

0501

**BOX:**

362

**FOLDER:**

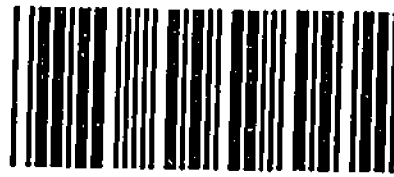
3404

**DESCRIPTION:**

Feldman, Max

**DATE:**

08/09/89



3404

Witness

Jacob Heller

Counsel,

Filed

9 day of Aug 1889

Pleads,

Mr Guilty

THE PEOPLE

vs.  
Max Feldman

Grand Larceny degree.  
[Sections 528, 58 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Alfred C. ...

Foreman.

Sept 11 September 1889

tried and convicted

Sept 11 1889

0502



0503

COURT OF GENERAL SESSIONS.

P a r t I I I .

-----  
The People of the state of New York :  
a g a i n s t : Before Hon. Fred-  
M a x F e l d m a n . : erick Smyth, and  
: a Jury.  
-----

Indictment filed August 9th, 1889.  
Indicted for Grand Larceny in the Second Degree.

New York, September 5th, 1889.

APPEARANCES: For the people, Assistant District  
Attorney, James Fitzgerald.

For the defendant: John R. Heinzelman.

JACOB HILLER, a witness for the people, sworn testified:

I live at No. 24 Norfolk Street, in this City.  
I remember the 25th of August 1888. I am a dealer in  
jewelry. On that day the defendant came into my  
place at No. 3 Orchard Street where I was, and asked  
me if I would give him a watch and chain and he would  
pay me in installments. I told him I would, if he  
told me who he was and where he lived. He showed me  
where he lived at No. 1 Orchard Street. On the follow-  
ing day I met him by appointment at 116 Division Street,  
and then and there gave him the watch of the value of  
\$56. It was a double case watch; stem winder and en-  
graved. The watch and chain together were to cost \$120..  
He told me he would take the watch and chain to a jeweler  
who was a friend of his, and get him to *examine them*..  
I believed he would return to pay me. He told me he  
would be back the next morning. He didn't give me any

0504

2

any money. He paid me \$25. down and was to pay the balance in installments of \$2.00 a week. He never paid me any installments. I met him about three days afterwards and he made some excuse for not coming back. The defendant then dissappeared and I did not see him again until about a year afterwards. When I saw him I had him arrested. He denied knowing me, or having any knowledge of this matter at all when I had him arrested. In the Station House he offered to settle the matter with me. He told me if I would let him out he would pay me for the watch and chain. I am sure the prisoner at the bar is the man.

Cross-examination:

I paid \$92 for the watch and chain I have had other men arrested for this same kind of thing.

Louis SELIG. a witness for the people sworn testified:

I am an officer of police attached to the 11th precinct. I arrested this defendant on the complaint of the complainant on the 5th of August 1889. . The defendant denied any knowledge of this matter whatever. I had no conversation with the defendant at all. The defendant said he knew nothing about this watch and chain.

ISRAEL CAPLAU, a witness for the people sworn testified:

I am a jewelry dealer. I know the defendant at the bar. In the summer of 1888 I got acquainted with him in Chambers Street in this City. He came into my place and asked me to sell him a watch and chain, and I told him I would, if I could find out

0505

3

where he lived. He told me where he lived and on the 26th of August he bought of me a watch and chain for \$121.65. The agreement was that he was to pay two dollars a week until the whole amount was paid. He paid me \$25. down when he took it, but he never paid me any more after that and he dissapeared. The watch and chain cost me exactly \$94 dollars. I never saw the defendant after that until he was arrested. He represented himself to me as a man named Tamcon.

Cross-examination.

He paid me two dollars on two occasions after he paid me the \$25. but not any more after that.

JUDAH L. GOTTLEIB, a witness for the people, sworn testified:

I live at No. 115 Broome Street. I am a dealer in Jewelry In the month of January 1888 this defendant bought a watch and chain off me for \$117.38. He paid me \$28. in installments on it, but after that I didn't get any more money and I didn't see him until he was arrested. I have never seen the watch and chain since.

