have no knowledge of being  
indebted to him in any amount

Q In any way?

A In any way

Q When was it that you first heard  
of this well being driven or dug as  
you may call it?

A No within, - my first knowledge  
of it was I think within the last  
six weeks. -

0227

Q How came you in to get that information?

objected to as immaterial

Q From whom did you learn that fact?

A I knew it in a variety of ways I got a rumor in the first place that he had made a well and got the money, all of which, we knew nothing of.

Q Will you tell me if you please sir about when it was that you first heard of that?

A Within the last two months I think

Q And did you learn sir about that time that he was engaged in driving wells a business similar to yours?

Answer

Q When did you first learn the character of his business?

A He told me he was going into the well business the day after he quit us - or the same day

Q And that was when? In May last?

Answer

0228

4

Q It appears in this summons that this proceeding was commenced on June 2<sup>d</sup>.? - when was this served when did you commence this proceeding?

A I cannot tell you.

(It is conceded that on the 12<sup>th</sup> of the present month proceedings were instituted against him for the infringement of our patents).

Q For whom was that well advised?

A The bill states that it was advised for Trille & Steiner.

Q Did you know that this well advised for Trille & Steiner before this man Frederick W. Miller had left your employment?

A I did not

Q Never heard of it or heard any intimation?

A I have not said that - I said that I had an intimation within the last two months, and I wanted to get at it - and we have been following it up to get the facts.

Q I ask you if you had any knowledge or intimation of that well

0229

(wells) having been driven before he left your employment?

A - answered you that I did not  
Q and then I understood you to say that you were in total ignorance of the fact that that well was driven in while this young man was in your employment?

objected to an amendment, on the question being already answered and also being a repetition of the question.

Re direct.

Q Mr Andrews do you know in 1911 Frederick Miller during his employment with you, making contract for the driving of wells?

A I do not, at least for our account

Q Is your brother here now?

A He is

Q Did I understand you to say that you were the manager of the company?

A I am the president of the Lakeville water company

Q And who was your superintendent?

A Mr Miller was the superintendent of driving wells?



0230

6

Q and what position did Mr. Jory occupy?

A He was a clerk in our employ at a salary of fifteen dollars a week (\$15.00) and five 5% percent commission on the business of driving wheels.

Q Did he have any power or authority to make contracts for you?

A Not to sign contracts. He had power under our instructions to make bargains but the contracts were signed by my brother or myself.

Q And the fact of your having commenced a suit in the United States court against Mr. Miller the defendant for an alleged infringement of your patent caused you to make this complaint?

A It did not.

Q Was it because Miller had retained money in his possession that should have been paid to your firm that induced you to make it?

A It was

Q During the time that he was in your employ and up to the time

0231

he left your employment, did  
he make any claim upon you  
that you were indebted to him  
in any sum of money?

A He did not

Q Since he left your employment  
did he make any demand on you  
for a settlement - He has claimed  
that you or your firm were  
indebted to him?

A Never did

Q Did he ever make in any effort  
for a settlement with regard to  
any claims against you or your  
firm?

A He never did

Sworn to before me  
this 5 day of July 1883

Wm. D. Andrews

J. W. Patterson Justice

0232

6

Herman Miller being called on  
behalf of the people being driven  
from depots and ways

Q what is your name?

A Herman Miller

Q where do you reside?

A Stapleton Staten Island

Q Have you a partner in business  
with you?

A Yes sir

Q what is your business?

A Wagon manufacturers

Q In October 1880 did you have a  
well driven in your premises?

A Yes sir

Q did you make a contract with  
any person to drive a well?

A Yes sir

Q with whom did you make it?

A Frederick Miller

Q what did he say to you if any-  
thing whether the well was to  
be driven on his own account  
or by Mr. Andrews?

A He said he would drive us a  
well for so and so much?

Q How much did he say?

A Twenty dollars complete. Really

0233

five dollars for driving the well  
and fifteen dollars for the pump

Q Did he drive the well?

A Yes sir

Q Did you pay him for doing so?

A Yes sir

Q Did he give you a receipt for  
the money?

A Yes sir.

Q Could you look at that receipt  
and say if that is the one he  
gave you (showing witness a receipt)?

A Yes sir

Receipt offered in Evidence Mark  
plaintiffs Ex 1.

Q Since you got that receipt and  
since he received the money from  
you has he visited you at your  
place of business - has he called  
upon you since?

A After we paid him?

Q Yes sir?

A No sir

Q Has he recently called on you or  
your partner and said anything  
about that bill in your presence?

A We paid the money and got  
the bill



0234

7

Q How that man recently gone down  
or lately gone down to you and  
paid anything to you or your part-  
ner about this bill or in your  
presence?

A Not that I know of.

Q Have you seen him at your place  
of business lately?

A About 14 days ago.

Q What did he say then?

A He wanted to see our ~~book~~ book  
for the receipt of the well.

Q The receipt he gave you for the  
well?

A Yes sir.

Q Isn't this the receipt he wanted to  
see Plff Ex 1?

A That's the receipt.

Q What else did he say - did he want  
to take it?

A I showed him my book ninety dollars  
and he said it was correct.

Q And that was 14 days ago?

A I don't know exactly about 12 or 14  
days ago.

Q Did he ask you how you paid him  
by check or by bills?

A By bills - money.

From telephone  
this day of 1882

Dee co. witness

George A. Andrews called by  
the defendant being duly sworn  
deposes and says  
Direct Examination

Q Do you know the defendant here?  
A Yes

A Yes sir

Q How long have you known him?  
A Since he was a child

Q A nephew of yours?

A Yes sir no relation to me but  
of my brother's wife & of my wife  
I you are a brother to the witness  
Mr Andrews who was on the  
stand?

A Yes sir

Q And do you take active part in  
the management of the business  
of the firm in which you  
are a member?

A Yes sir

Q Are you indebted in any  
sums or sum of money to this  
defendant Frederick W. Miller?

A I am not aware of it if I am  
I do you say or under your  
oath that you don't owe him

0236

8

7

any money

Q I do not to my knowledge have  
them anything

Q Do you know Thomas Conway?

A I do Sir

Q Do you know his signature?

A I do Sir

Q Look at that piece of paper and  
say whether or not that is his sig-  
nature? Showing witnesses a paper

A I should say it was

Q Now Sir in the month of June  
last did this young man Frederick  
W Miller give you a check for  
Twenty five dollars?

A No Sir not that I know of.

Q Of last summer of last year?

A Not that I remember

Q Who is this man Thomas Conway  
Sir?

A He is a man that is employed  
working a place at Brookhaven  
L.I.

Q Just fall Nov 24th 1881 do you  
know Sir of a check of Twenty  
five dollars a sum of money  
of Twenty five dollars being  
given by this young man

0237

to Thomas Conway by your  
direction who was in your  
employ ?

A I have a recollection of now  
asking Walter to have Conway  
Twenty five dollars for me  
in some way

I was it money as far as you  
know he was going to him ?  
A I presume so my impression  
of it is that Walter handed  
Conway money he was going  
to himself.

I do not know whether that money  
was returned to him or not ?  
A My impression was that it was  
I have seen it in the pay list  
to be paid

I do not know where Thomas  
Conway is now ?

A I presume he is in Brookhaven  
L.I.

X I have not got any books or  
papers to show the 25.00 dollars  
was returned to the young man  
A I have not with me but I  
may be able to show it -  
I will you swear that this money



0238

Q

(money) was returned to this young man?

A I have no recollection and I will not swear the money was returned to him.

Q Do you know for what purpose -  
A He was going down and I asked him to hand him that amount and if he did so or not I do not know, I didn't change my mind with it.

Q And this money was to be used by Thomas Conway - for the use and benefit of your concern?

A I do not know about that?

Q What was it to be used for?

A I might as well say it was to be used to pay <sup>conway's wages or</sup> expenses.

Q Did you ever receive a check for twenty five dollars for collection from this young man?

A I have no recollection of ever receiving a check of twenty five dollars for collection.

Q When was it?

Q Last summer nearly a year ago.

Q I have no recollection - I would not be likely to recollect it.

0239

Q you don't remember of having  
received a check of twenty five  
dollars?

A I have no recollection of it, and  
would not be likely to recall it.

Q did you receive a check from  
him for any amount? last year?  
A I have no recollection of having  
a check from him for any  
amount, for excretion.

Q Have you been up to see this  
young man at Kress Brewery?  
or seen him since he was working  
there?

A I saw him at Kress Brewery I did not  
go for that purpose - I met him  
there by chance.

Q was there any trouble between you  
and him?

A nothing but that I classified his conduct  
in proper terms.

Q and what do you call proper  
terms?

A By calling a spade a spade  
I what do you mean by that? What  
did you say to him?

A I said to him that he was guilty

Misplaced check

of a most outrageous conduct in taking over books which he was not an employee and taking advantage while he was taking a salary. For he was drawing a salary from us and he was infringing on our patents and benefiting by it, while he was not an employee and I said that this was a mean and contemptible piece of business -

Q Did you threaten him?

A I did not threaten him.

Q Was your bratter with you?

A No.

Q Did you make use of such language as this - did you tell your bratter to hit the son of a bitch?

A I did not.

Q Or language such as that?

A Nothing that would admit of such a construction.

Q Did you strike him?

A No.

Q Did you threaten him?

A No.

Q Was that before or after this suit?

0241

in the United States Court was commenced for infringing on your patent.

A It was before.

Q Did this young man ever ask you for a settlement of his accounts?

A He never did.

Q Did he ever visit your house after he left your employment?

A Not to my knowledge, he never visited the house after leaving.

Q Did he ever ask you at any time for a settlement?

A He never did.

Q Isn't it a fact that he asked you for a settlement between you and him or your office at your house?

A He positively the fact that he never did.

Q Didn't your wife or maid tell him?

A Not to my knowledge, she is not indebted to him any further than I have stated at the present time.

Q I have not had time to find out about, the having put some money in her charge to keep for him.

There may be a possibility that there is a balance of this money that she has kept for him in her hands.

Q Do you know him while he was in your employ as a clerk.



0242

11

What from him to him. He has  
lended money to your wife in  
the sum of <sup>one</sup> hundred dol-  
lars?

A He never loaned her money of  
any kind and never had occasion  
to, he gave her some money to  
keep for them and buy things  
for them that I only learned of  
a few days ago.

Q Do you know if she owes him  
any money now?

A She does not to my knowledge <sup>except</sup> as  
already stated.

Cross Examination

Q This receipt which reads as  
follows?

Brookhaven June 22-82  
I received from Thomas W Miller  
November 24th 1881. Twenty five  
dollars?

Thomas Conway  
Brookhaven L.I.  
NY.

Q You don't know whether Mr Miller was  
ever repaid that \$25.00 dollars or not do you?  
A My impression is that he has  
been. It was put into one of the pay

0243

list that would be my best impression it would be likely to happen to be put in the pay list and on Saturday night I would pay it, I never pay much attention to that because I order all sorts of things put with the pay list and pay it when presented. I have the em made a demand on you for the \$25 dollars paid to Mr Conway?

And in

I have the em said anything to you within the last year about the check which he alleges he gave you for collection.

Never about a check or any other amount.

I have you any such recollection of that?

A I have no recollection of that check.

"I did the em make any demand on you for the payment as alleged by him?

A He never made any demand for \$25.00 dollars or any amount and he always has been paid promptly & he was never put off

for and recd and I paid him promptly

Q When you say this amount was paid \$250.00 does that mean you pay it means to your best recollection put in the pay list and paid to him at the time or shortly thereafter?

A I suppose it was paid

Q While he was in your employ did he make up any statement of wells driven by him?

A He did he seemed to make them up.

Q Have you a statement made up by him, the one he helped make up of work done by him?

A I have

Q Until your time to date of October 1880?

A The dates are not on the list of wells.

Q Have you examined that statement?

A Yes sir

Q Does it contain the name of Miller and Keine?

A It is not on the list

0245

Q Have you made an examination of the work done by your former servants & employees during the month of October & since <sup>then</sup>

A I have

Q Does it anywhere appear on your books that any work done or well driven for the persons named Willie & Herie of Stapleton Staten Island October 19, 1850.

A Not in any book list or anywhere else.

Q Is there anything to show in your office of a well having been driven or made for Willie & Herie?

A I have searched thoroughly & fail to find it.

Q Do the books contain all the work done by you your brother servants & employees. contain the work done up to October?

