

00 16

BOX:

19

FOLDER:

239

DESCRIPTION:

Bach, Henry

DATE:

09/30/80



239

0017

W. C. W.

Counsel

Filed *20* day of *Sept* 18*88*

Pleas

THE PEOPLE

'08

Henry Brock
(True)

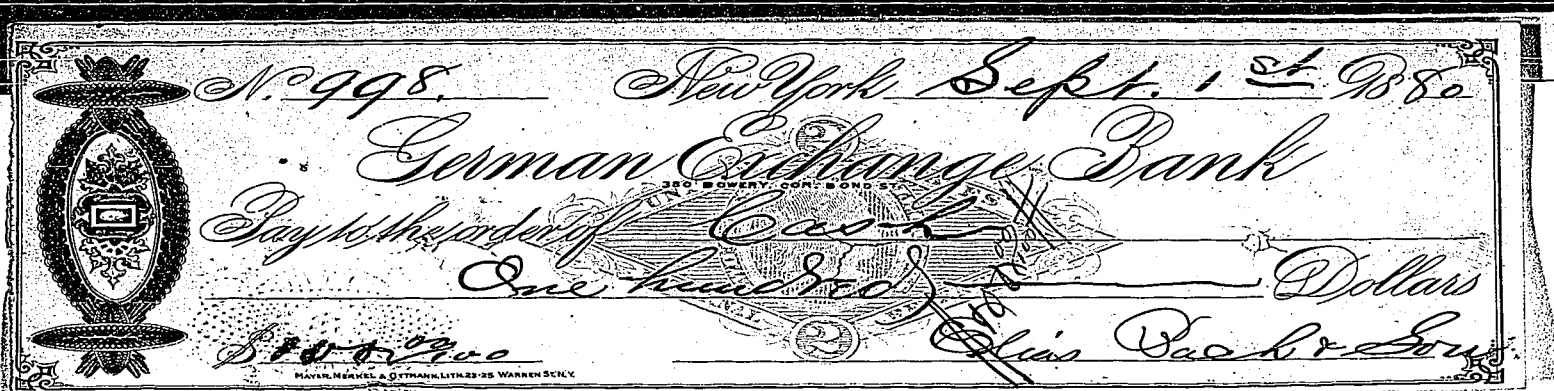
BENJ. K. PHELPS,

District Attorney.

A True Bill.

Charles L. Phelps
Foreman

00 18



00 19

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Eliury Bach

late of the First Ward of the City of New York, in the County of New York, afore-
said on the *first* day of *September* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *eighty* with force and arms, at the Ward,
City, and County aforesaid, feloniously did *falsely* make, forge, and counterfeit, and
cause and procure to be falsely made, forged and counterfeited, and willingly act and
assist in the false making, forging and counterfeiting a certain instrument and writing
to wit: an order for the payment of money of the
kind, commonly called a bank check
which said false, forged and counterfeited *bank check*
is as follows, that is to say:

No. 998. New York Sept 1st 1880
German Exchange Bank
330 Bowery. cor. Bond St.
Pay to the order of Cash
One hundred Dollars
\$100⁰⁰/₁₀₀ *Elias Bach & Son*

with intent to injure and defraud

Elias Bach

and divers other persons; to the jurors aforesaid unknown
against the form of the statute in such case made and provided, and against the peace
of the People of the State of New York and their dignity

0020

And the Jurors aforesaid, upon their Oath aforesaid, do further present :

THAT the said

Henry Back

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously and falsely did utter and publish as true, with intent to injure and defraud the said

Elias Back

and divers other persons, to the jurors aforesaid unknown, a certain false, forged, and counterfeited instrument and writing. *to wit. an order for the payment of money of the kind commonly called a bank check*

which said last-mentioned false, forged and counterfeited

bank check

is as follows, that is to say :

No. 998. New York Sept. 1st 1880

German Exchange Bank

Pay to the order of Cash

One hundred

Dollars

\$ 100 ⁰⁰/₁₀₀

Elias Back (Sbn)

the said

Henry Back

at the same time *he* so uttered and published the last-mentioned false, forged, and counterfeited

bank check

as aforesaid, then and there well knowing the same to be false, forged and counterfeited, 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.

BENJ. K. PHELPS, District Attorney.

0021

BOX:

19

FOLDER:

239

DESCRIPTION:

Bach, Henry

DATE:

09/30/80



239

0022

181
Counsel,
Filed *30* day of *Sept* 1880
Pleads

THE PEOPLE
vs.
Henry Bach
Case

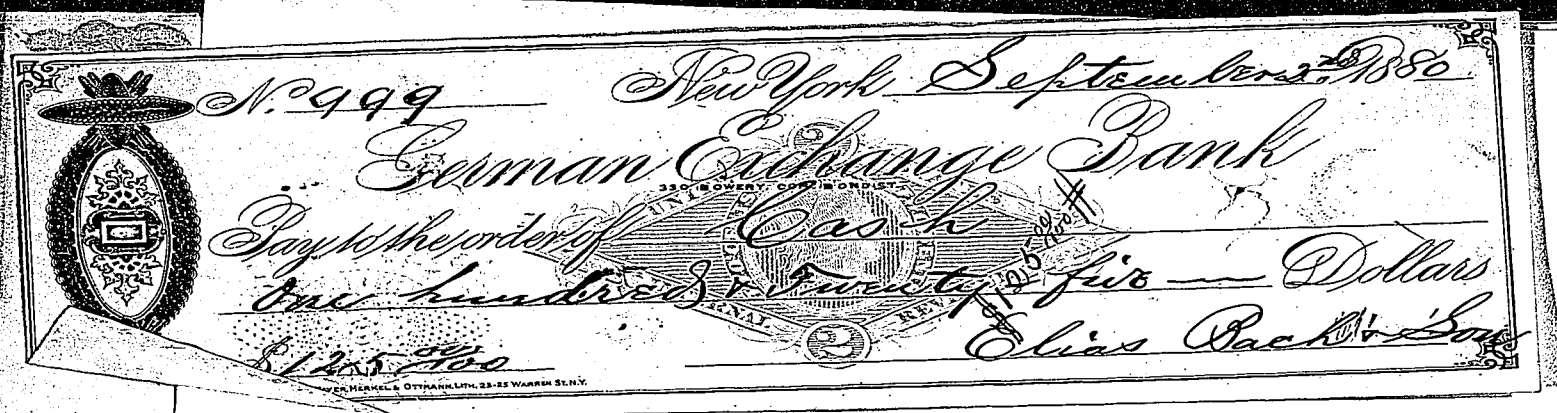
INDICTMENT.
FORGERY in the Third Degree

BENJ. K. PHELPS,
District Attorney.

A True Bill.

Abraham Kent
Foreman.

0023



0024

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Henry Bach

late of the First Ward of the City of New York, in the County of New York, afore-
said on the *second* day of *September* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *eighty* with force and arms, at the Ward,
City, and County aforesaid, feloniously did *falsely* make, forge, and counterfeit, and
cause and procure to be falsely made, forged and counterfeited, and willingly act and
assist in the false making, forging and counterfeiting a certain instrument and writing

*to wit: an order for the payment of money of the
kind commonly called a bank check*

which said false, forged and counterfeited
is as follows, that is to say:

bank check

No. 999

New York September 2nd 18.