D e f e n c e .

MAX FELDMAN the defendant sworn testified:-

In last August 1888, I lived in Ludlow Street. I dont know Jacob Hiller the complainant in this case. I never bought a watch and chain from him in my life. I did not tell him I wanted to take it to a jeweler to see if it was a good one. My brother bought a watch

0506

4

and chain from the witness Caplan, but I never did. I bought a watch and chain from the witness Gotleib and that's the only watch I did buy. I have never been arrested before in my life.

Cross-examination.

The watch and chain which I got from Mr. Gotleib was stolen from me. I have been in this City all the time. I never left the City. I was sick during all of last winter and was unable to work.

The jury returned a verdict of Guilty of Grand Larceny in the Second Degree.



0507

Indictment filed Aug. 9, 1889

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

Max Feldman.

Abstract of testimony on

trial New York September

5th 1889.

0508

Police Court—3 District.

Affidavit—Larceny.

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

Jacob Miller  
of No. 24 Norfolk Street, aged 44 years,  
occupation Jewelry Pedlar being duly sworn  
deposes and says, that on the 26<sup>th</sup> day of August 1888 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

One gold watch and chain of the  
value of, One hundred & twenty dollars

the property of this 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 Max Feldman, (now here) for  
the reason, that on said date the defendant  
came into the residence and obtained  
one gold watch and chain for which he promised  
to pay the amount aforesaid, defendant  
made the condition that he, said defendant,  
would take the said property to a friend  
he, said friend, to see it and examine the  
same and if really worth the amount of  
\$120.00 he, the said defendant, would  
come back and pay twenty five dollars  
on account, but failed to return, wherefor  
deponent charges the said defendant  
with having feloniously taken, stolen and  
carried away the said property from the

Sworn to before me, this

day

of

Police Justice.

0509

possession of depomer in violation  
of the statutes in such case made up  
provided. Depomer has been unable to discover  
the whereabouts of said defendant until yesterday  
noon to before

Me this sixth day Jacob Miller  
of August 1889

J. L. Coffey

Police Justice



0510

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

3rd District Police Court.

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

Question. What is your name?

Answer. Max Feldman

Question. How old are you?

Answer. 45 year

Question. Where were you born?

Answer. Russia

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

Answer. N<sup>o</sup> 30. Delancey Street; six months

Question. What is your business or profession?

Answer. Carpenter

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  
Max Feldman  
~~Max Feldman~~

Taken before me this

day of

August 1934

Police Justice.



0511

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

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

Dated *August 6<sup>th</sup>* 188 *9* *[Signature]* Police Justice.

I have admitted the above-named.....

to bail to answer by the undertaking hereto annexed.

Dated..... 188

..... Police Justice.

There being no sufficient cause to believe the within named.....

..... guilty of the offence within mentioned. I order h to be discharged.

Dated..... 188

..... Police Justice.

05 12

Police Court---

1160  
3 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Jacob Miller*  
*24 Norfolk St*  
*Mass. Feldman*

Offence *Drunk*  
*Larceny*

BAILED,

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

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

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

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

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

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

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

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

Dated *August 6<sup>th</sup>* 188 *9*

*Duffy* Magistrate.

*Selig* Officer.

*11* Precinct.

Witnesses *A. Caplan*

No. *72 Suffolk* Street.

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

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

\$ *500.* to answer *G. S. 2*

*permitted*

0513

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Max Feldman

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

Max Feldman

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

The said

Max Feldman

late of the City of New York, in the County of New York aforesaid, on the twenty-sixth day of August in the year of our Lord one thousand eight hundred and eighty-eight, at the City and County aforesaid, with force and arms,

One watch of the value of eighty dollars, and one chain of the value of forty dollars

of the goods, chattels and personal property of one

Jacob Miller

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

John R. Fellows,  
District Attorney



05 14

**BOX:**

362

**FOLDER:**

3404

**DESCRIPTION:**

Feron, John

**DATE:**

08/06/89



3404



0515

Witnesses:

Franz Matthei

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

45 BW Aug 6/89  
Bill Toland  
H. J. 705 Grand St 189  
Counsel, *Stange & Sweeney*  
Filed 6 day of Aug 1889  
Pleads, *Not guilty*

vs. *THE PEOPLE*  
*John Taron*  
*(2 cases)*  
Grand Larceny second degree.  
[Sections 528, 531, Penal Code].