A All the work we have done & have authorized acknowledged contain in the list of them in these books.

Q In these books or statements have you found any traces of a well having been driven for Willie & Herie?

A I have not

Q Have you received the ninety dollars paid by Willie & Herie



0246

13

for the well driven by your  
employee the defendant?

A I have not

I have examined the material  
that was driven in that well.  
A Not that particular well.

I understand you to say that  
pay roll in which your  
the sum of the twenty five  
dollars appeared was that  
twenty five dollars returned  
to him?

A That doesn't state it quite, - I  
said that my best recollection  
was that I had seen the  
amount in the pay roll  
and paid it, as it was a question  
if there was any mistake  
of that sort to put it in and  
refund it Saturday night.

I do that pay roll in existence  
that you saw it in?

A I may be mistaken

I can you produce it?

A I think I can.

I will you look and see if  
you can find it?

A Yes Sir I will

0247

### Recess Examination

Q Have you given Mr Miller per-  
mission to retain the money  
documents?

A No sir no other sum

Q Had he ever referred to it in  
any conversation, did he in  
any way shape or manner?  
A He never referred to it in any  
way shape or manner and  
he never referred to any sum  
sum; that he had the right to  
keep it, and he never told me  
or intimated to me that he  
had it; he was in the habit  
of telling me what work he  
done and he never told me of  
this.

### Re Direct

Q Do you attend generally to the  
financial portion of your business?

A Yes

Q Who pays the men off?

A Mr Hodges or Inge & if he was  
not in I sent it to Mr Mitchell & he

sent it to the office. I understood that he sometimes gave it to Mr. Miller to pay off the men, it was his duty to make up the amount on Friday nights & he did not do it, And this memorandum came as a last resort and that was the reason it was made and that by

Q When did you first hear of this well being driven of Miller & Hin when did it first come to your knowledge?

A I first heard of it being driven about May 23.

Q Did you have any knowledge of the well being driven at home Frederick W. Miller left your employment?

A I never had any knowledge of any kind before he left my employment.

Q And never heard any information in relation to it?

Answer

Q Can you say about what time that was Mr. Andrews?

A I think it was more recent by a couple of weeks but I don't

0249

think I can refresh my mind  
I got me try & refresh your mind  
try?

Very best impression is that I  
have not known that this will  
was driven by actual time  
more than 2 weeks any day.  
I had you heard all of this with  
having been driven by him  
before these proceedings were  
instituted in the United States  
Court for the infringement of  
your patent?

Any impression is that I did not  
I whose handwriting is the book  
showing (unless a book)?

A Mr. Miller

Q Have you examined the book?

A I have examined the book.

Q What does it contain?

A Book of general memorandums of  
work that he has done and matters  
that he has used & etc.

Q Does it cover all the work done by him?

A It purports to do so.

Q From what dates?

A February 4th 1880

Q Up to what date?

A To the time he left our employment.



0250

15

May 1882.

Q Do there any statements in the book  
that he left with you in his  
handwriting of that were being  
driven in Staten Island for my  
need now?

A There is not

Q Is that the book he kept himself  
made memorandums or is it  
a copy left with your firm?

A I understand it is a copy

shown to before me

this day of July 1882

Geo H Andrews

J W Patterson

Pres. Justice

The further hearing was adjourned  
to Monday June 26<sup>th</sup> 1882 2 o'clock.

0251

16.

June 26th 1882

parties all present.  
Examination Continued

George H. Andrews Recalled by  
defendant & examined by Mr  
Kemping

Q Mr Andrews do you recognize  
that writing (showing witness  
a paper) is that letter in your  
handwriting?

A That's my signature

Q Is that your handwriting?

A I am inclined to think it is my  
handwriting

Marked Sept Ex 3

Q Have you any doubt that this  
is yours?

A That's mine &

Marked Sept Ex 4.

Q Have you any doubt as to the  
subject that that is in your  
handwriting?

Answer:

Marked Ex 5.

Sworn to before me  
this 5th day of July 1882

J. M. Patterson

Geo H. Andrews

Deice Justice

Henry Gunther called in a few  
 days telling only known depositions  
 says.

Q where are you residing?

A 213 East 54th Street

Q what is your business?

A I am a brewer.

Q In the Brewery business?  
 answer

Q In the month of June last  
 did you see Mr Andrews here  
 up to your brewery?

Answer

Q One or both of them?

Answer Yes.

Q Now George H and Wm S Andrews?

Answer

Q I was the defendant Frederick W  
 Miller there?

Answer

Q did you notice whether any thing  
 occurred between Mr Miller  
 this young man and Mr Andrews

A Some hard words. That was all

Q what did George S Andrews  
 say?

Answer He said

because he was your witness  
and you cannot contradict him  
by the Court

Justice in Answer.

A Mr George H Andrews asked me  
to show him the well and I went  
along with him and we three  
got to the brewery and we went  
down stairs Mr Miller was  
there at the same time and  
they had some hard words to-  
gether:

Q what was it that was said, what  
accused?

A They got so far that they almost  
came locking Mr Miller and  
I got in between them and Mr  
Andrews made some remark.

Q what was it?

A I cannot tell what was said  
and Mr Miller made some  
remarks on top of that and  
then Mr George H Andrews  
said "hit him - hit him, the  
son of a bitch if you don't will"

Q who did he tell to hit him?

A His brother

Q and if you don't I will?



0254

A. The audience was small  
and I got into the room before  
them and said there was no reason  
to be down there and that it was  
just fighting to be down. You  
will have to go and find out  
the price and cost.

Is that all?

Yes, sir.

Yes, sir.

I have had no reason for  
a contract made for the  
sinking of that man?

Yes, sir.

I will give you my name.

A. I have not got it yet.

I can give you my name one day  
that that contract is made.

A. I cannot tell you that.

I can give you my name.

Yes, sir.

(It is conceded that the contract  
for driving that well was  
made on May 23rd.)

By Mr. Kutzin

I. Mr. Gunther while the audience  
were up there did they accuse  
him of anything further?

0255

178 &

As not to my knowledge they called  
them a thief and undressed  
them while he worked for  
them

I ask what did the defendant  
say?

As he kept very quiet  
I sworn to before me

This 5<sup>th</sup> day of July, 1882

Henry G. Smith

A. W. Patterson } Police Justice

William J. Cunningham being so  
 by dependents being only a few  
 days.

Q Where do you reside?

A 123 White Street.

Q What is your business?

A Steam fitter by trade.

Q Was you at the scene at the  
 time of this trouble between  
 the audience and the  
 Miller?

A Yes sir.

Q Did you then witness any  
 altercation there and if so  
 the question is between?

A Yes sir.

Q What occurred there?

A The audience were using force  
 language.

Q What did he say?

A He called him a bitch and  
 said a pair of a bitch and  
 that gentleman there George H.  
 Andrews told him to go to him  
 the pair of a bitch.

Q Mr. Cunningham did you notice  
 whether they assaulted him

0257

19

or attempted to assault him?  
A They wanted to assault me I presume if it wanted not have been for Mr Gunther.

Counsel moves to strike out the answer.

Motion granted.

Q What did he do?

A He said go for the saw a fella. He said and Mr Gunther said I don't want any fighting in my place if you want to fight you must go outside.

Cross Examined

Q who said go for him?

A George H. Andrews.

Q are you sure that that was the language used?

A Yes sir

Q you cannot be mistaken?

A No sir.

Q what did the defendant say when he told him he was a thief and a liar?

A Mr Miller said cant choose some thing to say and they would not give him a chance to say a word, they <sup>opone</sup> do say, that.



0258

the whole thing was all mixed  
up.

Who was it that said go for  
the son of a bitch?  
A Mr George H Andrews.  
I am not sure.

Upson - and the gentleman said  
in all times there are  
he would have no doubt  
there if they wanted to say  
they would have to go some  
where else.

From to be sure and }  
who says? 1892. }

Police Station

Henry A. Hodges being called on  
behalf of the defendant being  
duely sworn says:

Examined by Mr. Kitzmire

Q Mr. Hodges where do you reside?  
A 124 E 25th Street

Q Mr. Hodges what is your busi-  
ness at present?

A I am in no business at present

Q You were formerly in the employ  
of Mr. Adams?

A I was.

Q In what capacity?

A As clerk.

Q Were you there at the time Mr.  
Miller was there?

A A portion of the time.

Q What were his duties?

A He had the superintendence of  
the men and the driving of  
wells I should say.

Q And what were your duties?

A Clerk in the office do any  
writing or copying and I also  
paid the men wages.

Q Were you there in at the time  
Mr. Miller left? - were you  
there in their employ when

0260

Mr Miller left them?  
A. I was not in their employ at  
that time.  
I not in the month of May last.  
A. Yes.  
I did not hear of at any time of  
a well having been sunk or  
driven by Mr Miller at Staten  
Island for a blacksmith?  
Alphabet.

Question withdrawn.

Mr Knitzing - I withdraw the  
witness for the present  
from to before me  
This 5 day of July 1882 } Harry A. Hodges  
J. M. Patterson }  
Police Justice

Franklin I. Miller and I were  
 about being only a few days  
 and days

Q Where do you reside?

A Everett Hotel Chatham Street

Q What is your business now?

A Drilling of tube wells or oil  
 wells

Q You were formerly in the em-  
 ploy of George H. and William  
 Andrews?

A Yes

Q In what capacity?

A It was a position that was made  
 for me to represent the corporation

A I had charge of the same when  
 Mr. Andrews was cashier and  
 Mr. Andrews had introduced  
 me as the manager of the  
 business of New York City.

Q Did you receive a salary?

A Yes I received a salary of  
 twelve dollars a week.

Q Are you in any way related to  
 Mr. Andrews?

A I am

Q What is your relationship?

A I always considered my relation



0262

ship as being a nephew. and they introduced me as such and I always called them uncle while living with them.

Q and did they address you as nephew?

A yes

Q you saw a well in October 1880?

A yes

Q for whom?

A well for them

Q and you saw a well for making water?

A yes

Q how much did you see?

A I received for the well \$400 dollars and the pump in addition to the well \$100 dollars making ninety dollars all together.

Q did you receive pay for this?

A in the month of October.

Q for whose benefit?

A William & George Henderson

Q you were then in their employ?

A yes

Q did you ever give them the

0263

surety dollars you received  
for the well?  
I did not.

I will you state now why  
you did not?

26  
35  
1/18  
1/18

objected to

surety did you not give over  
the surety dollars for the  
well?

Reed  
Money

In the first reason was that  
when I paid the well I was  
paid and came in an early  
morning, the predecessor had  
not signed and put in and  
I received the money for it  
and out the money, as a whole  
belonging to Mr. Andrews and  
waited until I could get a  
favorable opportunity until  
I could speak to him on the  
subject. I waited for some  
time to get that opportunity  
and when I left their employ  
I went to Mr. Andrews taking  
that money out of the safe  
and asked him for a settle-  
ment.

I asked Mr. Andrews?

0264

A George Handren - the one I  
had all my business dealings  
with. I went to him and asked  
him for a settlement.

Q where did you ask him for  
it?

A at his house 12 $\frac{1}{2}$  East 25<sup>th</sup> Street  
Q when?

A one night in May

Q what did he say?

A He got very mad when I spoke  
to him and he said this is no  
way to talk to a business man.  
I demanded a settlement and  
he said he was busy with his  
correspondence and away with  
his Green matter and I  
told him I was going out of  
town and would like to settle  
the matter up and he told  
me to come back again at  
his own expense and he would  
pay my expenses in coming  
back and he would settle it  
and I went down to Mr. Hudson's  
office for 4 nights in succe-  
ssion and I didn't catch him  
in and the next time I

0265

5/25

I saw him he came to the  
brewery and he was not in a  
fit condition to talk to about  
any settlement of affairs that  
day.

Q When you talked of a settlement  
was there any money due you  
from the individual members  
of the firm?

A Yes George Handman and  
me fifty or sixty dollars. He  
no money. Ten or twelve dollars.

Q And you say you went to the  
George Handman house?

A I went to the house where they  
both resided at 121 East 24th St.

Q Do they have a car?

A They do.

Q When you went to the house  
about a settlement was the  
Kodges there?

A He was there.

Q He was formerly a clerk in the  
employ?

A He was.

Q You had a summons served upon  
you for an infringement on  
their patent?



0266

Q Did

I and you were arrested subsequent to that?

A I was arrested after that.

I and what is your business? a cleaning truck or other work and parking trucks - parking of material.