*German Exchange Bank
330 Bowery cor Bond St.*

Pay to the order of Cash

One hundred & Twenty-five in Dollars

\$125 ⁰⁰/₁₀₀

Chas Bach & Son

with intent to injure and defraud

Chas Bach

and divers other persons; to the jurors aforesaid unknown
against the form of the statute in such case made and provided, and against the peace
of the People of the State of New York and their dignity

And the Jurors aforesaid, upon their Oath aforesaid, do further present :

THAT the said

Mary Back

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously and falsely did utter and publish as true, with intent to injure and defraud the said

Elias Back

and divers other persons, to the jurors aforesaid, unknown, a certain false, forged, and counterfeited instrument and writing. *to wit: an order for the payment of money of the kind commonly called a bank check*

which said last-mentioned false, forged and counterfeited *bank check* is as follows, that is to say :

To . 999 New York September 2nd 1889.
German Exchange Bank
330 Bowery. cor Bond St.
Pay to the order of Cash
One hundred & twenty-five --- Dollars
\$ 125⁰⁰/₁₀₀ Elias Back & Son

the said

Mary Back

at the same time *he* so uttered and published the last-mentioned false, forged, and counterfeited *bank check*

as aforesaid, then and there well knowing the same to be false, forged and counterfeited, 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.

BENJ. K. PHELPS, District Attorney.

0026

BOX:

19

FOLDER:

239

DESCRIPTION:

Bach, Henry

DATE:

09/30/80



239

N. 998. New York Sept. 1st 1886
German Exchange Bank
Pay to the order of Cash
One hundred Dollars
\$100.00
Alfred Tacke Son

New York Sept. 1st 1880

German Exchange Bank

Pay to the order of

One hundred

Polk

St. Louis

Olías Pacheco & Sons

HANCOCK HARBOR, OCEANARY LANE, 73-26 MANHATTAN, N.Y.

0028

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Henry Back

late of the First Ward of the City of New York, in the County of New York, afore-
said on the *first* day of *September* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *eighty*, with force and arms, at the Ward,
City, and County aforesaid, feloniously did falsely make, forge, and counterfeit, and
cause and procure to be falsely made, forged and counterfeited, and willingly act and
assist in the false making, forging and counterfeiting a certain instrument and writing
to wit: an order for the payment of money of the kind
commonly called a bank check

which said false, forged and counterfeited *bank check*
is as follows, that is to say:

To. 998. New York Sept 1st 1880

German Exchange Bank
330 Bowery cor. Bond St.

Pay to the order of Cash

One hundred *dollars*

\$100⁰⁰/₁₀₀

Elias Back for

with intent to injure and defraud

Elias Back

and divers other persons; to the jurors aforesaid unknown
against the form of the statute in such case made and provided, and against the peace
of the People of the State of New York and their dignity.

And the Jurors aforesaid, upon their Oath aforesaid, do further present :

THAT the said

Henry Bach

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously and falsely did utter and publish as true, with intent to injure and defraud the said

Elias Bach

and divers other persons, to the jurors aforesaid unknown, a certain false, forged, and counterfeited instrument and writing. to wit: an order for the payment of money of the kind commonly called a bank check

which said last-mentioned false, forged and counterfeited is as follows, that is to say :

bank check

No. 998.

New York Sept. 1st 1880

German Exchange Bank
330 Bowery cor. Bond St.

Pay to the order of Cash

One hundred

Dollars

\$ 100⁰⁰/₁₀₀

Elias Bach & Son

the said

Henry Bach

at the same time *he* so uttered and published the last-mentioned false, forged, and counterfeited *bank check*

as aforesaid, then and there well knowing the same to be false, forged and counterfeited, 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.

BENJ. K. PHELPS, District Attorney.

0030

BOX:

19

FOLDER:

239

DESCRIPTION:

Bach, Henry

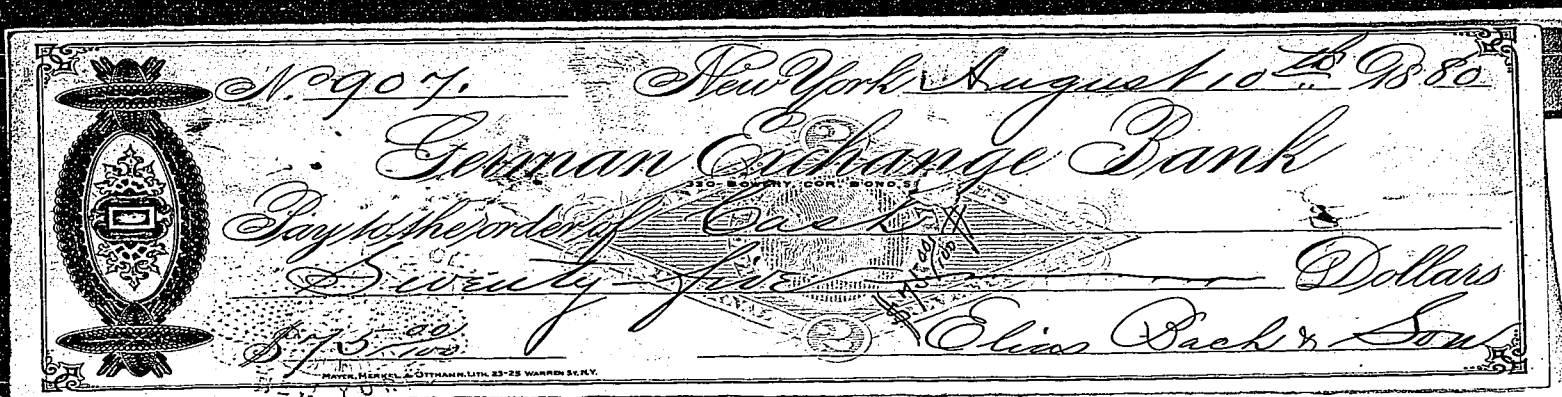
DATE:

09/30/80



239

0031



0032

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Henry Back

late of the First Ward of the City of New York, in the County of New York, afore-
said on the *tenth* day of *August* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *eighty* with force and arms, at the Ward,
City, and County aforesaid, feloniously did falsely make, forge, and counterfeit, and
cause and procure to be falsely made, forged and counterfeited, and willingly act and
assist in the false making, forging and counterfeiting a certain instrument and writing

to wit: an order for the payment of money of the
kind commonly called a bank check

which said false, forged and counterfeited *bank check*
is as follows, that is to say:

No. 907 -

New York, August 10th 1880

German Exchange Bank
330 Bowery, cor. Bond St.

Pay to the order of cash

Seventy - five

Dollars

\$ 75⁰⁰/₁₀₀

Elias Back & Son

with intent to injure and defraud

Elias Back

and divers other persons; to the jurors aforesaid unknown
against the form of the statute in such case made and provided, and against the peace
of the People of the State of New York and their dignity.