JOHN R. FELLOWS,

District Attorney.

*2*  
*1889*  
*1889*

A TRUE BILL

*Oct 17 - 1889*  
*Alfred C. ...*

Foreman.

*Alfred C. ...*  
*Oct 17, 1889*

*1889*  
*1889*

0516

First District  
Police Jackson

Henry Matulew  
John Matulewicz  
John Cairns

Charged with  
Grand larceny  
Bogus Work  
David Reilly  
Police Justice

June 30<sup>th</sup> 1899

The complaint was examined by  
Mr. Macdonald while off duty  
through an Irish police  
Q. Where did you meet this man?  
A. I came to Williamsburg to my house  
Q. How did he come to Williamsburg to see  
this man since?

A. A long ago I was in Williamsburg  
claiming every day  
Q. Since you gave him the money?  
A. Yes since I gave him the money I saw  
him every day  
Q. He came and him for his money  
since then?

A. I asked him and he said he sent it away  
Q. How does he know that he didn't send?

0517

8

it away

A I didn't receive any answer from Russia  
he gave me a receipt

Q How you the receipt?

A Yes it is attached to the papers.

Q How he received the money to send the  
money or not?

A I showed other people the receipt and  
they said that it was not good.

Q And that all that you heard about it  
A Yes

Q When did you give him the money to  
send out?

A 30th of May an American Holiday

W In addition to the 300 rubles I  
gave him of rubles for his commission

to pay him for sending out the  
money and when I gave him the money

he took me to a saloon and asked

me when would we pay for it

Q How soon after the 30th of May

could expect him to send the money  
to Russia?

A He said he would send it immediately

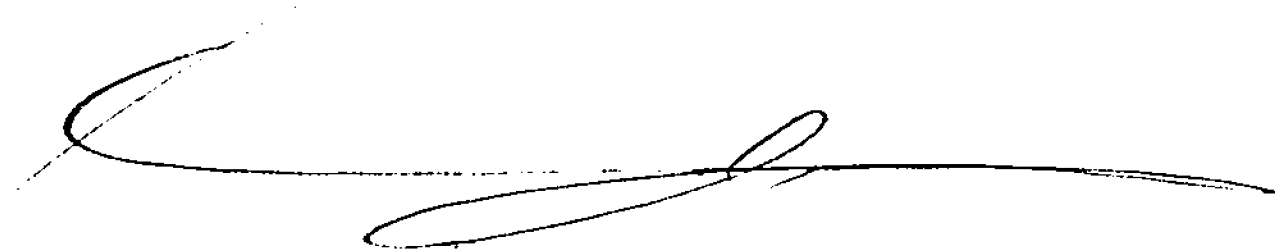


0518

3

Spent him the money on Thursday and  
he said he would send it on Saturday  
I was at the other man that brought  
the man to him in Williamsburg  
and said to him that he was going  
to the post office soon.  
A Keylock brought me from Williams  
burg to Newport  
I asked mesaki that he was the  
post office soon.  
Mesaki that he was the post office  
in Newport.

Case Closed





0519

Police Court— District.

Affidavit—Larceny.

City and County } ss.:  
of New York,of No. Castle Garden Franz Matulis Street, aged 38 years,  
occupation Farmer being duly sworndeposes and says, that on the or about 30 day of May 1889 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:Three hundred Russia Roublesof the value of about One hundred  
and fifty dollars in lawful money of  
the United States.the property of Deponentand that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by John Martalevsky and JohnFaron both of whom were in company  
with each other and acting in  
concert for the reasons that on said  
day this deponent had said money  
and intended to send the same to  
Poland. That the defendant Faron intro-  
duced this deponent to said Martalevsky  
and stated to deponent that said Martalevsky  
was a Post office official and would  
receive said money and transmit  
the same to Poland to persons deponent  
intended to send it to. That deponent  
believing said representations to be true  
and relying thereon, parted with saidSworn to before me, this  
1889 day

Police Justice.