I and you at any time keep the money or deposit them in the money?

A I never did.

I and did you ever have a Board House S.S.

I and did they ever pay you in the City of New York?

A They did.

I and gave you employment?

A They did.

I and from the time you came here up to the time you left on the 24 or 23<sup>d</sup> of May did you have any trouble with them?

A I did several times.

I was this well known in Staten Island - was that done without a contract?

A It was

I was under a rule which the  
Mep. audreus had established to have  
a contract signed for the driving  
of mules?

A Not for all.

I did you have any <sup>consent</sup> ~~consent~~ for  
the sale of these mules?

A I saw them and Mr audreus  
told me to sell them.

I did you travel for them?

A I was not engaged as a  
travel agent for them, but at  
times  
Mrs. Examin.

I How old were you when you  
first came to work for Mep.  
audreus?

A I cannot tell I first came to  
them in January 1844.

I How long did you continue  
in their employ?

A For 6 years.

I When did you leave them?

A I cannot answer that question

I why?

A I told him I completed my work  
and told him I was going to

0268

leave.

Q When was this?

A About the 23<sup>rd</sup> of May

Q What hour of the day?

A That was about 6 o'clock

I should say in the afternoon

A In the evening

Q Did you make a contract for that well to be put up for Mr Gunther's brewery?

A Inside the contract in the afternoon of the 23<sup>rd</sup> at five o'clock.

Q That was an hour before you left the employ of Mr Andrew Macent is it?

A I should think so

Q Up to what day in May was your paid your salary?

A To the 24<sup>th</sup> of May.

Q Increasing the 24<sup>th</sup>?

A Yes

Q Then you actually left their employ before your time was up?

A Well that is a pretty nice point I cannot answer it

Q Then you expected payment

0269

25

for services while you were  
out of their employ not in  
their employ - and up to this  
time you were paid for your  
services ?

A I was here until the 24<sup>th</sup>  
of May

Q At the time of sinking the well  
in October 1880 did you make  
any memorandum of it (I mean  
the sinking of the well for  
Wells & Kern) did you make  
any memorandum in any book  
kept by them or <sup>make</sup> any report  
to either of the Andrews brothers

A I made no report to either of  
the Andrews brothers.

Q When you received the money  
it was on the 29<sup>th</sup> of October  
1880. ?

A It was

Q At that time they were not in-  
debted to you a dollar were  
they ?

A I cannot say that.

Q Were they indebted to you in  
any sum of money to your  
knowledge on that day ?



0270

A. I cannot say I was constantly paying money - I cannot say whether they settled for not.

Q. Did you not present every claim and they paid it?

A. Yes - I didn't always get paid when I presented my bill.

Q. Were they indebted to you twenty five dollars?

A. I don't know.

Q. Were they indebted to you in \$50 dollars?

A. I cannot say.

Q. Were they indebted to you a dollar?

A. I don't know I cannot say.

Q. What kind of money did you receive when you got the money?

A. A check and the balance in cash.

Q. How was the check made out?

A. Made to the order of William H. Smith and endorsed by them.

Q. What was the amount of the check?

A. \$11.15 dollars.

Q. What did you do with the

0271

check. ?

A I put it in the safe belonging to Mr Andrews.

Q How long did you let it remain there ?

A Until I left there early.

Q Did you have the key of the safe ?

A The key of the drawer where I kept it.

Q Did you have other private matters of yours in the drawer ?

A I had my money in there and also accounts of the firm.

Q Was it your private drawer in the safe and reserved for you ?

A I used it to keep my ~~money~~ <sup>accounts</sup> in there with the firm.

Q What did you do with the other money the balance of the check ?

A I put it in the drawer.

Q When you took this money out of there you took the check also ?

A On the day I left there.

0272

Q To whom did you give the check to cash?

A No one

Q Where is it now?

A I have it

Q Will you produce it?

A Producing check.

By the Court

Q Did you make any proposition to them to make any settlement when you had this money in your possession?

A I kept the money. —

Q When did you first make a proposition for a settlement?

A On the 24th of May.

Q Was that after you were discharged? — was the settlement you demanded of them made before or after your discharge if you recollect?

A I kept their money. — I was not discharged. but according to their statement — I left on the 24th —.

Q Did you ever notify them that you had twenty dollars of them?

money & kept it?

A I kept it since October 1880 -  
I said not

Q And the money you kept you  
have spent?

A Now I am ready to make a  
settlement at any time

Q In October what was it that  
made you withhold this money  
from them and not pay it

A The transaction was a little  
unequal.

Q Why did you keep the money

A Mr George Andrews the man  
I shot my business with was  
a man of very violent temper  
and a man very hard to approach  
and I waited until a favorable  
opportunity presented itself  
so that I could speak to him  
and let him know and so I waited  
from time to time in which  
to have a word with him. -

Q Why was it you kept this  
money for fifteen or eighteen  
months and didn't say anything  
about it?

A Simply because I didn't want



0274

want to have a new

Q why would you have to have a new?

A Because the contract was irregular

Q Did the money belong to Mr. Andrews?

A It did

Q I want you to tell me why you kept it from him?

A because I was waiting until I could get a favorable opportunity to speak to him re Andrews on the subject.

Q and you kept it for 20 months?

Yes sir

Q And you never said a word about it until you were discharged to Mr. Andrews?

A did not.

Q Did you tell him when you demanded this settlement that you had the money in your possession?

Answer

Q Did you keep the books of Mr. Andrews?

A No sir I did not

0275

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Q It was your business to collect money and pay it over?

A It was not

Q Were you authorized to collect money?

A I cannot say that it was

Q Had you collected and paid over to Mr Andrews?

A I have at different times

By Mr Mitchell

Q Did you not at times pay out money in their behalf?

A I do

Q Did you always present those items that you laid out and get repaid?

A Some of them from time to time

Q How many times?

A I cannot state how many times  
By the Court

Q Was the money in the safe up to the time you left?

A Yes; Mr Andrews says to me the day I left this is no way to speak to a business man to demand a settlement

Q Did you notify him that you had this money?

0276

A I don't not

Q Did he ever know it?

A I cannot say

Q Did he ever know that that well was driven down there?

A I don't know

Q Then the irregularity as you call it was that you had never spoken to him about it, you did the work, and got the money, and put it all saying a word to him or without signing the contract?

A Yes sir

Q You had the money all along and you told Andrews for the work?

A I put it in the safe and let it lay there

Q Was that the only thing of that kind that transpired?

A I don't remember anything further after that, ~~he gave me work to do afterwards~~

Q How did you get that money with you?

A Yes sir I cannot say whether I have the identical bills

0277

28

Q Did you not live at the house  
of Mr Andrews?

A I did

Cross Examined

Q Did you see him daily for the  
past 20 months?

A Which one?

Q The one at whose house you  
resided.

A I cannot say that I saw him  
daily I saw him almost daily,  
I did your work with him on horse  
work most of all the time daily  
with one of the four boys  
Mr Andrews.

A Yes sir.

Q Was there a week past that  
you didn't have any business  
communication with him?

A Yes sir.

Q And during all this time did  
you say a word about this  
will being made?

A No sir.

Q Are there items in your hand  
writing? (showing witness)

A No sir.

Q The receipt?

A That's mine



0278

2 The date of these items and settlement is what?

A 1881.

2 You paid him a check July 2 - for \$36.85 - ?

Answer

2 Did he pay you?

A Possibly

2 There is a settlement (I after that in evidence to a settlement for \$61.69 dollars - and that is your signature?)

Answer

Ex 2. P. 10

2 There is a check - did you ever receive the money for that check?

Answer

2 You can show what that was for?

A That I cannot say it was applied to some statement I guess.

2 Now in addition to your receiving twelve dollars a week did you not also receive your board washing?

A I received my board and washing and don't know of

0279

29  
30

?

of Lucas to be charged for crossing.  
Did you never have been?

Answer.

Did you say that George H. Andrews  
was a man of violent temper  
and you didn't like to speak  
to him and wanted to make  
<sup>appear</sup> to him?

Answer.

Did you know his brother was  
faintly interested in him?  
A I never had anything to do with  
him.

Did you never not afford to  
approach him?

Answer. I could go to him and  
talk to him any time.

Did you at any time say a  
single word about it during  
all this period to William D.

Answer. I did not.

Did you not during <sup>all</sup> that  
time <sup>when</sup> after you <sup>left</sup> ~~left~~ <sup>left</sup> ~~left~~ <sup>left</sup> ~~left~~  
at the house of Mr. Andrews  
along from October 29 to 1880  
have frequent and pleasant  
conversations with him in  
his room and in your room

0280

A I may have had

Q Did you not have?

A I should <sup>have</sup> yes I have had.

Q During that period has he made you presents since 1880?

A I have no recollection of it previous to 1880. he has.

Q When you found him in a pleasant mood did it occur to you that it was a favorable opportunity to speak about this affair.

A Not having the money with me or necessary papers of that nature I don't think it occurred to me.

Q Did Mr Andrews have a key to that safe.

A Mr Andrews did I don't think anybody else kept anything in it.

Q When you took that money out what did you do with it?

A I put it in my pocket and went up to Mr Andrews house and counted it over in the presence of the clerk.

By the Court

Q what did you receive money from Mr Andrews for?

A for work done

Q what was your duty to do with it?

A when I was cashier I credited the firm with it

Q you were not cashier at this time?

Answer

Q you took the money and put it in the safe to your account

A whenever I received money from the firm or from Mr George H Andrews I paid it to the firm or Mr George H Andrews.

Q To whom did you pay it?

A George H Andrews

I Knapp

Answer

Q you never made any other disposition of the money excepting to pay it to Mr Andrews?

A Mr Dodge his cashier

Q did Mr Dodge know you had the money?



0282

Q Yes sir

Q When did the cashier know you had this money - did he know it was all located in the safe?

A I cannot say.

Q He knew it was in your possession.

A He knew that I had the money, I am sure he knew that this work was done.

Q Yes sir he knew the whole fact.

Reverend.

Q You didn't pay it over to the cashier?

A I did not.

Q In the absence of Mr Andrews was it your custom to pay it over to Mr Dodge in all cases.

A That was an irregularity and I wanted to see Mr Andrews and explain it to him before I did.

Q When you made this effort to make that mess up at the ceremony you saw Mr Andrews that night and you? the

0203

32

23<sup>d</sup> of May ?

A yes.

Q Did you tell him that you had made that contract ?

A I did not.

Q And yet you were in their employ ?

A Yes.

Q And receiving pay from them and in their employ at the time you made that contract.

A Yes.

Q Who paid you when you left there ?

A Mr. Mitchell.

Q Did you say anything to him about this money that you had in your possession ?

A We talked the matter over sometime ago.

Q Did you ever show the money in the safe to Mr. Hoyle ?

A I cannot say whether I did or not.

Q Will you swear that you had told him at any time that you had done that job and you had received ninety dollars.

0284

and that you had it  
Q no but I will swear we talked  
the matter over.

Q you say you gave Anderson and  
Boakes ..... to collect for  
you for twenty five dollars  
A Twenty five or about twenty  
five dollars I don't remember  
the exact amount

Q From whom did you receive  
the check?

A my father

Q when was it?

A Sometime during last summer  
A I have no memorandum of the  
amount of the check.

Q during the summer of 1881?  
A yes

Q you have had settlements with  
them since?

A I have

Q Did you include that in one  
of your settlements?

A never did

Q Have you had settlements with  
them for expenses and debts  
made by you - why did not  
settle with them.

A I thought I would not trouble  
Mr Andrews. about this twenty  
five dollars

Q you got a receipt for it?  
A yes

Q November 24 - 1881. is the date  
on which you paid out twenty,  
five dollars on behalf of  
that firm - you have received  
various sums of money since  
that time?

A I have.

Q and you say that that was  
not included in any of  
those?

A I do

Q why did you not put it in?

A I considered it was a personal  
affair

Q If it was a personal affair  
to whom did you consider  
was indebted to you?

A Mr George H Andrews.

Q The well you sunk was a  
firm matter?

A In connection with the firm.

Q This other 25 dollars which you  
say you gave a check to him



0286

which you received from your  
father to collect to which one  
did you give it?

A George & Andrews

Q and did you consider that  
as a personal debt?

A I did

Q and the firm was not indebted  
to you in a dollar?

A Yes but the firm is indebted  
to me to day.

Q did you take any books away  
from the firm when you  
left them?