And the Jurors aforesaid, upon their Oath aforesaid, do further present:

THAT the said

Henry Bach

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously and falsely did utter and publish as true, with intent to injure and defraud the said

Elias Bach

and divers other persons, to the jurors aforesaid unknown, a certain false, forged, and counterfeited instrument and writing. to wit: an order for the payment of money of the kind commonly called a bank check.

which said last-mentioned false, forged and counterfeited bank check is as follows, that is to say:

No. 907 New York August 10th 1880

German Exchange Bank
330 Bowery cor. Bond St.

Pay to the order of Cash

Twenty-five

\$15⁰⁰/₁₀₀

Dollars

Elias Bach & Son

the said

Henry Bach

at the same time *he* so uttered and published the last-mentioned false, forged, and counterfeited bank check

as aforesaid, then and there well knowing the same to be false, forged and counterfeited, 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.

BENJ. K. PHELPS, District Attorney.

0034

BOX:

19

FOLDER:

239

DESCRIPTION:

Bach, Henry

DATE:

09/30/80



239

0035

104
Counsel,
Filed 30 day of Sept 1880
Pleads

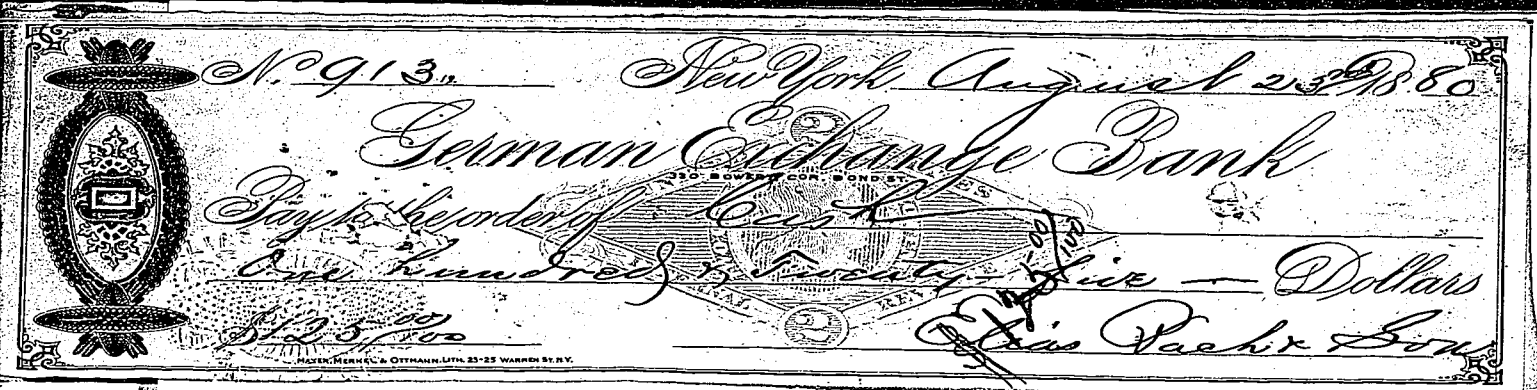
THE PEOPLE
vs.
Henry Bach
(5 cases)
INDICTMENT.
FORGERY in the Third Degree

BENJ. K. PHELPS,
District Attorney.

A True Bill.

Abraham Cook
Foreman.

0036



0037

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Henry Bach

late of the First Ward of the City of New York, in the County of New York, afore-
said on the *twenty-third* day of *August* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *eighty*, with force and arms, at the Ward,
City, and County aforesaid, feloniously did falsely make, forge, and counterfeit, and
cause and procure to be falsely made, forged and counterfeited, and willingly act and
assist in the false making, forging and counterfeiting a certain instrument and writing
to wit: an order for the payment of money of the kind
commonly called a bank check

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

No. 913. New York August 23rd 1880

German Exchange Bank
330 Bowery cor. Bond St.

Pay to the order of Cash
One hundred & twenty-five — Dollars
\$125.⁰⁰/₁₀₀

Elias Bach & Son

with intent to injure and defraud

Elias Bach

and divers other persons; to the jurors aforesaid unknown
against the form of the statute in such case made and provided, and against the peace
of the People of the State of New York and their dignity

0038

And the Jurors aforesaid, upon their Oath aforesaid, do further present :

THAT the said

Henry Bach

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously and falsely did utter and publish as true, with intent to injure and defraud the said

Elias Bach

and divers other persons, to the jurors aforesaid unknown, a certain false, forged, and counterfeited instrument and writing. to wit : an order for the payment of money of the kind commonly called a bank check

which said last-mentioned false, forged and counterfeited bank check is as follows, that is to say :

cto. 913

New York August 23rd 1880

German Exchange Bank
330 Bowery cor. Bond St.

Pay to the order of Cash

One hundred & Twenty-five Dollars

\$125⁰⁰/₁₀₀

Elias Bach & Son

the said

Henry Bach

at the same time also uttered and published the last-mentioned false, forged, and counterfeited

bank check

as aforesaid, then and there well knowing the same to be false, forged and counterfeited; 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.

BENJ. K. PHELPS, District Attorney.

0039

BOX:

19

FOLDER:

239

DESCRIPTION:

Baker, Louis

DATE:

09/07/80



239

0040

Counsel,
Filed *7* day of *Sept* 188*0*
Pleads

Larceny, and Receiving Stolen Goods.

THE PEOPLE

vs.

I.
James Baker,

BENJ. K. PHELPS,

District Attorney.
Part No: Sept 7. 1880
pleads & L

A True Bill. *SP one year.*

W. H. L. Galt

Foreman.

0041

FORM 112.

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

Police Court—Third District.

of No. 236 East 24th Street, being duly sworn, deposes
and says that on the 16 day of August 1880
at the City of New York, in the County of New York, about 1 o'clock, was feloniously taken, stolen, and carried
away from the possession of deponent.

the following property viz:

Four vests. Two coats
and two pair of pantaloons. all of
the value of Forty dollars. one
watch and chain and baraset
all of the value of Ten dollars.
all of said property being

of the value of

Dollars

the property of

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

now present. That he entered
deponent's room. through an
open window leading from the
yard. and deponent caught him
in said yard. with all of said
property in his possession.

Joseph St. Andrassey

Sworn to, before me this

1880

Michael J. O'Connell
1880
Police Justice.

0042

Police Court—Third District.

CITY AND COUNTY } ss.
OF NEW YORK.

Louis Parker being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him states as follows, viz:

Question. What is your name?

Answer.

Louis Parker

Question. How old are you?

Answer.

Fifty four years.

Question. Where were you born?

Answer.

In Germany.

Question. Where do you live?

Answer.

No home.

Question. What is your occupation?

Answer.

Sailor.

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.

I am guilty.

Luigi Enrichi

Taken before me, this

16-10-1880

POLICE JUSTICE.

0043

COUNSEL FOR COMPLAINANT.

Name, _____

Address, _____

COUNSEL FOR DEFENDANT.