0520

money to said Martalevitz in the presence  
of said Taron and received a receipt therefor  
Deponent has since ascertained that Martalevitz  
is a tailor and has no connection with  
any Post office or had any authority  
to receive said money for transportation.  
That deponent verily believes that  
said money has not been so sent  
but that the defendants acting in  
concealment made said statements and  
representations and by the means thereof  
obtained said money from deponent  
they well knowing said statement to  
be false and untrue and used as an  
inducement to deponent to part with  
said money.

Sworn to before me this 13<sup>th</sup> June 1889 }  
Charles N. Faintner }  
Police Justice

0521

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

First District Police Court.

John Matulewicz 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I demand an examination  
I am not guilty

2. Matulewicz

Taken before me this

day of

188

Police Justice.



0522

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

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

Dated June 30 1889 James C. [Signature] Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

0523

W  
Police Court---

942  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Frank Matulis*  
*1214 Grand St. East Garden, #11*  
*John Matulis*  
*John Faron*  
Office *Grand Jury*

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *June 29* 188 *9*

*Lambert* Magistrate.

*Member* Officer.

*3* Precinct.

Witnesses .....

*\$1500 & June 3* Street.

*10 a M*

*\$130 taken from deft* Street.

*sent to the Property Clerk*

*No* Street.

*\$1500* Street.

*Committee*

0524

Frank Matulac he did send  
money to Europe 500 rubels  
that office 112 Central Street



0525

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 Baron*

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

*John Baron*

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

The said

*John Baron*

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

*the sum of three hundred roubles in lawful money of the Russian Empire (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of one hundred and fifty dollars,*

of the goods, chattels and personal property of one *Frank Matulis*

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 D. Kellows*

*Attorney*

0526

**BOX:**

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**FOLDER:**

3404

**DESCRIPTION:**

Finley, Paul

**DATE:**

08/12/89



3404

*[Handwritten signature]*

439  
Dr. Chamberlain; Lex. Ave. near 44<sup>th</sup> St.

Dr. Chipley, Tex. Ave near 50<sup>th</sup> St.

John Polson 674 3rd Ave. 0

*C. ziti*. *Pungtung*. 146 E. W. J. T.

2-11-1961

Dr. J. H. Crowe, Conway -  
Dr. W. H. Chittredge was physician at  
St. J. Bellvue Hosp. at time.  
July 89 - 120 & 84.

Bernard J. Duffy

148243

Joseph Ed. Koverles, Paint before  
1949 Ex 43.  
Expire 1/92

Ms. Nettie Siegel.

140 or 145 g 43.

So far as can be ascertained  
Bigge purged way the only witness  
on this occurrence & her recollection

It was evidently  
 boys, & the  
 deceased was injured in the head  
 from the effect of the injury.  
 I believe no conviction can be had  
 upon the evidence, & I therefore  
 recommended that discharge of the accused  
 be recommended upon his own petition.  
 Verdict in favor of  
 Nov 11, 1892

24

J.D./Barnes

**Counsel.**

Filed 12 day of Aug 1889

Pleas, Ashbury,

# THE DISCERN

34

Paul Finley

JOHN R. FELLOWS.

*District Attorney.*

**A TRUE BILL.**

Alfred Cannon

Sept 2<sup>nd</sup> Jan. 11, 1892  
The Master of Board of Attorneys  
defendant discharged and  
his own recognizance.

Foreman.

0527



0528

TORN PAGE

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer. Paul Finley

Question. How old are you?

Answer. 12 years

Question. Where were you born?

Answer. New York city

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

Answer. 146 East 43rd Street about 2 years

Question. What is your business or profession?

Answer. School boy

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.

Paul Finley

Taken before me this 20  
day of July 1899

Police Justice.

0529

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \_\_\_\_\_ 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 20 1889 A. J. McMahon Police Justice.