A I did

Q what books did you take  
away from the firm when  
you left there that belong  
to them?

A none.

Q Didnt you say that you did?

A I say I took books away  
from them when I left.

Q what books were they?

A private books.

Q did they contain accounts of  
work done?

A they did

0287

2 of

2 Of all?

A Some

2 Did you keep some of the same?

A I kept some and put it in my  
box and kept it in my box.

2 Did you have a book in which  
you kept all statements of  
work done by you? from  
which you made and kept  
a copy before you left the  
firm?

A I took a few stems from that  
book and a few memoranda  
and left the others with the  
firm.

2 Does that book contain five  
hundred statements of work  
of stems done by you?

A I cannot say.

2 Is it quite a large book?

A Yes.

Sworn to before me

This day of July 1882

Frederick M. Hill

A. M. Patterson

Notary Public

0288

24

Henry A. Hodge Recalled

Q You were acting in the capacity of a witness?

A Yes sir

Q You paid the money?

A Yes sir

Q Then you knew that a well had been sunk there?

A I heard it talked about.

Q Tell me what you know ~~was~~ about this affair - you have heard this young man's statement?

A Yes sir

Q Now tell us what you know about this affair

A A few days after the well was driven I don't know it though I heard the defendant Mr. Miller and Mr. Frye talking the matter over and about it being put down irregularly and put down without a contract being signed and <sup>I said there was</sup> considerable trouble about it and it ought to be fixed up and made straight, after the money I didn't see it.

Didn't see it.

By the Court

Q Did you see the money in the safe?

A I knew Mr Miller said it was in the safe

Q Did the defendant tell you he had this money?

A Yes sir

Q He said he had the money?

A He said he had it in a safe and kept it in a drawer in the safe.

Miller said  
it was there

Q You knew it was there?

A I knew he said it was there.

Q And now in

display?

A Yes sir

Q Did you ever have any access to the safe?

A I could have had access to it.

Q Did you have?

A I don't know how this could come to be made against this party? - How was it discovered that they had about money being embezzled?

A I don't know anything about it. I was before me this day of 1882

Henry A. Hodges.

James H. H.



William S Andrews recalled.

By the Aunt

I Mr Andrews when was the first time you knew of this occurrence  
 The first intimation I got was when my brother said to Mr Jacobson an outside man for infringing patents (that is the funds out) had found a well. Mr Jacobson was directed to go over a list made up by Mr Miller and see if there was any such well & there was not such a well & I went to our proposition book and saw there was no sign of a well and I went to our cash book and there was none and then I went to the book and I inquired if he had left any books papers or memorandums & I looked over everything and I could find no well that was made for Willie & Hein and I went to our pay list which Mr Hodges made and I found 2 pay lists made and one was in the book the original and the other one a copy by the copy certain men were

0291

named working at Staten Island  
that was on the 15th of October. And  
we didn't know the well was made  
yet I found by the original pay  
list that the same men were put  
down as working at Rubens  
and there was nothing that I  
could get hold of there. Then  
we sent back to Miss Willie  
& Henry to ascertain something  
more about it - & they said they  
paid Mr Miller \$90 dollars. And  
my brother went down there  
and we got the bill.

Sworn to before me  
this 5 day of July 1882

Thos. D. Andrews

J. M. Patterson } Police Justice.

0292

29  
36

Henry H. Hodges asked:

Q Did you go to Mr Andrews' house  
or was your wife there when  
was there after a telephone?  
A I was on the second floor when  
after the house when Mr. Hodges  
came in.

Q When was it?

A On the 24th.

Q Were you with him?

A I didn't come with him and

I didn't know he was coming.  
Q Did you meet him at the house?  
A Yes.

Q Did he have any conversation  
with you about where he  
was going to or what he was  
going to do or any thing?

A He wanted to see Mr Andrews.  
Cross Examined

Q You didn't hear him say any  
thing about wanting to pay  
Mr Andrews this twenty dollars  
Anso.

Q While you were employed  
there did you ever open the  
safe?

A Yes. It was my duty.  
Q Always?

0293

always

Q Then you are open it from day to day?

A Yes.

Q You knew Mr Miller had a private drawer in that safe?

A Yes.

Q And the money or check in that drawer in the safe?

A Yes.

Q Do you remember any fact of Mess Miller and Fry contracting for work to amount to one thousand dollars without either of the Mess Andrews signing the contracts?

A I do not.

Q Did you tell either of the Andrews people members of the firm anything about the sinking of this well or his loaning the money?

A I did not.

Q Do you say you never communicated this fact to Mr Andrews or his brother?

A I never did.

Sworn to before me this  
5 day of July 1882

Henry A. Hodges.

J. M. Patterson

Peace Justice



Admington & Texe being duly sworn depose & say  
 They have heard the statement  
 of Frederick W. Miller made  
 about this money?

Answer:

Q I want you to state what  
 you know of it?

A The men were at Otahem Island  
 at work ~~at conveying~~ <sup>putting</sup> for water  
 and Mr Miller came up the  
 rubber bank, I don't remember  
 the date, in 1880, and he was  
 in the boat a canoe to a black  
 smith and when the men  
 saw him they said that  
 you would make out the prop-  
 erty and then the men  
 began it and he said the  
 same.

Q Did you know anything about  
 money being received?  
 for it?

A He went down in the after-  
 noon and on his return he  
 said he had furnished the well  
 at the blacksmith and a  
 few days afterwards at the

0295

and after the month the same the  
blacksmith. He paid for the  
week as at the time and the  
week I left the firm May 20  
1882. and I said I wanted to settle  
up with the firm.

Lyons knew the money was received  
and he.

Lyons were employed by the firm  
and he.

Lyons looked for the job?

A. He did not see the money.  
He was not at the time the  
contract was given. The only  
money was out the firm and  
I would collect them.

When did you leave the firm?

On a Sunday this year.

I will not tell the firm  
about this week?

A. I did not tell him.

I. If there was any proposition  
made you would know it?

A. Yes I told him to make a  
proposition.

Cross Examined

When he spoke to you first  
he said he had sold a wheel to

to a blacksmith in Staten Land?  
and you told him to make an  
apparatus?

Alexander

I and my own keeper of his having  
done so.

Did not see him more it was  
I was you met in the habit  
of receiving and collecting  
money? U

Alexander

I was in place you called  
me received a quantity  
of gold?

I did not see a quantity of  
this and I U

Could not see and

I was and in the habit of cutting  
leaves of gold and silver for  
the family?

Alexander Leape? From the  
latter book into a book of  
my own

I was not in communication of  
this work for you?

Answer

From before me

day of July 1882

J. H. Patterson

President

0297

140  
39

Harvard Editchell, being away  
would depart today.

Q where do you reside?  
A 245 West 25th St

Q what work for Mr Andrews had  
A I do

Q what is your business?  
A office clerk.

Q and you were supposed to come  
here today?

A I was

Q did you see the check?  
A I did

Q How much was it for?

A I didn't consider it of much impor-  
tance and didn't discharge my  
mind with it

Q and he told you he was going to  
this office to settle up?  
A yes

Q did you have any conversation  
with Mr Andrews about this  
matter this 90 dollars?

A I did

Q what did he say to you about  
it?

A Mr Andrews asked me what I  
told Mr Jacobson and man



0298

who looks after infringed wells  
and I told him what I told him  
and repeated the words to him  
what I saw Mr Miller do, I  
told him Mr Miller earned  
the money and said he was  
going to the house for a settle-  
ment.

Q The date please?

A It was on or about the last  
Wednesday in May.

Q Which of the Andrews was it? ~~the~~  
<sup>the</sup> ~~one~~ - million \$.

Answer

Q Did you tell Mr Jacobson that  
his well had been paid for  
A I told him that his well had been  
repaid for, - my reason for  
saying so was the mere fact  
of his going up to have a settle-  
ment. and I thought I did.

I desire to state that being now  
taken when I say it was the  
last Wednesday in May, I  
mean now it was Wednesday May  
24th. & not the the answer is  
as above stated

{ sworn to before me  
this day of June 1882 }

N. E. Mitchell

Police Justice

George Saldanhus Reared.  
 I you have heard the testimony  
 of Mr Miller that he went to your  
 house and asked for a settle-  
 ment on the 23<sup>d</sup> of May last.  
 He never asked me for a settle-  
 ment at that time or at any  
 other time but he did ask  
 me and what I found fault  
 with he came in with such  
 a strut ~~too~~ offensively. There  
 was a long list of things  
 he was making up at 83  
 Jackson Street which he had  
 said he wanted so, that he  
 was going away, and a number  
 of other things that I wanted him  
 to attend to at 414 Water Street.  
 and he said to me if you are  
 not busy I will fix up these  
 things and I said this is no  
 way to approach me with  
 such a strut and I said you  
 ought to see that I am <sup>very</sup> busy and  
 explained to him why I was very  
 busy and I said is it necessary  
 for you to fix these things this  
 minute and he said Harry is

0300

going to the island and he wants  
me to go with him and I said  
have you fixed that list at 414  
and all the other things? And I  
said to Mr Hodges when he came in  
a minute after are you going to  
the island with Fred. and he said  
he was not going that Miller wanted  
him to go but he was not going  
I did you ever have any settlement  
with him or did <sup>he</sup> you ever  
speak of any settlement?  
Anah? - never

I sworn to before me  
this 5<sup>th</sup> day of July 1882

J. M. Patterson } Geo. H. Andrews  
Police Justice



0301

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

The People

vs  
J<sup>r</sup> Miller

My dear Allen

I think there is a  
case on which the Dept  
ought to be heard before  
the Grand Jury

Very truly

Wm O'Byrne



0302

TUBE OR PIPE WELLS.

F. W. MILLER,

110 CENTRE STREET, NEW YORK.

---

WATER SUPPLIED BY A NEW AND IMPROVED METHOD,  
AT GREATLY REDUCED COST.

---

*IRON PIPE, FITTINGS AND VALVES.*

0303

To Hon. John W. Keon  
Dist. Attorney City & County of New York.

This is to certify that I, Timothy J. Allen  
of 10 E. 36<sup>th</sup> St. New York am the family  
physician of William D. Andrews of  
No. 233 Broadway, boarding at 121 East  
25<sup>th</sup> St. and am and have been attend-  
ing him daily during the past week.  
He is not in fit condition to leave  
the house, or to appear as a witness  
and probably will not be for some  
days to come.

Timothy J. Allen

0304

TO THE CHIEF CLERK!

SEND ME THE PAPERS IN THE CASE OF

PEOPLE

vs.

Miller

Herman Willie

Wagon Mank

Staffletun Staten

Island

Part 2

0305

W. D. ANDREWS.

GEO. H. ANDREWS.

Wm. D. Andrews & Bro.,  
TUBE WELL WATER AGENCY,

Centrifugal Pumps.  
Oscillating Engines.

THE TUBE OR DRIVEN WELL PATENT.

Safety Elevators.  
Hoisting Machinery.

233 Broadway, opposite General Post Office.

WATER SUPPLIED FOR CITIES, VILLAGES AND MANUFACTURING PURPOSES

BY  
SHAW'S PATENT GANG WELL SYSTEM.

P. O. Box 3407.

New York, Oct 30th 1882

Hon John McKeon

Dist. Att. Gen.  
Dear Sir

Mr. Wm D Andrews -  
I enclose a Subpoena commanding his  
attendance as a witness in the Complaint  
pending against Frederick W Miller  
before the Grand Jury of the Court of General  
Sessions to day Oct 30th. which he is  
not able, to do; having been quite ill for  
some days past; and his Physician advises  
that he cannot do so, with safety. Under  
the circumstances, will you not postpone  
the Examination? For important Patent Suits  
are pending in US Circuit Courts for Iowa  
& Minnesota, to be heard Thursday Nov 2<sup>nd</sup>,  
and one before the Supreme Court of US  
at Washington DC (which is likely to be  
heard this week) which (if it be possible)  
he must be present at, & probably absent two  
or three weeks.

Very Respectfully Yours  
Wm. D. Andrews & Geo. H. Andrews



0306

Wm. D. Andrews & Bro.

No. 763

NEW YORK

Nov 23<sup>d</sup> 1881

FIFTH NATIONAL BANK

CORNER THIRD AVENUE & 23<sup>d</sup> STREET.

Pay to the order of J. Miller Esq.  
One Hundred four <sup>07</sup>/<sub>100</sub>

DOLLARS.