Name, _____

Address, _____

POLICE COURT—THIRD DISTRICT.

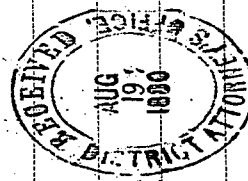
THE PEOPLE, & c.,

ON THE COMPLAINT OF

Joseph Staudenmaier
vs. *236 E 4th St*

Samuel Carter

AFFIDAVIT—LARCENY.



2 _____
3 _____
4 _____
5 _____
6 _____

Dated _____ is

Magistrate.

Officer.

Clerk.

Witnesses

David Hagan
12 Bullwicket

\$ _____ to answer

at _____ Sessions

Received at Dist. Attys Office,

BAILED.

No. 1, by _____

Residence _____

No. 2, by _____

Residence _____

No. 3, by _____

Residence _____

No. 4, by _____

Residence _____

No. 5, by _____

Residence _____

No. 6, by _____

Residence _____

0044

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That

Louis Baker

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

*Four vests of the value of two dollars and fifty cents each.
Two coats of the value of ten dollars each.
Two pair of pantaloons of the value of five dollars
each pair.
One watch of the value of five dollars.
One chain of the value of three dollars.
One parasol of the value of two dollars.*

of the goods, chattels, and personal property of one

Joseph St. Andrassy

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

And the Jurors aforesaid, upon their oath aforesaid, do further present
That the said

Louis Baker

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

*Four vests of the value of two dollars and fifty cents each.
Two coats of the value of ten dollars each.
Two pair of pantaloons of the value of five dollars
each pair.*

*One watch of the value of five dollars.
One chain of the value of three dollars.
One parasol of the value of two dollars.*

of the goods, chattels, and personal property of the said

Joseph St. Andrassy

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously
stolen of the said

Joseph St. Andrassy

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Louis Baker

then and there well knowing the said goods, chattels, and personal property, to have been feloniously
stolen,) 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.

BENJ. K. PHELPS, District Attorney.

0046

BOX:

19

FOLDER:

239

DESCRIPTION:

Baker, Thomas

DATE:

09/08/80



239

0047

132

Counsel,

Filed 8 day of Sept 1880

Pleads Not Guilty

THE PEOPLE
vs
Thomas Baker
INDICTMENT
Grand Larceny of Money, &c.

BENJ. K. PHELPS

District Attorney.

Does not enter other trials

and arrested

By

A True Bill.

Michael Gault

Foreman.

Part no. Oct 5, 1880.

pleads guilty.

W. D. Williams, Secy. of Ind. Dep.

Oct 11, 1880

Sept

Q101

OF THE NEW YORK
CITY AND COUNTY

THE THINGS OF THE PEOPLE OF THE STATE OF NEW YORK

0048

Tombs - Boys Prison

Benj. H. Phelps Esq.

Dear Sir

Dear Sir

Pardon this intrusion upon your valuable time, but I ask in behalf of a boy, committed to my care, in this place on a charge of Burglary and confined here since Aug. 16th

Thomas Baker is 16 years of age; but simple minded and from all I can learn, has been made the tool of older adepts in crime than he, but they are still at large. The boy has been to Court twice, and

0049

remanded. I feel that he has been here too long now, and if the matter could only be brought to your personal notice, a speedy trial would be the result.

His parents are too poor to pay for legal advice. Mr. Cutter has done all in his power. I have spoken of the case every opportunity that has occurred, and now I appeal to you. His employer a very respectable man, (whom I have seen) is ready and willing to reinstate him in his old position, should you see fit to discharge or suspend judgment in his case. I think we can safely hope this has been as tedious to him.

0050

All I ask is a speedy trial
after his long and tedious con-
finement, during which the boy
has behaved extremely well.

This is the first case I have
ever placed before your honor, and
I trust will not be considered
presumptuous in,

Yours Very Respect

Edgar Fisher

Matron

Oct 2/80

0051

4th
District Police Court

CITY AND COUNTY
OF NEW YORK } ss.

of No. 164 East 33^d Street, 13th day of August 1880
being duly sworn, depose and saith, that on the 2nd day of August 1880
at the 13th Ward of the City of New York, attempted to be
in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent,

the following property viz.:

Good and lawful moneys of the issue of the Government
of the United States consisting of National Bank bills
to the amount and of the value of one hundred and
twenty five dollars in \$1⁰⁰ the denomination
and value of each bill currency.

the property of deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property attempted to be
stolen and carried away by Thomas Baker (now here)

from the fact that deponent at about the hour of 9 o'clock P.M.,
closed and locked the door leading into his store but left
the Fan light over the store door open, that at about
the hour of 12.30, o'clock on said morning deponent
was awakened by his wife who (they occupying
the room back of the store for sleeping apartment
and dwelling) who stated to deponent that she
heard noise only in the store, deponent went into
the store and there saw the said Thomas Baker

Police Court

0052

in the act of climbing over the fire light into the street from said store, defendant immediately opened the store and found ~~to~~ officer Gringle of the 21st Precinct - near the door defendant described the said Baker to the officer who arrested him about the hour of 12.45 o'clock A.M. The officer brought said Baker to defendant's store and defendant fully identified him as the person whom he saw in his store after he had closed it - and he defendant - then gave charges him with attempting to take steal and carry away the money described aforesaid which was under his bed in a small box in the room occupied by him as sleeping apartments. Defendant further says that he was informed by officer Gringle that he said Baker acknowledged to him that he was the person who was in said defendant's store at said time.

Sworn to before me this
13th day of August 1880

John S. Mearns Police Justice
City and County of New York SS

William Gringle of the 21st Precinct Police being duly sworn deposes and says that he has heard the foregoing affidavit read and that portion of it which refers to defendant is true of his own knowledge.

William Gringle

DISTRICT POLICE COURT.

AFFIDAVIT - Larceny.

THE PEOPLE, &c.
ON THE COMPLAINT OF

VS.

187

DATED

MAGISTRATE.

OFFICER.

WITNESSES.

13th day of August 1880
John S. Mearns
Police Justice

0053

Police Court, Fourth District.

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas Baker being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer. *Thomas Baker*

Question. How old are you?

Answer. *14 years*

Question. Where were you born?

Answer. *N.Y. City*

Question. Where do you live?

Answer. *320 E 81st Street*

Question. What is your occupation?

Answer. *Sea*

Question. Have you anything to say, and if so what,—relative to the charge here preferred against you?

Answer. *I am not guilty. As I was going home some boys met me they picked up the skylight & spent in, they left me there & I was arrested*

Thomas ^{his} Baker
sworn.

Taken before me this

13th day of August 1880

John W. Miller
Police Justice.

0054

Police Court--Fourth District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Entick dead
164 & 387-4-
Thomas Baker

BAILED :

No. 1, by.....

Residence.....

No. 2, by.....

Residence.....

No. 3, by.....

Residence.....

No. 4, by.....

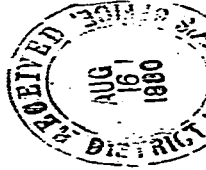
Residence.....