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

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

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

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



0530

BAILED.

No. 1, by

*Michael Carberry*

Residence

*197 Tillery Street.*

No. 2, by

*Brooklyn*

Residence

*Street.*

No. 3, by

*Michael Carberry*

Residence

*197 Tillery Street.*

No. 4, by

*Brooklyn*

Residence

*Street.*

*113*  
Police Court

*113*  
District.

THE PEOPLE &c.,

ON THE COMPLAINT OF

*John Griffin*  
*687 E. 4th Ave.*  
*Paul Finley*

*Homicide*  
*Offence*

1  
2  
3  
4

Dated

*July 20* 1889

*McMahon*

Magistrate

*buff*

Officer.

*610 23d*

Precinct.

Witnesses

*Lizzie Dingley*

No.

*146 E 43d* Street.

No.

*100 E 43d* Street.

No.

*Committed* Street.

\$

*base* to answer.

*Bailed*  
*Dr. L. D. Henderson - Rotterdam Line Hoboken*  
*was arrested in New York*  
*Dr. C. H. Chittenden - Dents attended*  
*at the Court.*



0531

**PART III.**

THE COURT ROOM IS IN THE FIRST STORY.

If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.  
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

*Ask to see Mr. Davis.*

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To Bernard Duffy

of No. 148 E 43

Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of Sept 1897, at half past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Paul Finlay

Dated at the City of New York, the first Monday of Sept

in the year of our Lord 1897

DE LANCEY NICOLL, District Attorney.

427

**PART III.**

THE COURT ROOM IS IN THE FIRST STORY.

If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.  
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

*Ask to see Mr. Davis.*

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To Joseph E. Walker

of No. 249 E 43

Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of Sept 1897, at half past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Paul Finlay

Dated at the City of New York, the first Monday of Sept

in the year of our Lord 1897

DE LANCEY NICOLL, District Attorney.

427

0532

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 4<sup>th</sup> DISTRICT.

of No. 2304 French Street, aged 41 years,  
occupation Police Officer, being duly sworn deposes and says,  
that on the 23rd day of July, 1889

at the City of New York, in the County of New York, Deponent arrested  
Paul Finley (now here) for assaulting  
and beating one George Nolan of no  
674 Thrift Avenue by pushing said  
Nolan knocking said Nolan down causing  
his Nolan head to come in contact with  
a flag stone and inflicting injuries from  
which deponent is now confined to his  
home and is unable to appear in Court  
as set forth in the Annexed Certificate  
said Nolan identified said Finley in the  
presence of deponent as the person that

Sworn to before me, this

188

day

Police Justice,



0533

inflict said injuries,  
wherefore dep. prays that said  
defendant may be held to answer  
the result of said injuries

Sworn to before me this  
15 day of July 1889

John T. Buff  
P.T. McMahon  
Police Justice

Police Court District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

John T. Buff  
vs  
Paul Stanley

Dated July 15 1889

Magistrate.

Officer.

Witness,

23

Disposition: Committed without  
bond to await result of  
inquiries



0534

CITY AND COUNTY  
OF NEW YORK, ss.

POLICE COURT, 4 DISTRICT.

John Griffin  
of No. 674, 3<sup>d</sup> Avenue Street, aged 42 years,  
occupation Tailor being duly sworn deposes and says,  
that on the 4<sup>th</sup> day of July 1889

at the City of New York, in the County of New York, defendant was  
informed by George Nolan that he  
~~that~~ was assaulted by Paul Finley  
That said George Nolan has  
died of said injuries in Bellevue  
Hospital on July 17<sup>th</sup> 1889.

Wherefore defendant  
prays that said Finley may be  
dealt with as the Law directs

John Griffin

Sworn to before me, this 20  
of July 1889 day

Police Justice

0536

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

Lizzie Lingley

of No. 146 East 43rd Street, aged 12 years,

occupation School girl being duly sworn deposes and says,

that on the Fourth day of July 188 9

at the City of New York, in the County of New York, deponent saw

Paul Finley (now here) seize hold of  
George Nolan while Nolan was leaning  
over the railing in front of premises  
No 140 East 43rd Street, by his feet  
and throw Nolan over the railing.  
and said Finley immediately left.