\$104 <sup>07</sup>/<sub>100</sub>

Wm. D. Andrews & Bro.

Sewell, Harris & Warren, 470 Broadway, N.Y.

0307

PH  
Ex. 3

J. Miller

Certify Signature

Wm. D. Audreux & Co.



0308

Brook Haven June 22<sup>nd</sup> 1881

P. received from W. Miller  
for 24<sup>th</sup> 1881 \$25.00

Thomas Conway

Brook Haven



0309

15	Wm L Andrews & Bro.		to F. W. Miller, Jr.	
16	Est Cont			
17	1881	July 2	Fixtures for Mower.	2.50
18	July 2	Shaw's Bice Covering Points 32 @ 80¢	25.60	
19	July 4	Joyce's Bice Cartage (South St Lot)	8.75	
20	July 9	Corvise & Camerden, Expenses at Litchfield	47.96	
21	July 9	Bice Union Machine & Perforating Co. (Mass Gauge)	5.60	
22	July 9	Do Do Do	9.10	
23	July 9	Bice Union Maffey Co (Sand Trap)	3.75	
24	July 9	Packing Box	1.05	
25	July 9	Fittings	1.80	
26	July 9	Freight from Litchfield	2.88	
27			\$109.72	
28		Paid Cash July 2 <sup>d</sup>	\$11.18	
29		Check July 2 <sup>d</sup>	36.85	48.03
30				\$61.69
31		Received Payment		

F. W. Miller

Miller has files -



0310

F. N. Miller, in %  
with  
Wm. L. Andrews & Bro  
#61 59

Paid and Ent. 2<sup>d</sup> Int. 9/81

0311

# Expenses to Richfield Spgs. Elmira Ret to New York

Extra Cash  
Sept 24

Good Trip  
with men

1	Sleeper from N. Y. to Utica	1.50
2	Ticket from Richfield Furn. to Binghamton	2.46
3	Lodging & Breakfast in Binghamton	1.50
4	1 Ticket from Binghamton to Elmira	1.50
5	7 <sup>3</sup> / <sub>4</sub> day @ Hotel Elmira	2.50
6	1 Ticket from Elmira to New York	7.25
7	2. Tel. to New York 27¢ + 25¢ =	.52
8		
9	3 Tickets from New York to Elmira	21.75
10	Breakfast for 3 @ 50¢ =	1.50
11	Freight on tools	3.27
12	Cartage to Turnpase.	.50
13	1 Tel. to New York	.25
14	Board at Hotel	5.75
15	3 Tickets to New York @ 7.25 =	21.75
16	F. H. Miller's Expenses (week ending Sept. 7)	72.30
17		1.63
18		<u>\$73.93</u>
19	Received Payment	
20	F. H. Miller	
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		

0312

Oct. 15. 1881.

Wm D. Andrews &amp; Bro -

To F. W. Miller Dr.

Sept. 6 -	Barr's Bill. $1\frac{1}{4}$ in. pipe.	22.19
Oct. 4.	25 ft. $1\frac{1}{4}$ in. hose	5.00
	Freight on 1000 ft. pipe from Phil <sup>a</sup>	7.61
Oct. 12	Barr's Bill $1\frac{1}{4}$ in. pipe	22.92
Oct. 4	Barr's Bill $1\frac{1}{4}$ in. pipe	11.79
Oct. 12.	J. G. Richardson. (Brass Wire Cloth)	1.65
	Pd. Henry Beeny for Services as Notary	2.50
		<u>73.66</u>

Received Payment.

F. W. Miller



0313

Wm D. Andrews & Bro. in Yc with  
F. W. Miller

1881.				
Oct. 24	Two tickets to Atlanta Ga from N.Y. @ \$24. -	48.00		
2	Berth in sleeper	2.		
3	2 Breakfasts @ 45¢.	.90		
4	Suppers (2) @ 75¢	1.50		
5	Suppers (2) @ 35¢	.70		
6	Sleeper Richmond to Atlanta	3.50		
7	Breakfast (2) @ 50¢	1.00		
8	1 Man 2 1/3 days @ \$1.50	6.50		
9	2 Men 1 day @ 75¢	1.50		
10	Truck from Depot at Atlanta	1.00		
11	Truck from Factory	1.00		
12	Board in Atlanta (Eugene Camerdiu)	5.00		
13	2 Tickets from Atlanta to Columbus	8.80		
14	Freight on tools Do. Bill	4.20		
15	Truckman	.25		
16	2 Tickets from Columbus to Atlanta	8.80		
17	Board in Columbus (Eugene Camerdiu)	8.00		
18	2 Tickets from Atlanta to New York	48.00		
19	Freight on tools to New York	8.60		
20	2 Berths in Sleeper	2.00		
21	Telegram to W. D. A. & Bro from Atlanta	.95		
22	Do G. H. A. Do.	.95		
23	Do W. D. A & Bro Do.	2.10		
24	Do Do. Do.	1.25		
25	Do Do. from Columbus	1.20		
26	Suppers at Atlanta @ 50¢	1.00		
27	Suppers @ 50¢	1.00		
28	Breakfasts at Mithersville @ 75¢	1.50		
29	Suppers in Washington @ 50¢	1.00		
30	F. W. Miller's hotel expenses (Columbus Atlanta)	30.25		
Cr				\$202.45

Cash from G. H. A. Oct. 24/81 \$125.

Cash from G. H. A. Nov. 9. 1881. 25.

Received Payment.

F. W. Miller

\$150.00  
\$32.45



0314

Exp Cash  
Nov 23

Wm D. Andrews & Bro.

To F. M. Miller

Dr.

Balance due on trip to Atlanta &c	52.45
Shaws Bill Covering Points	13.60
Corwin & Camerdius Expenses at Peacedale R.I.	27.77
One P. S. Pump No. 5.	3.15
Brass Wire Cloth 3 ft. @ 60¢	1.80
Seuizohn for Prof. Fangees	1.00
Henry Beury. Notary	1.00
Shipping tags	.25
Extra length & shipping pump to J. H. Hazard	3.05
	<u>\$104.07</u>

Received Payment

F. M. Miller

paid & Exp. Nov 23

Check 763 on 5th Natl Bk

Nov. 23d, 1881

0315

Wm D. Andrews &amp; Bro

To F. W. Miller -

Dr.

1881

Dec. 25 Telegram to J. Haskell Butler	67
Do. Jas. E. Franklin	33
Do. J. M. Brown	57
Do. J. Haskell Butler	25
Do R. S. Lincoln	33
Do. M. S. James	96
Do from J. M. Brown	25
1 Ticket N. Y. to Springfield	3 30
1 Berth in sleeping car.	1 50
26 3/4 day Massasoit House Springfield Mass	2 75
Tel. to Wm D. Andrews & Bro.	57
1 Ticket Springfield to Boston	2 45
Supper at Revere House, Boston, Mass.	1 00
1 Ticket Boston to Springfield	2 45
27 Tel. to Stearns & Butler	67
Do Wm D. Andrews & Bro.	89
Do Wm D. Andrews & Bro.	69
Do Stearns & Butler	61
3/4 day Massasoit House, Springfield	2 75
1 Ticket Springfield to Ware	73
Carriage Ware to West Brookfield	3 00
Tel. to Wm D. Andrews & Bro	1 10
1 Ticket West Brookfield to Springfield	73
Tel. to Wm D. Andrews & Bro.	57
28 Tel. to Stearns & Butler	89
3/4 day Massasoit House, Springfield	2 75
3 Tickets Springfield to N. Brookfield	
for Marshal, Jacobson & Self. @ 73¢	2 19
Carriage N. Brookfield to Ware & return	3 00
Mileage & fee for driving 2 Subpoenas on N. W. Green	9
Supper for 2 at N. Brookfield	50
Tel. to Wm D. Andrews & Bro.	88
2 Tickets N. Brookfield to Springfield	1 46
F. C. Blood (Services watching N. W. Green)	5 00
2 Tickets Springfield to N. Y. @ \$3 <sup>30</sup>	6 60
One Berth in sleeping car.	1 00
	<u>\$62 39</u>
	over

0316

Cr.

Dec. 25

Cash.

50 00

Am't. of Bill

62 39

Balance due

12 39

Received Payment.

Frederick W. Miller

Bill  
12 39

Bill of Expenses of  
F.W. Miller

Dec 25<sup>th</sup> to Dec 28, 1881

\$ 62.39

Entered Dec 29/81



0317

The People

vs

Fredrick W. Miller

State of New York

City and County of New York

ss.

William D. Andrews being duly sworn deposes and says that he is one of the co-partners of the firm of William D. Andrews & Brothers at No 233 Broadway in the City of New York, that the business of said firm is owners and managers of the American Driven Well Patent and makers of driven wells and also dealers in hoisting machinery.

That on the 29<sup>th</sup> day of October 1880 and prior to said date, Fredrick W. Miller was a servant in the employ of said firm, at a weekly salary of \$12<sup>00</sup> per week and board, that said Miller was employed as foreman and Superintendent of men making Driven Wells.

Deponent further says that said Fredrick W. Miller did then, and whilst he was so employed as aforesaid, receive and take into his possession, <sup>from Messrs Miller & Hein</sup> a certain sum of money



0318

TUBE WATER AGENTS,

Centrifugal Pumps.  
Oscillating Engines.

235 BROADWAY,

Safety Elevators,  
Hoisting Machinery

New York, Oct 19<sup>th</sup>

1880

Mofo Mills & Heron 1, Stapleton S. I.  
15/83

To Wm. D. Andrews & Bro., DR.

To 1 Drivery Well (Domestic)  
" 1 Anti Freezing Force Pump

\$85.00

10.00

95.00

Less Discount

5.00

\$90.00

Received Payment

Wm. D. Andrews & Bro.

Wm. D. Andrews & Bro.  
Stapleton

0319

Safety Elevator  
Hoisting Machine

Defendant arraigned before  
Justice Pattison at Sanbo  
Police Court, June 20<sup>th</sup> 1882,  
and he demands an  
examination, after being  
informed of his rights, and  
thrice to procure Counsel.  
By Consent examination  
set down for 23<sup>rd</sup> inst. at  
3 P. M. and bail for  
examination fixed at \$500.  
J.M.F.

0320

*The People vs*

*vs*

*Fredrick W. Miller*

*Affiant of  
William D. Andrews*

0321

*District Court of New York,  
City & County of  
New York.*

*Henry C. Allen*



0322

Sec. 151.

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

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by *William L. Anderson*  
of No. *238 Broadway* Street, that on the *29* day of *October*  
188*9* at the City of New York, in the County of New York,

*Frederick W. Miller did knowingly  
employ and commit to his own use  
and profit the sum of Ninety dollars  
and some larger money which he collected  
and received by virtue of his employment as  
club and servant of said Complainant, said money  
being the property of Complainant and other persons*

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to  
answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring *him*  
forthwith before me, at the \_\_\_\_\_ DISTRICT POLICE COURT, in the said City, or in case of my absence  
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to  
be dealt with according to law.

Dated at the City of New York, this *20* day of *June* 188*9*

*J. M. Patterson* POLICE JUSTICE.

0323

POLICE COURT. DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Wm. A. Andrews*  
*233 1/2 Way*  
*Fred K. Miller*

Warrant-General.

Dated *June 20th* 188*9*

*Patterson* Magistrate

*Gardner* Officer.

The Defendant  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Officer.

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

This Warrant may be executed on Sunday or at  
night.

Police Justice.

REMARKS.

Time of Arrest, *8:10 A.M.*

Native of *Ch. S.*

Age, *24*

Sex \_\_\_\_\_

Complexion, \_\_\_\_\_

Color *W*

Profession, *Snake Mills*

Married *No*

Single, *Yes*

Read, *"*

Write, *Everetts Hotel*

*Chatham Street*

0324

TUBE WELLS.

W<sup>M</sup>. P. ANDREWS & BRO.,

233 BROADWAY, N. Y.

WATER SUPPLIED FOR

Cities, Villages and Manufacturing Purposes  
by Shaw's Patent Gang Well System.

PARTIES INFRINGING THE DRIVEN WELL, OR THE GANG WELL PATENTS,  
WILL BE PROSECUTED.



0325

Thurs. March 15-

Fred W. Walker

---



0326

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, ss.

District Police Court.

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

Question What is your name?

Answer.

*Frederick W Miller*

Question. How old are you?

Answer.

*24 Years*

Question. Where were you born?

Answer.