No. 5, by.....

Residence.....

No. 6, by.....

Residence.....



Dated

August 13th

188

Magistrate.

John Hanna

Officer.

Emile

21 Received

Witnesses,

Emile 21 Received

100-13 to as
Com

Received in District Att'y's Office,

0055

CITY AND COUNTY }
OF NEW YORK, } ss.THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York, upon
their Oath, present:

That

Thomas Baker

in the County of New York, aforesaid on the ~~thirteenth~~ *thirteenth* day of ~~August~~ *August* in the year of our Lord one thousand eight hundred and ~~seventy-eight~~ *eighty*, at the Ward, City and County aforesaid, with force and arms, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually known as dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

of the goods, chattels, and personal property of one

Gottlieb Lesak

attempt to 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.

BENJ. K. PHELPS, District Attorney.

0056

BOX:

19

FOLDER:

239

DESCRIPTION:

Ballmann, Hermann

DATE:

09/24/80



239

176

Day of Trial.

Counsel,

Filed 22nd day of Sept 1882.

Pleads Not Guilty (for)

THE PEOPLE

vs.

Adulterated Milk.

B

Kernann Ballmann

BENJ. K. PHELPS,

District Attorney.

A True Bill.

[Signature]
Sep. 29. 1882. Foreman.
[Signature]
James D. Kelly
and H. O.

0057

0058

196

City and County of New York, ss. :

John B. Shaw 44 W. 24 St^{an}
 Assistant Sanitary Inspector of said city, being duly sworn, deposes and says, that on the
 day of *July* in the year 1880, at premises number
49 Rivington St in the City of New York, the said premises being a place then and
 there where Milk was kept for sale, one *Hermann Gallman* unlawfully did then
 and there keep, have and offer for sale three quarts of impure and unwholesome Milk, which had been
 and was then and there watered, adulterated, reduced and changed by the addition of water or other
 substance, or by the removal of cream therefrom, and that such impure, unwholesome, watered, adul-
 terated or reduced and changed Milk, was then and there, by the said *Hermann Gallman*
 , unlawfully held, kept and offered for sale against and in
 violation of the provisions of the Sanitary Code, and of such Sanitary Code then and there, and at all
 times thereafter in force and operation, and especially against and in violation of the provisions of a
 section and ordinance of such Sanitary Code which was duly passed and adopted by the Board of
 Health of the Health Department of the City of New York, and by said Health Department at a
 meeting thereof, duly held in said city, on the twenty-third day of February, 1876, in the manner and
 language following, to wit :

"Resolved, That under the power conferred by law upon the Health Department, the following
 " additional section to the Sanitary Code, for the security of life and health, be, and the same is hereby,
 " adopted and declared to form a portion of the Sanitary Code.

" 'No Milk which has been watered, adulterated, reduced or changed in any respect by the
 " addition of water or other substance, or by the removal of cream, shall be brought into, held,
 " kept or offered for sale at any place in the City of New York, nor shall any one keep, have or offer
 " for sale in the said city any such Milk.' "

That said ordinance was thereafter duly published once a week, for two successive weeks, in the
City Record, a daily official newspaper and journal published in said city, to wit, in the issues of such
 newspaper of the 24th day of February, 1876, and also of the 2d day of March, 1876, and that said
 ordinance was, at all times alleged herein, in full force and operation in said city and county.

Sworn to before me the *27* day } *John B. Shaw* J. C.
 of *July* 1880. }
Maxim A. [unclear]
 Justice.

0059

629
RECEIVED
AUG 1 1880
OFFICE
Police Court, District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John B. Ischaux vs
Hermann Ballmann
49 Rivington St
New York City

Affidavit

Dated July 27 1880

Justice

Officer

1200 to app 98
Henry Grabbe
149 Eldridge St

Boxed by
H. Grabbe
149 Eldridge

0050

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That *Hermann Ballmann*
late of the *Tenth* Ward of the City of New York, in the County of
New York, aforesaid, on the *twenty fourth* day of *July* in the year
of our Lord one thousand eight hundred and ~~seventy~~ *eighty* at the Ward,
City and County aforesaid, unlawfully and knowingly did expose for sale at the
~~premises~~ known as number *forty nine Livingston* Street,
then and there situate, ten quarts of impure, adulterated and unwholesome milk, 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 Jurors aforesaid, upon their Oath aforesaid, do further present :

THAT the said *Hermann Ballmann*
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, at the store and place of business
of the said *Hermann Ballmann*
known as number *forty nine Livingston* Street,
in said Ward, City and County, and the said premises being then and there a place
where milk was kept for sale, unlawfully did then and there keep, have, and offer for
sale ten quarts of impure and unwholesome milk, which had been, and was then and there
watered, adulterated, reduced and changed by the addition of water or other substance,
and that such impure, unwholesome, watered, adulterated, reduced and changed milk
was then and there by the said *Hermann Ballmann*
unlawfully held, kept and offered for sale
against and in violation of the provisions of the Sanitary Code, and of such Sanitary
Code then and there, and at all times thereafter in force and operation, and against the
form of the Statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present :

THAT the said *Hermann Ballmann* 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, did bring into the said Ward, City and County, and then and there have and offer for sale, at the store and place of business of him, the said *Hermann Ballmann* known as number *forty nine* *Kidington* Street, the said premises being then and there a place where milk was kept for sale, unlawfully did then and there keep, have, and offer for sale, ten quarts of impure and unwholesome milk, which had been and was then and there, watered, adulterated, reduced and changed by the addition of water or other substance, and that such impure, unwholesome, watered, adulterated or reduced and changed milk was then and there, by the said *Hermann Ballmann* unlawfully held, kept and offered for sale against and in violation of the provisions the Sanitary Code, and of such Sanitary Code then and there, and at all times thereafter in force and operation, and especially against and in violation of the provisions of a section and ordinance of such Sanitary Code, which was duly passed and adopted by the Board of Health of the Health Department of the said City of New York, and by said Health Department at a meeting thereof, duly held in said City, on the twenty-third day of February, 1876, in the manner and language following, to wit:

"Resolved, That under the power conferred by law upon the Health Department, the following additional section to the Sanitary Code, for the security of life and health be, and the same is hereby adopted and declared to form a portion of the Sanitary Code.

"No milk which has been watered, adulterated, reduced, or changed in any respect by the addition of water or other substance, or by the removal of cream, shall be brought into, held, kept or offered for sale at any place in the City of New York, nor shall any one keep, have, or offer for sale in the said city any such milk."

Which said ordinance was thereafter duly published once a week, for two successive weeks, in the *City Record*, a daily official newspaper and journal published in said city, to wit: in the issues of such newspaper of the 24th day of February, 1876, and also of the 2d day of March, 1876, and which said ordinance was then and there, and at all times thereafter, in full force and operation against the forms of the Statute in such case made and provided.

BENJ. K. PHELPS, District Attorney.

0062

BOX:

19

FOLDER:

239

DESCRIPTION:

Barker, George F.