Lizzie Lingley

Sworn to before me, this 20 day  
of July 188 9

Police Justice.

0537

July 15<sup>th</sup> 1889

This will certify that  
George Nolan #674 3<sup>rd</sup> An  
is in a dangerous condition,  
and liable to die at any  
time, from the result of  
injuries received July 4<sup>th</sup>  
last -

Wm. L. ...  
New York



0538

CITY AND COUNTY  
OF NEW YORK, } ss.

POLICE COURT, 4 DISTRICT.

Lizzie Dugley

of No. 146 East 43<sup>d</sup> Street, aged 12 years,

occupation School girl being duly sworn deposes and says,

that on the Fourth day of July 1889

at the City of New York, in the County of New York, deponent saw

Paul Finley (now here) seize hold of  
George Nolan while Nolan was leaning  
over the railing in front of premises  
Nº 140 East 43<sup>d</sup> Street, by his feet  
and throw Nolan over the railing.  
and said Finley immediately left.

Lizzie Dugley

Sworn to before me, this 20 day  
of July 1889

Police Justice.

0539

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

John Griffin  
of No. 674, 3<sup>d</sup> avenue Street, aged 42 years,  
occupation Tailor being duly sworn deposes and says,  
that on the 4<sup>th</sup> day of July 1889

at the City of New York, in the County of New York, defendant was  
informed by George Nolan that he  
was assaulted by Paul Finley  
That said George Nolan has  
died of said injuries in Bellevue  
Hospital on July 17<sup>th</sup> 1889.

Wherefore defendant  
prays that said Finley may be  
dealt with as the Law directs

John Griffin

Sworn to before me this 20  
of July 1889 day }

Police Justice.



0540

Coroner's Office.

TESTIMONY.

*Certified Copy  
Verdict of Coroners Jury*

"That the said George Nolan  
came to his death by Injuries  
received by, accidentally falling  
off a railing at 140 East 43<sup>rd</sup> Street,  
July 4<sup>th</sup> 1889.  
We exonerate Paul  
Finley from all blame"  
A true copy  
July 26<sup>th</sup> 1889.

*Edw. F. Reynolds*  
Clerk

Taken before me

this

day of

188

CORONER.



0541

\*STATE OF NEW YORK,\*

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the Coroners Office  
No. 67 Park Row Street, in the 4<sup>th</sup> Ward of the City of  
 New York, in the County of New York, this 26<sup>th</sup> day of July  
 in the year of our Lord one thousand eight hundred and 89 before  
MICHAEL J. B. MESSEMER, Coroner,  
 of the City and County aforesaid, on view of the body of George Nolan

now lying dead at  
Leu Upon the Oaths and Affirmations of  
 good and lawful men of the State of New York, duly chosen and  
 sworn, or sworn and charged to inquire, on behalf of said people, how and in what manner  
 the said George Nolan came to his death, do upon  
 their Oaths and Affirmations, say: That the said George Nolan  
 came to his death by

Injuries received by accidentally falling  
off a railing at 140 East 43<sup>rd</sup> Street, July  
26<sup>th</sup> 1889.  
We exonerate Paul Finley from  
all blame

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

JURORS.

<u>dt Heiser 939 1<sup>st</sup> St</u>	<u>Louis Ringen 825 - 1<sup>st</sup> Ave</u>
<u>E H Miller 765 1<sup>st</sup> Ave</u>	<u>Jacob Paul 833 1<sup>st</sup> Ave</u>
<u>E Flaming 987 1<sup>st</sup> Ave</u>	<u>Fr. Bragbarcher 222 E. 42<sup>nd</sup></u>
<u>Kaiser 1207 1<sup>st</sup> Ave</u>	
<u>Jos M. Winkler 755 1<sup>st</sup> Ave</u>	
<u>E. Dickmann 855 1<sup>st</sup> Ave</u>	<u>M. J. Mesmer</u>

CORONER, N. Y.