*Long Island*

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

Answer.

*Everetts Hotel Chatham Street*

Question. What is your business or profession?

Answer.

*Constructor & Sinker of Wells*

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**Frederick W. Miller*

Taken before me this

day of

188

Police Justice.

0327

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 Frederick W. Miller

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 12 188 J. J. Hannon Police Justice.

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

Dated July 12 188 J. J. Hannon 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.

0328

152  
597  
Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William Andrews  
233 Broadway  
Fred W. Miller

Bailed

No. 1 by

Residence

Joseph Edwards  
282 Adams Street,  
Brooklyn

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

188

Magistrate.

Offence,

Officer.

Clerk.

Witnesses,

No.

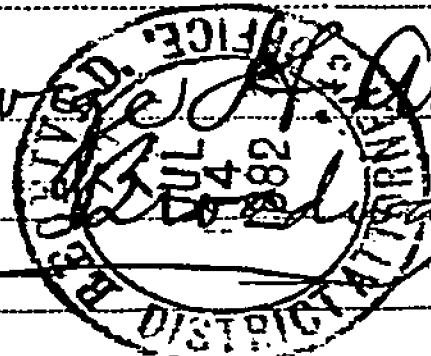
No.

No.

\$

to answer

Bailed





0329

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

The People of the State of New York,  
-against -

*Frederick W. Miller*

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

*Frederick W. Miller*  
of the Crime of EMBEZZLEMENT committed as follows:

The said *Frederick W. Miller*

late of the First Ward of the City of New York, in the County of New  
York aforesaid, not being an apprentice or person within the age of  
eighteen years, on the *twenty ninth* day of *October*  
in the year of our Lord one thousand eight hundred and eighty,  
was employed in the capacity of a *clerk and servant* to one

*William O. Andrews*  
and as such *clerk and servant* was entrusted to receive  
from a certain firm by the name and  
style of *Wille and Stein* the sum of  
*ninety* dollars in money, lawful  
money of the United States and of  
the value of *ninety* dollars, for  
and on account of the said *William O. Andrews*  
and being so employed and entrusted as aforesaid, the said *Fred-  
erick W. Miller* by virtue of such employ-  
ment, then and there did receive and take into his possession  
from the said firm of *Wille and  
Stein* the said sum of *ninety*  
dollars in money, lawful money  
of the United States and of the  
value of *ninety* dollars  
for and on account of.

*William O. Andrews*  
his said master and employer; and the said *Frederick  
W. Miller* on the day and year last aforesaid,  
with force and arms, at the Ward, City and County aforesaid, fraud-  
ulently and feloniously did take, make away with and secrete, with  
intent to convert to his own use, and did fraudulently and feloni-  
ously embezzle and convert to his own use, without the consent of  
his said master and employer, and did fraudulently and feloniously  
and without the consent of his said master and employer, withheld  
appropriate, apply and make use of the said *sum of money*



0330

of the goods, chattels, personal property and money of the said  
*William D. Andrews*  
which said goods, chattels, personal property and money had come into  
his possession and under his care, by virtue of his being such clerk  
*and servant* 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 MC KEON, District Attorney.

0331

BOX:

87

FOLDER:

949

DESCRIPTION:

Mitchell, James

DATE:

12/19/82



949

0332

171 + 0

Counsel

Filed 19 day of Dec 1882

Pleads Guilty (20)

THE PEOPLE

vs.

P

James Mitchell

BURGLARY, Grand Larceny, and  
Guilty

JOHN McKEON,

District Attorney.

A True Bill.

Swaper

Foreman.

Verdict of Guilty should specify of which count.

Part 2 Jan 10. 1883

Tried and acquitted

0333

Police Court— 2 District.City and County } ss.:  
of New York, }of No. 235 Duane Street, aged 35 years,  
occupation House Keeper being duly sworndeposes and says, that the premises No. AforesaidStreet, 15th Ward, in the City and County aforesaid, the said being a DwellingHouse  
and which was occupied by deponent as a Dwelling House in which

there was at the time human beings were BURGLARIOUSLY  
entered by means of raising the rear window  
of the second story of said room, to  
which he gained access by rear stairs  
leading from the yard to the porch  
on the night of the 14 day of December 1882

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

One trunk of the value of six dollars.  
Containing two pairs of clothes of the  
value of thirty dollars, under clothes  
of the value of ten dollars, books of the value  
of five dollars, and good and lawful  
money of the value of eighteen dollars.  
in all of the value of Sixty nine dollars.

the property of Daniel McHenry.

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

James Mitchell, now present

for the reasons following, to wit; That deponent found said  
window raised, and detected said  
defendant pulling said trunk and contents  
out of said room into the hall and up  
towards the door of the porch.  
That said defendant was in his stocking  
feet, and when detected ran down the  
rear stairs, jumped over the fence and  
escaped at the time. Catharine Brooks

Given before me  
this 15th December 1882.  
Notary Public  
in and for the City and County of New York



0334

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.*James Mitchell*

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

Question. What is your name?

Answer.

*James Mitchell*

Question. How old are you?

Answer.

*22 years.*

Question. Where were you born?

Answer.

*In New York City.*

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

Answer.

*233. Sullivan*

Question. What is your business or profession?

Answer.

*Basket 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 was in bed when the thing happened. and don't know anything about it.*

*James Mitchell*

Taken before me this

day of *December* 188*8**18*  
*20*  
*1888*  
Police Justice.

0335

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

James Mitchell  
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~~  
~~is discharged~~

Dated 15 Dec 188 2 B 10 Bury 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.

0336

Police Court <sup>1002</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Catherine Brooks*  
*235 Sullivan St.*  
*James Mitchell*

BAILED,

No. 1 by \_\_\_\_\_

Residence \_\_\_\_\_ Street,

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street,

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street,

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated *15 Dec* 188 *2*

*Quincy* Magistrate.

*Sullivan* Officer. ✓

*James Mitchell* Clerk.

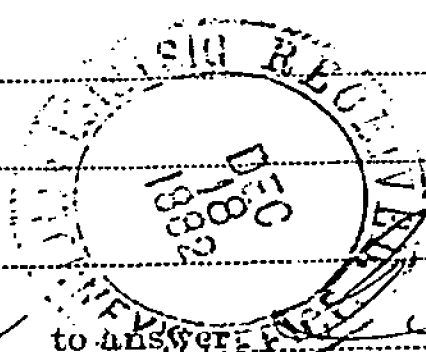
Witnesses, \_\_\_\_\_

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

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

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

\$ *Com* to answer \_\_\_\_\_





0337

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

THE PEOPLE OF THE STATE OF NEW YORK  
against

James Mitchell

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

James Mitchell

of the CRIME OF BURGLARY in the second Degree, committed as follows:

The said

James Mitchell

late of the French Ward of the City of New York, in the County of New York, aforesaid, on the fourteenth day of December in the year of our Lord one thousand eight hundred and eighty-two with force and arms, about the hour of twelve o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of

Catharine Brooks

there situate, feloniously and burglariously did break into and enter, by means of

forcibly breaking open an outer window thereof

whilst there was then and there some human being, to wit, one Catharine Brooks

within the said dwelling-house, the said

James Mitchell

then and there intending to commit some crime therein, to wit: the goods, chattels and personal property of

Daniel Wetherly

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

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

James Mitchell

of the CRIME OF GRAND LARCENY IN the first degree, committed as follows:

The said

James Mitchell

late of the Ward, City and County aforesaid, afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, about the hour of twelve

o'clock in the night time of said day, one trunk of the value of six

dollars, two coats of the value of twelve dollars each, two pairs of  
trousers of the value of five dollars each, two vests of the value of  
three dollars each, five printed books of the value of one dollar each, and  
promissory notes for the payment of money the same being then and there  
due and unsatisfied, of the kind, number and denomination to the Grand Jury  
aforesaid unknown, of the value of eighteen dollars

of the goods, chattels, and personal property of

Daniel

Wetherly in the said dwelling house of one

Catharine Brooks

then and there being found

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

JOHN McKEON, District Attorney.



0338

BOX:

87

FOLDER:

949

DESCRIPTION:

Miver, John

DATE:

12/13/82



949

0339

BOX:

87

FOLDER:

949

DESCRIPTION:

Miver, Andrew

DATE:

12/13/82



949

0340

125

(11)

Day of Trial,

Counsel,

Filed

13

day of

Dec

1882

Reads (not guilty (1/2))

THE PEOPLE

vs.

John Miner and

Andrew Miner

George Miner and

Writings  
John Willers  
Pettit Brady  
John M. Donald  
P. M. Seager  
&

Conspicuous  
& Wife

JOHN McKEON,  
P. M. Sept 26/82 District Attorney.

Not found & acquitted.

A True Bill.

Geo. H. Moore  
Foreman.  
Off. Sec.



0341

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

Police Court, 5. District.

Ellen Riley aged 53 years  
~~of No. married~~; residing at ~~West 70th~~ West 70th  
 Street, being duly sworn, deposes and  
 says, that on the 19<sup>th</sup> day of October 1882

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

house No. 10 West 70<sup>th</sup> Street, at  
 about 9.30 P. M. John  
 Meierhofer here present, did  
 violently assault and beat Hugh Riley  
 this deponents husband, that  
 said John Meierhofer, did  
 then and there strike said Hugh  
 Riley upon his head with a  
 brick, then held in his said  
 John Meierhofers hand,  
 inflicting a fracture of the  
 skull. That Andrew Meierhofer  
 (here present) was in company  
 of said John Meierhofer.

Deponent further says that  
 said Hugh Riley is now in  
 West 29<sup>th</sup> Street Hospital and unable  
 to appear in Court himself  
 Deponent therefore prays that  
 said John Meierhofer and said  
 Andrew Meierhofer may be held  
 to await the result of the injuries  
 inflicted upon said Hugh Riley  
 as afore said  
 sworn to before me Ellen Riley  
 this 20<sup>th</sup> day of October 1882  
 Mercey C. O'Sullivan  
 Police Justice



Police Court, 5 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Allen Riley

vs.

John Meierhofer  
Andrew Meierhofer

Dated

Oct 20

1887

Alton Magistrate.

James Heale Officer.

31. P.P.

Witness: Frank Ann O'Donnell

No 19 - West 7th St. near

Allen Birmingham

West 7th St. near

West 8th St. near

Each \$2500. for 2

Disposition.

See Nov 16. 1887

no 2. limited for 1 year

See Nov 27 at 2, 1887

Mr 29  
20. 11

0342

0343

Police Court—

5<sup>th</sup> District.

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

Hugh Riley; aged 54 years  
of No. a Cartman; and residing at No. 18 West 70<sup>th</sup> Street,

being duly sworn, deposes and says, that  
on or about the 19<sup>th</sup> day of October

in the year 1852 at the City of New York, in the County of New York, in front  
of deponent's said premises, at about 9. P. M.  
he was violently ASSAULTED and BEATEN as he is informed, by  
Ellen Riley (deponent's wife), and her brother  
Merckhofer; (here present) who there and there  
struck deponent upon his head with a brick  
then and there violently, throwing by said John from  
his hand at deponent's head, inflicting a serious wound  
upon deponent's head, and did so unlawfully and without  
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 the above assault, &c., and be dealt with according to law.

Sworn to before me, this

27<sup>th</sup>

day of November

1852

Hugh + Riley  
mark

Marcus Ottoburg

POLICE JUSTICE.

0344

Sec. 568.

5 District Police Court.

UNDERTAKING TO ANSWER Special Sessions.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An order having been made on the 29 day of November 1882 by  
Marcus Oberbaum a Police Justice of the City of New York, That  
Andrew Meierhoffer be held to answer upon a charge of  
Assault and Battery on Hugh Riley

upon which he has been duly admitted to bail, in the sum of five Hundred Dollars.

We, Andrew Meierhoffer Defendant of West 70th

Street Street; Occupation Ashtown driver and

John George Meierhoffer of West 70th Street;

Occupation Ashtown driver Surety, hereby undertake jointly &

that the above named Andrew Meierhoffer shall appear and answer the charge above-

mentioned, in whatever Court it may be prosecuted: and shall at all times render him self amenable to the orders

and process of the Court; and if convicted, shall appear for judgment, and render him self in execution thereof,

or if he fail to perform either of these conditions that he will pay to the People of the State of New York, the sum

of five Hundred Dollars.

Taken and acknowledged before me, this

29 day of November 1882

Marcus Oberbaum POLICE JUSTICE.