DATE:

09/15/80



239

0063

Copy

Counsel,
Filed *15* day of *Sept.* 1880.
Pleads *Inguilty*

THE PEOPLE

vs.

P. E.
George J. Barker

Burglary, First Degree, and
Grand Larceny.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

W. A. Hamilton
Foreman.

Verdict of Guilty should specify of which count.

Sept. 16th 1880

Tried and acquitted

0064

Police Court—Third District.

CITY AND COUNTY } ss.
OF NEW YORK, }

George F. Barker being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—*George F. Barker.*

Question.—How old are you?

Answer.—*Thirty.*

Question.—Where were you born?

Answer.—*In Massachusetts.*

Question.—Where do you live?

Answer.—*394 Broome St.*

Question.—What is your occupation?

Answer.—*Engineer.*

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

I did not intend to steal I thought the basement was an fire and went in to put the fire out. I then went up into the hall to see if there was a fire there. and when I found none. turned around and came out the same way I went in. I did not touch anything or intend to.

George F. Barker

Taken before me this

28th day of August 1898

Police Justice

0065

Police Office. Third District.

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

No. 25. Deponent *Mary Mitchell* Street, being duly sworn,

deposes and says, that the premises No. *Aforesaid*
Street, *17* Ward, in the City and County aforesaid, the said being a *Dwelling*
and which was occupied by deponent as a *Dwelling*.

were **BURGLARIOUSLY**
entered by means *of breaking open the outer*

shutter of the front basement
window of said premises, breaking the window
glass and raising the sash
on the *day of August* 1880,
and the following property, feloniously taken, stolen and carried away, viz..

One watch (one gold and one
silver). Jewelry and forty
Dollars in money, in all of the
value of One Hundred and forty
Dollars.

the property of *Deponent.*

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

for the reasons following, to-wit: *That about 5 o'clock*
in the morning of said day deponent
heard a noise of breaking glass,
and going into the parlor hall, found
the prisoner there. That she went out
for help. when the prisoner came out
of the window by which he had entered
into the room, and attempted to escape,
but was detained by deponent, until
arrested.

Mary Mitchell

From telephone no.
147 25 August 1880.
W. H. Mitchell
Officer

0066

119
POLICE COURT--THIRD DISTRICT

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Mary Mitchell

25 Second St.

George W. Parker

Offence, BURGLARY

BAILED,

No. 1, by _____

Residence _____ Street _____

No. 2, by _____

Residence _____ Street _____

No. 3, by _____

Residence _____ Street _____

No. 4, by _____

Residence _____ Street _____

Dated 28 August 1880

J. H.

Magistrate.

Dooley

Officer.

Clerk.



Witnesses,

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

\$ 1000 to answer committed.

Received in Dist. Atty's Office, Conn.

0067

CITY AND COUNTY } ss.
OF NEW YORK,THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

*George I Barker*late of the *Seventeenth* Ward of the City of New York, in the County of
New York, aforesaid,
on the *twenty eighth* day of *August* in the year
of our Lord one thousand eight hundred and ~~seventy~~ *eighty*
with force and arms, about the hour of *Five* o'clock in the *day* time
of the same day, at the Ward, City and County aforesaid, the Dwelling-house of
Mary Mitchell

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

forcibly breaking open an outer window of
said dwelling house

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

Mary Mitchell — within the said dwelling-house he, the said
*George I Barker*then and there intending to commit some crime therein, to wit, the goods, chattels, and
personal property of *Mary Mitchell*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 jurors aforesaid, upon their oath aforesaid, do farther present: That
afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County
aforesaid, about the hour of o'clock in the time of said day,
the said~~~~late of the Ward, City, and County aforesaid,~~~~of the goods, chattels, and personal property of~~~~in the said dwelling-house of one~~~~, 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.~~

BENJ. K. PHELPS, District Attorney.

0068

BOX:

19

FOLDER:

239

DESCRIPTION:

Barrett, Michael

DATE:

09/17/80



239

Counsel,

Filed 17 day of Sept. 1880.

Pleads, *not Guilty*

BURGLARY—Third Degree, and Grand Larceny.

THE PEOPLE

vs.

19 6 34
3/5 1/4
3/5 1/4

Michael Barrett
P.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Charles S. Smith
Foreman.

Verdict or Guilty should specify of which count.

Part in Sept. 17, 1880
pleads Burg 3.

S.P. 2 years.

0070

Police Office, Fourth District.

City and County
of New York, } ss.

Nicholas Mullet

of No. 351 East 46th Street, being duly sworn,deposes and says that the premises No. 351 East 46th Street, 19th Ward, in the City and County aforesaid, the said being a brick house and which was occupied by deponent as a dwelling housewere **BURGLARIOUSLY** entered by means of forcing open the window on the ground floor where deponent resides

on the afternoon of the Second day of May 1870 and the following property feloniously taken, stolen and carried away, viz.:

one pistol called a revolver of the value of seven dollars

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

for the reasons following, to wit: That on said day at the hour of about three O'Clock P.M. deponent placed said revolver into a trunk standing in a room of the premises aforesaid occupied by deponent, and leaving said room securely locked the door to said room and returning about two hours and a half later found said revolver missing and the door leading to the room aforesaid forced open, that deponent was informed by Mary Petsoak that on said day at about

half past three o'clock P. M. while she was on the roof of the adjoining house she saw said Michael Barrett in the yard of this deponents house, coming from the window aforesaid and leaving said yard and premises; that deponent was further more informed by Joseph Meyer, that on said afternoon and about the time after three o'clock P. M. he said Joseph Meyer, saw said Michael Barrett in the act of passing from deponents room ~~down~~ by way of said window into the yard and going away. deponent therefore charges that said premises were being lawfully entered by means of forcing open said window and after ward said door and said property feloniously taken, stolen and carried away by said Michael Barrett.

Sworn to before me this 7th day, of September 1880.

Marcus A. Erbaurg
Notary Public

State of New York, City and County of New York J. Mary Patzak being duly sworn deposes and says she has heard read the foregoing affidavit and that portion thereof referring to her is true upon her own knowledge.

x Mary Patzak

Sworn to before me this 7th day of September 1880.

Marcus A. Erbaurg
Notary Public

State of New York, City and County of New York J. Joseph Meyer being duly sworn deposes and says that he has heard read the foregoing affidavit and that portion thereof referring to him is true upon his own knowledge.

Sworn to before me this 7th day of September 1880. x Joseph Meyer

Marcus A. Erbaurg
Notary Public

0072

Police Court, Fourth District.

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Barrett being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer. *Michael Barrett.*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New York City*

Question. Where do you live?

Answer. *345 East 34th Street*

Question. What is your occupation?

Answer. *Salesman*

Question. Have you anything to say, and if so what,—relative to the charge here preferred against you?

Answer. *I am not guilty.*

M Barrett

McKenzie
Taken before me this *11th* day of *April* 190*6*
Police Justice.

0073

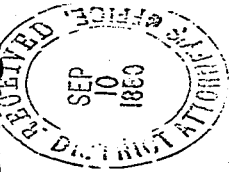
Police Court—Fourth District.

THE PEOPLE &c.
ON THE COMPLAINT OF

Nicholas Mallet
357 & 46th

vs.

Michael Barrett



BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

Dated

September 7th 1880

Magistrate.

Officer.

Clerk:

W. C. Otter

W. C. Brown

19th

Witnesses, *Henry P. Clark 349 East 46th St.*
Joseph M. Brown 349 East 46th St.

Henry Stark 825 First Avenue.

Henry Engelhardt 871 Second Avenue

\$1000 T. A.

General Sessions

Come

Received in District Atty's Office,

0074

CITY AND COUNTY } ss.
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Michael Barrett

late of the ~~nineteenth~~ ^{second} Ward of the City of New York, in the County of New York, aforesaid, on the ~~second~~ day of ~~May~~ ^{May} in the year of our Lord one thousand eight hundred and ~~seventy-eight~~ ^{eighty} with force and arms, about the hour of ~~three~~ o'clock in the ~~after~~ time of the same day, at the Ward, City and County aforesaid, the dwelling house of

Nicholas Mullett

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

he the said

Michael Barrett

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

Nicholas Mullett

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 jurors aforesaid, upon their oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, the said

Michael Barrett

late of the Ward, City, and County aforesaid,

One pistol of the value of seven dollars.

of the goods, chattels, and personal property of the said

Nicholas Mullett

in the said dwelling house then and there being, 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.

BENJ. K. PHELPS, District Attorney.

0075

BOX:

19

FOLDER:

239

DESCRIPTION:

Barry, Richard

DATE:

09/16/80



239

[Faint, mostly illegible text from the reverse side of the document, appearing as bleed-through.]

130
Mins. Sept 20

Samuelson

Filed *6* day of *Sept* 188*2*
Pleads *not Guilty*

THE PEOPLE

vs.

Elective
31
46 Army

P.
Richard Barry

Felonious Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

Part Mrs Oct 5, 1880
pleads A.R.B.

A True Bill. Pen 6 months

Charles Seal

Foreman.

Compld. to report her
residence to the officer

0077

Form

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

POLICE COURT—FIRST DISTRICT.

Francis Harvey
 of No. *157 Elizabeth* Street, being duly sworn, deposes and says,
 that on the *eight* day of *September* 188*0*
 at the City of New York, in the County of New York, he was violently and feloniously assaulted and
 beaten by *Richard Barry*

now present.

*who did wilfully and maliciously
 cut, stab and wound deponent
 two several times, on the forehead,
 with some sharp instrument
 he, said Barry, then held in
 his hands thereby wounding
 and cutting deponent on the
 forehead.*

Deponent believes that said injury, as above set forth, was inflicted by said

Barry

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

Wherefore this deponent prays that the said assailant may be apprehended, and dealt with accord-
 ing to law.

Francis Harvey

Sworn to, before me, this

day of

September 9th

Police Justice.

0078

Police Court—First District.

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

Richard Barry being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was at
liberty to refuse to answer any question that may be put to him states as follows, viz:

Question. What is your name?

Answer. *Richard Barry*

Question. How old are you?

Answer. *Thirty-one years of age*

Question. Where were you born?

Answer. *New York*

Question. Where do you live?

Answer. *No. 53 Spruce St.*

Question. What is your occupation?

Answer. *Labourer*

Question. Have you anything to say, and if so, what
here preferred against you?

Answer. *I am not guilty of the charge.*

Richard Barry

Taken before me, this

9th

day of September 1882

POLICE JUSTICE.

0079

Office 131

Police Court—First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Francis Devery
157 Elizabeth St. Brooklyn
Richard Devery
1
2
3
4
5
6

AFFIDAVIT—Felonious Assault & Battery

Dated, *September 9th 1880*

Matthew J. Sullivan Magistrate.

Wm. J. Sullivan Officer.

Wm. J. Sullivan Clerk.

Witnesses
Francis Devery
Henry Devery

Devery & Son, 157 Elizabeth St. Brooklyn

Richard Devery

33 Spring St. Brooklyn

to answer
570

at General Sessions. *Canal*

Received at Dist. Atty's Office,

COUNSEL FOR COMPLAINANT.

Name, _____

Address, _____

As to testimony Can

COUNSEL FOR DEFENDANT.

Name, _____

Address, _____

0080

CITY AND COUNTY } ss.
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That

Richard Barry
late of the City of New York, in the County of New York, aforesaid, on the
eight day of *September* in the year of our Lord
one thousand eight hundred and *eighty* with force and arms, at the City and
County aforesaid, in and upon the body of *Francis Devoy*
in the peace of the said people then and there being, feloniously did make an assault
and *him* the said *Francis Devoy*
with a certain instrument and weapon, a description of which is to the jurors afore-
said unknown and cannot now be given, which the said

in *his* *Richard Barry* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound
with intent *him* the said *Francis Devoy*
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County
aforesaid, the said

Richard Barry
with force and arms, in and upon the body of the said *Francis Devoy*
then and there being, wilfully and feloniously did make an
assault and *him* the said *Francis Devoy*
with a certain instrument and weapon, a description of which is to the jurors afore-
said unknown and cannot now be given, which the said

Richard Barry in *his* right hand, then and there
had and held, the same being then and there a sharp, dangerous weapon, wilfully
and feloniously, and without justifiable and excusable cause, did then and there beat,
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously
do bodily harm unto *him* the said *Francis Devoy*
against the form of the Statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-
said, the said

Richard Barry
with force and arms, in and upon the body of *Francis Devoy*
in the peace of the said people then and there being, feloniously, did make another
assault and *him* the said *Francis Devoy*
with a certain instrument and weapon, a description
of which is to the jurors aforesaid unknown and cannot now be given, which the said

Richard Barry in *his* right
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,

FOURTH COUNT.

said, the said *Richard Barry* with force and arms, in and upon the body of the said *Francis Devoy* then and there being, wilfully and feloniously, did make another assault and *kill* the said *Francis Devoy* with a certain instrument and weapon, a description of which is to the jurors unknown and cannot now be given, which the said *Richard Barry*

which the said *Richard Barry* in his right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *Ram* the said *Francis Devoy* 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.

BENJ. K. PHELPS, District Attorney.

THE PEOPLE

Filed 16 day of *Sept* 188*7*
Pls *Ans & Verdict*

Felonious Assault and Battery

BENS. K. PHELPS

District Attorney

Part no. 245/1888

Heads Off

A True Bill. *Don't overthink*

НОВЕМИ

Complex is to act without
conscious thought

0082

BOX:

19

FOLDER:

239

DESCRIPTION:

Beardall, Thomas

DATE:

09/29/80



239

0083

BOX:

19

FOLDER:

239

DESCRIPTION:

Sheehan, Michael

DATE:

09/29/80



239

0084

BOX:

19

FOLDER:

239

DESCRIPTION:

Hughes, James

DATE:

09/29/80



239

219

Day of Trial

Counsel,

1880

Filed

29 day of Sept

Pleas

Wm. C. Gandy

THE PEOPLE

1st vs. P

Thomas Beersall

2nd Michael Sheehan

3rd James Hughes

Chas. J. Phillips

BENJ. K. PHELPS,

Sept. 1, 1880

District Attorney

Chas. J. Phillips

Just. Court

Expenditures

A True Bill.