0345

CITY AND COUNTY }  
OF NEW YORK, } ss.

Sworn to before me, this  
day of *March*  
1881  
*John George Meriflor*  
Police Justice

the within named Bail and Surety being duly sworn, says, that he is a resident and  
holder within the said County and State, and is worth *Three* Hundred Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and  
liabilities, and that his property consists of *Real Estate*

*house and lot in 1530 Street between*  
*Portland and Morris Avenue said City of*  
*the value of twenty five hundred dollars*  
*free of incumbrance*

*John George Meriflor.*

New York Sessions.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Undertaking to answer.

Taken the day of 188

Justice.

Filed day of 188



0346

Sec. 568.

5 District Police Court.

UNDERTAKING TO ANSWER Special SESSIONS.

CITY AND COUNTY } ss.  
OF NEW YORK, }

An order having been made on the 29 day of November 1887 by  
Marcus Otterbaun a Police Justice of the City of New York, That  
John Meierhofer be held to answer upon a charge of  
Assault and Battery, on Hugh Riley

upon which he has been duly admitted to bail, in the sum of Five Hundred Dollars.

We, John Meierhofer Defendant of West 70<sup>th</sup> Street  
between E. and 9<sup>th</sup> Ave Street; Occupation driver of a coach, and  
John George Meierhofer of West 70<sup>th</sup> Street Street;  
Occupation Coachman driver Surety, hereby undertake  
that the above named John Meierhofer shall appear and answer the charge above-  
mentioned, in whatever Court it may be prosecuted: and shall at all times render him self amenable to the orders  
and process of the Court; and if convicted, shall appear for judgment, and render him self in execution thereof,  
or if he fail to perform either of these conditions that he will pay to the People of the State of New York, the sum  
of Five Hundred Dollars.

Taken and acknowledged before me, this

29 day of Nov, 1887

John Miver

John George Meierhofer

Marcus Otterbaun POLICE JUSTICE.

0347

CITY AND COUNTY }  
NEW YORK, } ss.

Sworn to before me, this  
day of *March* 1881  
*William C. Smith*  
Justice

*John George Meierhofer*  
the within named Bail and Surety being duly sworn, says, that he is a resident and free  
holder within the said County and State, and is worth *ten* Hundred Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and  
liabilities, and that his property consists of *house and lot in*  
*153 Street between Eastland and Morris*  
*Queens, said City of the value of*  
*Twenty five hundred dollars free of any*  
*incumbrance* *John George Meierhofer*

New York Sessions.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Undertaking to Answer.

Taken the day of 188

Justice.

Filed day of 188

5<sup>th</sup> District Police Court  
 In the matter of the Complaint of  
 Ellen Riley  
 vs  
 John Meierhofer  
 Andrew Meierhofer, ) Assault and Battery  
 on  
 Hugh Riley

City and County of New York ss.  
 At an Examination held before Justice  
 Marcer Otterbary on the 29<sup>th</sup> day of  
 November 1882, Hugh Riley being  
 duly sworn and examined in presence  
 of the said defendants said: I am about  
 54 years of age; by occupation a cartman  
 and residing at No 18 West 70<sup>th</sup> Street  
 I know the defendants here present  
 as John Meierhofer

Cross Examined for defendant

Q. You had been drinking on that evening?

A. I took two drinks that day  
 I was not drunk, I was  
 not under the influence of  
 liquor. There was nobody  
 around me when I was  
 struck besides this John  
 Meierhofer and Andrew  
 Meierhofer were present  
 across the street there



0350

was about a dozen men and boys  
I saw a brick in Andrew Meier-  
hofers' hand about one minute  
or two before I was struck —  
I cannot swear that the brick  
here shown is the brick, which  
~~was~~ with I was struck — I did  
not go to Meierhofers house  
any time ~~during~~ the period from  
about nine o'clock, in the evening  
just before I was struck —  
I did to challenge the Meier-  
hofers' to come out and fight  
with me. — I never used the  
expression "I can kill all  
damned Dutchmen", that live  
in 70<sup>th</sup> Street, — All I heard  
was one Stone Strike the car  
and the next ~~man~~ <sup>thing</sup> that was  
thrown was a brick, and that  
struck me. It is not true  
that several stones were  
thrown before I was struck  
when I saw Andrew Meierhofers  
with a brick in his hand, he  
was about five feet away  
from me, on any side of the  
street. I know some of the people



that were about there by Eye -  
 Sight but none by name -  
 I had not thrown any stones -  
 I do not remember every thing  
 that occurred on that Eve-  
 ning between myself and  
 the Meierhofers  
 Re-direct - At the time when  
 I was sitting in my cart  
 the Meierhofers, both were  
 on my side of the street,  
 about five feet distant  
 from me; my wife was then  
 standing near me; she handed  
 me a pipe of tobacco and  
 a match, I took the pipe  
 and lit the match, then  
 one stone was thrown which  
 I avoided, ~~by~~ dodged  
 but the second thing thrown  
 right afterward, was a brick  
 and struck me on the head  
 and knocked me senseless -  
 Re-Chop - I did not see <sup>the</sup> what  
 hit me -  
 Re-direct by the Court: This brick  
 here shown was lying under  
 my head, as I am informed  
 by my wife - Hugh <sup>his</sup> ~~mark~~ <sup>Relay</sup>

known to before me

William O. Adams

Justice Justice

0352

City and County of New York  
 Ellen Riley being duly sworn  
 and examined says my age  
 is 42 years, I am married  
 Hugh Riley the complainant  
 here present is my husband  
 I was present when my hus-  
 band was struck, I did not  
 see my husband struck, I  
 saw the brick in Andrew  
 Meierhofer's hand and heard  
 John Meierhofer say: "give  
 me the brick, I am not  
 afraid to knock or skull  
 the son of a bitch" - and about  
 three minutes afterwards my hus-  
 band was struck, I saw him fall -  
 I did not see what struck him,  
 but I saw the brick near his  
 head and blood and hair on the  
 brick; I brought afterward the  
 brick to the Station house; and  
 showed it to the Captain, the brick  
 here shown is the brick, I refer to -  
 Corp R.

It was about ten minutes after  
 nine in the evening when this occurred,  
 there are no lamps in the street -

It was not too dark, there  
 was light from the sky -  
 there was nobody with my husband  
 then, besides myself. - There were  
 people across the street more  
 than two; <sup>about a dozen</sup> there was a whole  
 gang hollering at my  
 husband; - Throwing and calling  
 him "son of a bitch" and other  
 names; I did not hear  
 any threatening to strike him.  
 I did not see any stones thrown  
 before my husband was struck.  
 I do not know whether any  
 one of the Meierhofers just  
 before my husband was  
 struck had been to a police  
 man to have my husband  
 arrested; - I did not see  
 my husband drunk on  
 that evening; I do not  
 know "he was sober" -  
 my husband on one side and  
 four or five people on the other  
 side of the street were throwing  
 at each other, calling names.  
 I did not see stones thrown.  
 I was in and out of the house



during the time when my husband and the other people were shouting at each other, which was about for the time of my leave; - I was with my husband outside, about five minutes before he was struck; - I saw no other brick or stone around where my husband fell, except the brick here shown - By the Court.

This brick here shown was the only thing thrown during the time I was standing near my husband - I did not see or hear a stone strike the cart immediately previous to when my husband was struck; I did not see him dodge to avoid being struck by a stone, before he was struck by the brick - - I handed my husband a rope, and a match and he had just been throwing away the match when he was struck; he fell on the ground after he had been struck; I found that brick, with blood and hair on it



0355

near my husband's head on  
the ground:-

her  
Ellen. x Riley  
mark.

known to before me this 29<sup>th</sup> day of Nov. 1882

Marcus Otterbein

Police Justice

City and County of New York

Patrick Brady aged about 22 years.  
being duly sworn and examined  
for the ~~people~~ people, says: I  
know Hugh Riley here present;  
I also know Andrew and John  
Meierhofer here present -  
I saw Mr Riley being struck  
by a brick, the brick was  
thrown by John Meierhofer  
I did not see the brick  
in Andrew Meierhofers hand  
but I heard John Meierhofer  
say: "give me the brick;" and  
then I saw John throw it, and  
saw the brick strike Riley's head,  
and then Riley fell - The brick  
here shown <sup>is the brick</sup> I then saw there with  
blood and hair upon it -  
~~Copied~~. The blood was on the brick  
on that spot (pointing to a place on the

7

brick)

Cross Examined: When I saw John Meierhofer throw the brick, I was standing on Meierhofer's side on the side across from Riley's side. A young boy by the name of Thomas Delmon was with me, on the same side about 30 feet distant from me there was a crowd in front of Meierhofer's house and directly opposite where Riley was.

This was at night; when John Meierhofer threw the brick he was about in the middle of the street. I know John Meierhofer well... I have talked with nobody except with my boys about the matter. There are no lamps in the street it was not extra dark, the nearest lamp post is at Filadelfia - about 200 feet away from where this occurred - I live <sup>two</sup> ~~three~~ <sup>lots</sup> ~~houses~~ from Meierhofer's ~~house~~ <sup>lot</sup> -

I was about three feet to the East of my house ~~there~~. I was about half an hour or three quarters

standing there before Riley was  
 struck; I heard something  
 strike the cart upon which  
 Riley was sitting, about five  
 minutes before he fell -  
 John Meierhofer was dressed  
 in his working clothes - I don't  
 think he had a hat on. I  
 would not swear to it - nor  
 that he was barefooted or  
 that he had shoes on that  
 evening - nor that he had  
 a coat on - I never had any  
 trouble with the Meierhofers  
 I live in that place eight  
 or nine months. - Before  
 any of the crowd I knew by  
 eyesight, the others except  
 the Meierhofers I did not  
 know. By the Court I saw Mrs  
 Riley standing about three  
 or four feet from her husband  
 she was there when I heard the  
 sound of something striking  
 the cart upon which Riley was  
 sitting - I was about fifty feet  
 distant from Riley - I was about  
 fifty feet away from the Meierhofers



when I heard John Meierhofer  
 say "give me the brick" —  
 then I saw Andrew hand him  
 the brick. — I heard Riley say  
 to his wife "give me a match."  
 I saw Riley light his pipe  
 and just <sup>while</sup> after he ~~had~~ was  
 lighting his pipe he was struck.  
 The light of the match was dying  
 away, when he was struck; I was  
 then looking at both Riley  
 and Meierhofer.  
Re Cross - I was ~~at~~ looking at  
 Riley just when he was struck.  
 I was first looking at Meier-  
 hofen and saw a motion of  
 his hand, and then looked at  
 Riley and saw him fall —  
 I saw the motion of the brick  
 going by — I know when  
 Meierhofer's voice — I did  
 not mean to say "I saw the brick  
 passing from Andrew's hand to John's  
 hand — When I saw Andrew hand  
 something to John, I was standing  
 as already stated and had not  
 changed my place — I have not  
 talked to Mr Riley about this case



For the people.

After I had seen John Meierhofer throw the brick I saw John run into the house Andrew Meierhofer and George Meierhofer ran with him into the house, and ~~also~~ a boy whose I do not know was with them also -

Re. Recomp. - They ran into the house, not into the Alley -  
Patrick <sup>the</sup> Brady

sworn to before me this 29<sup>th</sup> day  
of November 1882

(Mervin ~~Old~~ <sup>Police Justice</sup> ~~Baer~~ <sup>Justice</sup>)

City and County of New York ss  
Thomas Devine being duly sworn  
says my age is going on 16 years  
I drive a horse and cart for  
John Brady - I reside at West 70  
Street between 8<sup>th</sup> and 9<sup>th</sup> Avenue  
I know Patrick Brady, I was with  
company on the evening at about  
on the 19<sup>th</sup> of October 1882, in West 70  
Street between 8<sup>th</sup> and 9<sup>th</sup> Avenue -  
I saw Hugh Riley the accomplices

there, sitting on his cart, I saw  
 Andrew and John Meierhofer  
 there, I heard them hollering  
 over to Mr Riley; he was no  
 good; - I heard Riley ask for  
 a match, I saw Riley light  
 the match, then he was throwing  
 away the match, turned his  
 head, got struck and fell -  
 I did not hear John Meierhofer  
 say anything; I saw heard John  
 Meierhofer say "give me the brick  
 the son of a bitch is no good;" then  
 he threw the brick, and Riley fell  
 and they all ran away.  
 Crap he for defendant  
 I have not talked with Patrick  
 Brady about this matter,  
 I have not talked with anybody  
 I have not spoken to a soul about  
 it - I received a paper calling  
 me here as a witness; I received  
 the paper last Friday night. I was  
 about a foot or two from Brady  
 when this occurred, Brady was  
 nearer to the crowd - When the  
 brick was thrown I had been  
 standing there about twenty minutes

during all that time Riley was sitting on his Cart; I did not hear him say anything; not a word - Two stones or bricks were thrown while I was there; I did not see Riley thrown away; There were a crowd at Meierhofers gate then, about a dozen boys and young men; -

Q. Were there any females?

A. I do not know what a female is - there were no women there -

I saw Andrew Meierhofer hand a brick to John Meierhofer - I have seen the brick that was shown here; ~~as~~ it was the brick which Andrew Meierhofer handed to John Meierhofer and it is the brick that struck Riley. I could see the brick very well, I can't tell <sup>in</sup> which hand Andrew held the brick as he handed it to John; - John threw the brick with his right hand; This was at night; it was not so dark, I and Brady were standing about 30 or 40 feet away from John Meierhofer, I guess, I did not measure

it



There were three houses between Meierhofers house and the place I was standing; I saw Mrs Riley, she was near her own house, I cant say how near she was to Riley, she had been standing there a couple of seconds when the brick was there; She came out with a match, gave it to Riley he lighted the match, she said to John Meierhofer; "look out you will kill the man with that" then Riley threw the match away — and John Meierhofer threw the brick; I was about forty or fifty feet away from Riley when Mrs Riley leaned down a match, I did not see the match in Mrs Rileys hand nor do I know that there was a match, nobody told me that there was a match given to Riley by Mrs Riley — I know she had a match because I heard Riley say to her to go and get a match — he called to her, she was inside — before that, she had not been outside



When John threw the brick he was standing in the middle of the street. The first brick was also thrown by John Meierhofer, as soon as he had thrown the first, he asked Andrew for the brick and threw it; Mrs Riley was not there when the first was thrown it hit the cart; when —  
 I do not know whether the first stone or brick was thrown while she was in the house or out.

Recross. I did not talk to Brady about this case since the day before yesterday —

Thomas Dinnon

Examined before me this 29  
 day of November 1882

McCormick & Co. v. Boeing  
 Police Justice

City and County of New York  
 James Heele an officer of 31 Precinct  
 Police being duly sworn and examined  
 in presence of defendant says  
 for defendant says — I remember  
 the witness that Mr Riley was last

0364

I did not see him until I picked him up at about half past nine O'Clock in the Evening; I saw John Meierhofer and his mother at about half past Eight O'Clock P.M.. They came to me with the request to arrest Riley - .. this was ~~made~~ while I was on post on Eighth Avenue near corner of 70<sup>th</sup> Street; - I did not make an arrest; it was off my post; and I did not see an offence committed. I did make no arrest on that Evening, except John, Andrew and George Meierhofer ~~known before me~~ ~~that~~ Mrs Riley 29<sup>th</sup> day of November 1902 had come toward me following "murder". I went toward her and she informed me "that her husband had been killed, when I came to the place pointed out to me I found Riley lying on the sidewalk with his face downward and was told by Mrs Riley, that the Meierhofers had assaulted him. I then with the assistance of another took Riley to his home; afterwards he was conveyed to 99<sup>th</sup> Street Hospital - By direction of the Surgeon I arrested afterwards

Andrew, John and George Meierhofer  
in their own house George was  
discharged in the Nation house  
James Steele

Sworn to before me this 29<sup>th</sup>  
day of November 1882

Wm Greenleaf Sawyer  
Police Justice

City and County of New York

Martin Alt, aged 17 years, a driver  
of an ash cart, residing in 70<sup>th</sup> Street  
between 8<sup>th</sup> and 9<sup>th</sup> Avenues, being  
duly sworn and examined for the  
defendant says -- I remember  
the night when Mr Riley was  
struck in the head, I was not  
present when it happened --  
I was in 70<sup>th</sup> Street, opposite Riley's  
house, in front of Meierhofers house  
at about ten minutes after 9 P.M.  
I saw a Stone thrown, it came  
from Mr Rileys side, and struck  
the fence on the lot of Meierhofers  
neighbor, Riley was then in front  
of his house, across the Street  
I did not see Riley throw, it  
was too dark to see, the Stone  
came from Rileys side, before the



stone was thrown I heard Riley  
 say; "I could scatter the dutch  
 sons of bitches, like chickens,"  
 I saw Riley came out from his  
 house, he lit a match and lit  
 his pipe; then he lit another  
 match and went around the  
 cart standing there; this was  
 before he made the remarks,  
~~so~~ he went into the house, and  
~~came~~ came out again having in  
 his hand a long stick,  
 I don't know what it was -  
 I saw him pick up some thing  
 then I heard him make the  
 remarks; that he could scatter  
 the dutch. I ~~went~~ <sup>had gone</sup> away ~~then~~  
~~with another boy~~ and after two minutes came  
 back to the same place, and  
 then it was that Mr Riley  
 came out of his house with  
 a long stick in his hand. Then  
 I went away and that is all  
 I saw. I was not there when  
 Riley was struck - When I was  
 standing in front of Meerschop's house  
 there was a crowd there - The stone  
 I spoke of was thrown at about



0367

ten minutes past nine P.M.  
v. Martin Oll  
Sworn to before me this 29<sup>th</sup>  
day of November 1882  
Meredith C. C. C. C.  
Police Justice

0368

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

5 DISTRICT POLICE COURT.

*John Meierhofer* 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 Meierhofer*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Astoria, New York*

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

Answer. *West 70<sup>th</sup> Street between 8<sup>th</sup> and 9<sup>th</sup> Avenue about seven years*

Question. What is your business or profession?

Answer. *driving an ash Cart*

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

Answer *I am not guilty I did not throw anything at Mr. Riley nor did I strike him I want further examination, and ask for a trial at the Court of Special Sessions for the City and County of New York*

*John Meierhofer*

Taken before me, this *29*

day of *November* 188*7*

*Mercutio* Police Justice

0369

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

DISTRICT POLICE COURT.

*Andrew Meierhofer* 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. *Andrew Meierhofer*

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. *West 70 Street between 8th and 9th Avenue about seven years*

Question. What is your business or profession?

Answer. *driving an ash wagon*

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*  
*I have not handed a brick to*  
*my brother John, as testified, I want*  
*further examination, and ask for a trial*  
*at the Court of Special Sessions for the City*  
*and County of New York*

Taken before me, this *29*  
day of *November* 188*2*

*Stanko W. Werv*

*Merem Pitts*  
Police Justice



0370

Sec. 192.

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

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.  
OF NEW YORK, }

An information having been laid before Marcus Sturberg a Police Justice  
of the City of New York, charging John Meurhofer Defendant with  
the offence of Reckless Driving

and he having been brought before said Justice for an examination of said charge, and it having been made to  
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-  
ing thereof having been adjourned,

We, John Meurhofer Defendant of No. \_\_\_\_\_  
70<sup>th</sup> St. 8<sup>th</sup> Ave. N.Y.C. Street; by occupation a Driver  
and John George Meurhofer of No. 70<sup>th</sup> St. 8<sup>th</sup> Ave. N.Y.C.  
Street, by occupation a Driver Surety, hereby jointly and severally undertake that  
the above named John Meurhofer Defendant  
shall personally appear before the said Justice at the 5<sup>th</sup> District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Twenty-five  
Hundred Dollars.

Taken and acknowledged before me, this 11  
day of November 1882

John Meurhofer  
John George Meurhofer  
John Meurhofer POLICE JUSTICE.



0371

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Thos. J. Adams*  
Police Justice.

day of *November* 188*2*

Sworn to before me, this *11*

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth *Five* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *House and lot situated on*

*north side of 158<sup>th</sup> St. between Conittland & Morris Aves*  
*in New York City worth the sum of Five thousand*  
*dollars, free of incumbrance.*

*John George Meishofer*  
*Before me by Meishofer.*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

ss.

Undertaking to appear  
during the Examination.

Taken the *11* day of *November* 188*2*

Justice.

0372

Sec. 192.

5 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY  
OF NEW YORK, } ss.

An information having been laid before Marcus Otterbourg a Police Justice  
of the City of New York, charging Andrew Meierhofer Defendant with  
the offence of Assault and Battery (on  
Henry Riley)

and he having been brought before said Justice for an examination of said charge, and it having been made to  
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-  
ing thereof having been adjourned,

We, Andrew Meierhofer Defendant of No. North Side  
of West 74<sup>th</sup> Street between 8<sup>th</sup> and 9<sup>th</sup> Avenues by occupation and 9<sup>th</sup> Avenue Laborer  
and Friedrich Welly of No. North Side West 70<sup>th</sup> Street between  
8<sup>th</sup> and 9<sup>th</sup> Avenues Surety, hereby jointly and severally undertake that  
the above named Andrew Meierhofer Defendant  
shall personally appear before the said Justice at the 5 District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Twenty five  
Hundred Dollars.

Taken and acknowledged before me, this 5

day of November

1882

Marcus Otterbourg  
POLICE JUSTICE.

John Kowwiver  
Friedrich Welly



0373

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Edward R. [Signature]*  
Police Justice

Sworn to before me, this

1881

*Friedrich Wally*

the within named Bail and Surety being duly sworn, says, that he is a resident and free holder within the said County and State, and is worth *Three Thousand* Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of

*House and lot on Northside of 156<sup>th</sup> Street between Cullman and Elton Avenue, said City, of the value of four Thousand dollars, free of any incumbrance*

*Friedrich Wally*

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs,

Undertaking to appear during the Examination.

Taken the \_\_\_\_\_ day of \_\_\_\_\_ 188

Justice.



0374

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 Meierhofer

and Andrew Meierhofer  
guilty thereof, I order that Each they be held to answer the same and they 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 the  
Respectively give such bail.

Dated November 29 1882 Marcus Otterbourg Police Justice.

I have admitted the above named John Meierhofer, and Andrew Meierhofer  
to bail to answer by the undertaking hereto annexed.

Dated November 29 1882 Marcus Otterbourg 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.

0375

5967  
Police Court

28  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Ellen Riley

18 West 70 St

John Meierhofer

Andrew Meierhofer

Date: October 19 1882

Ottobarny

Magistrate.

James Healy

Officer.

Mrs. Birmingham

Clerk.

Witnesses, Ralph Brady  
Nugl Riley 8 W 70 St  
No West 70 St  
Thomas D. [unclear]

No West 70 St

James Healy

No. 21 [unclear] Street,

Martin A. [unclear]  
to answer  
\$500 each to answer

G. P. Peter McTigue

South [unclear] Chas. McDonald  
No Ferguson 99 St Hospital 70

BAILED,

No. 1, by John G. Meierhofer  
Residence 70 St West 8 & 9 Ave Street,

No. 2, by John G. Meierhofer  
Residence 70 St West 8 & 9 Ave Street,

No. 3, by [unclear]  
Residence [unclear] Street,

No. 4, by [unclear]  
Residence [unclear] Street.

Office, [unclear] and  
Gallery on High St  
Transcript of [unclear] [unclear] [unclear]  
The Complaint was [unclear] a

0376

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 Oliver  
Andrew Oliver

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

John Oliver and Andrew Oliver

of the CRIME OF Assault and Battery upon another by such means and force as were likely to produce death, with intent to kill committed as follows:

The said

John Oliver and  
Andrew Oliver

late of the City and County of New York, on the ~~middle~~ day of October  
in the year of our Lord one thousand eight hundred and eighty- ~~two~~ , at  
the City and County aforesaid, with force and arms

in and upon the

body of one Hugh Riley in the peace of the People  
of the said State then and there feloniously  
made an assault, and the said John Oliver and  
Andrew Oliver, a certain brick which the  
said John Oliver and Andrew Oliver in their right  
hands then and there had and held, to, at, against  
and upon the said Hugh Riley, feloniously did  
cast and throw; and the said John Oliver and  
Andrew Oliver, with the said Hugh Riley, with  
the brick aforesaid, so cast and thrown as aforesaid,  
in and upon the head of him the said Hugh Riley  
then and there feloniously did beat, strike, bruise  
and wound, the same being such means and  
force as were likely to produce the death of him  
the said Hugh Riley, with intent him the said  
Hugh Riley then and there feloniously 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.

John McLeod  
District Attorney