Wm. C. Gandy

Chas. J. Phillips

Sept. 1, 1880

Attorney

Chas. J. Phillips

3rd State

Sept. 1, 1880

Expenditures

0086

Police Office, Fourth District.

City and County
of New York,

vs. Thomas F. Quoted

of No. 573 Second Avenue Street, being duly sworn,
deposes and says, that the premises No. 573 Second Avenue
Street, 21st Ward, in the City and County aforesaid, the said being a ~~residence~~ building
and which was occupied by deponent as a ~~Thomas F. Quoted~~ store

were **BURGLARIOUSLY**
entered by means of forcing and breaking open a door
leading from the hallway of said house into
said store at about the hour of one o'clock
a. m.

on the morning of the 25th day of September 1880
and the following property feloniously taken, stolen and carried away, viz.:

Twelve bottles of Liquor, Brandy and Whiskey,
Two boxes with cigars, all of the value
of Twenty three dollars

the property of this deponent

and deponent further says, that he has great cause to believe, and does believe, that
the aforesaid **BURGLARY** was committed, and the aforesaid property taken, stolen
and carried away by Thomas Beardall, ~~James Hughes~~,
Michael Sheehan and James Hughes (all now where)

for the reasons following, to wit: that at the hour of 12.15. A. M.

on said 25th day of September 1880, this deponent
locked securely all the doors leading into said
store, that on said day at the hour of 6.15. A. M.
deponent found said door broken open and
said articles missing from said store, where said
articles had been, when this deponent had
locked the doors to said store as aforesaid: That

This deponent was informed by ~~one of~~ Michael Sheehan one of said defendants that he said Michael Sheehan at said date and hour had been in company of said Thomas Beadall and said James Hughes, who instructed him said Sheehan to keep guard, while they said Beadall and said Hughes entered said store as aforesaid and that afterward said Sheehan brought this deponent and Officer Edward Flood of the 21st Precinct Police to a cellar adjoining this deponent's premises where said articles were found. —

That said James Hughes, admitted to Officer William Welch of 21st Precinct Police that he said Hughes, said Sheehan and said Beadall had entered said premises of this deponent and taken and carried away said articles. Deponent therefore charges that said premises were burglariously entered as aforesaid and said articles feloniously taken stolen and carried away by said Thomas Beadall, Michael Sheehan and James Hughes.

Sworn to before me this 26th day of September 1880 + Thomas H. Austin

Merem Overberg
Notary Public

0088

State of New York ss. Edward Flood being
duly sworn says he has heard read the
foregoing affidavit and that the
portion thereof referring therein is true
as to his own knowledge

Sworn to before me this

26th day of September 1880

McCreath & Co. Police Justice

Edward Flood

State of New York ss. William Walsh
being duly sworn says he has heard
read the foregoing affidavit and
that portion thereof referring therein
is true upon his own knowledge
Sworn to before me

this 26th day of September 1880

William Walsh
McCreath & Co. Police Justice

William Walsh

0089

Police Court, Fourth District.

CITY AND COUNTY } ss.
OF NEW YORK,

Thomas Beardsall being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer. *Thomas Beardsall*

Question. How old are you?

Answer. *Eighteen years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live?

Answer. *593- Grand Avenue*

Question. What is your occupation?

Answer. *Working in the Express business of my father*

Question. Have you anything to say, and if so what,—relative to the charge here preferred against you?

Answer. *I am guilty*

Thomas Beardsall

Taken before me this 26 day of September 1897
McConnell
Police Justice.

0090

Police Court, Fourth District.

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Sheehan being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer. *Michael Sheehan*

Question. How old are you?

Answer. *Seventeen years*

Question. Where were you born?

Answer. *New York City*

Question. Where do you live?

Answer. *I have no home*

Question. What is your occupation?

Answer. *I work in a Paper factory*

Question. Have you anything to say, and if so what,—relative to the charge here preferred against you?

Answer. *I am not guilty*
Michael Sheehan.

Taken before me this 26th day of Sept
Michael Sheehan
1877
Police Justice.

0091

Police Court, Fourth District.

CITY AND COUNTY }
OF NEW YORK, } ss.

James Hughes being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer *James Hughes*

Question. How old are you?

Answer. *Eighteen years*

Question. Where were you born?

Answer. *United States*

Question. Where do you live?

Answer. *574. Second Avenue*

Question. What is your occupation?

Answer. *Printer*

Question. Have you anything to say, and if so what,—relative to the charge here preferred against you?

Answer. *I am guilty*
James Hughes

Taken before me this

26th day of September, 1887

McConnell
Police Justice.

0092

196
Police Court—Fourth District.

THE PEOPLE &c.
ON THE COMPLAINT OF

Thomas F. Austin
993 Second Ave.
N.Y.C.

1 *Thomas Beedall*
2 *Michael Sheehan*
3 *James Hughes*

Offence, *Harassment*

Dated *September 26th* 19*17*

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

Magistrate.

Officer.

Clerk.

Witnesses, *Edward Flood* & *P. 21*

William Welch & *P. 21*

\$1000. Each

General Lamm

Amended

Received in District Attorney's Office,

0093

CITY AND COUNTY } ss.
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

*Thomas Beardsall, Michael Sheehan
and James Hughes each*

late of the *twenty first* Ward of the City of New York, in the County of New York,
aforesaid, on the *twenty fifth* day of *September* in the year of our Lord one
thousand eight hundred and eighty *store* with force and arms, at the Ward,
City and County aforesaid, the of

Thomas J. Austin

there situate, feloniously and
burglariously, did break into and enter, the same being a building in which divers
goods, merchandise, and valuable things were then and there kept for use, sale and
deposit, to wit: the goods, chattels, and personal property hereinafter described, with
intent the said goods, chattels, and personal property of the said

Thomas J. Austin

then and there being, then and there
feloniously and burglariously to steal, take and carry away, and

*Twelve bottles of liquor of the value
of one dollar and fifty cents each bottle
Two boxes of cigars of the value of
two dollars and fifty cents each box*

of the goods, chattels, and personal property of the said

Thomas J. Austin

so kept as aforesaid in the said then and there being, 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.

And the Jurors aforesaid, upon their oath aforesaid, do further present

THAT the said *Thomas Beardsall, Michael Sheehan and James Hughes* each

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

Twelve bottles of liquor of the value of one dollar and fifty cents each - Two boxes of cigars of the value of two dollars and fifty cents each box

of the goods, chattels and personal property of

Thomas J. Austin

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

Thomas J. Austin

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Thomas Beardsall, Michael Sheehan and James Hughes

then and there well knowing the said goods, chattels, and personal property to have been feloniously stolen,) 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.

BENJ. K. PHELPS, District Attorney.