0542

Coroner's Office.

TESTIMONY. /

Detective John T. Buff 23<sup>d</sup> Precinct  
 being sworn says: The deceased  
 came to Stanton House about  
 13<sup>th</sup> July & stated that the doctor  
 told him that deceased was about  
 to die & wanted to have the  
 prisoner arrested. On July 14  
 I arrested the boy. The prisoner  
 stated to me that deceased called  
 him a bad name. I took the  
 prisoner to 674 - 3<sup>d</sup> and the boy  
 of deceased but his face was so  
 swollen that he could not see.  
 I asked deceased who hit him &  
 he said Paul Fidelity. ~~where~~  
 Of my own knowledge I know  
 nothing of the affair.

John T. Buff

Taken before me

this 26<sup>th</sup> day of July — 1889  
 R. J. Messner  
 CORONER.

0543

Coroner's Office.

TESTIMONY.

Joseph E. Walker by my sworn dep.  
Glen at 249 & 43 St.

I was standing at unit 576.  
at 144 — Some people were setting  
off fireworks — I saw deceased  
sitting on the railing with his back  
toward 3 — and he fell  
He got up himself & went away

J. E. Walker.

Taken before me

this

26 day of July

1889

CORONER.



0544

Coroner's Office.

TESTIMONY.

Mrs. Nettie Siegel housewife says:  
 Live at 145 E 43rd I am married -  
 I knew deceased & Paul Finley  
 I was sitting at my window  
 suddenly I heard a scream  
 Nolan was near the 3rd Ave railing  
 Nolan & Finley were sitting on  
 the railing - I saw Nolan & his  
 brother walking toward 3rd Ave  
 Little Finley ran after them & put  
 his arm ~~around~~ <sup>on the shoulder of</sup> deceased.  
 There is no basement where the boy  
 fell - I heard no quarrelling.  
 Mrs. Nettie Siegel  
 Believe it was about 3 o'clock

Taken before me

this

 26<sup>th</sup> day of July  
 J. H. Messer

1888

CORONER.

0545

Coroner's Office.

TESTIMONY.

3

John Nolan being sworn says:  
I am brother of George Nolan  
deceased, I live at 67 1/2 Ave  
I knew Paul Finley about  
8 months. I saw my brother  
standing on the sidewalk  
helpless & very weak with  
a cut on his head outside the  
stoop at 140 E 43rd St. Finley  
was there & did not help deceased  
home.

John Nolan

Taken before me

this 26 day of July 1889

W. J. O. Messers

CORONER.

0546

Coroner's Office.

TESTIMONY.

Paul Finley being sworn up.  
I live 146 East 43<sup>rd</sup> Street.  
I know deceased & we were friends  
We all tried to get a board on  
Election day. On July 4 - I did  
not know him down - I jumped  
down to get a torpedo & deceased  
called me a bad name

Paul Finley

Taken before me

this

26 day of July  
W. B. Mesmer

1889

CORONER.



0547

Coroner's Office.

TESTIMONY.

John Griffin being sworn says: I am uncle of George Nolan deceased. I live at 674-3 Ave. Deceased told me July 5<sup>th</sup> that I asked him who knew him down the street Paul Finley - I employed medical aid.

X John Griffin

Taken before me

this 25<sup>th</sup> day of

July

1889

CORONER.

0548

Coroner's Office.

TESTIMONY.

Bernard Duffey, burglar & swindler  
 lives at 1148 E 3<sup>rd</sup> Street + my stable  
 is at 148 E 3<sup>rd</sup> —  
 I know deceased Paul Threlby about  
 1 year + deceased about 6 months  
 The prisoner is a <sup>bad</sup> ~~very~~ <sup>bad</sup> ~~mischievous~~  
 boy. He is mischievous — throws  
 stones at carriages on the floor  
 saw him & other boys strike each  
 other — I am on good terms with the  
 family of deceased. ~~The~~ A boy wanted  
 to take a plank to burn on  
 Election night — There were other  
 boys there so I chastised the boy  
 Bernard Duffey

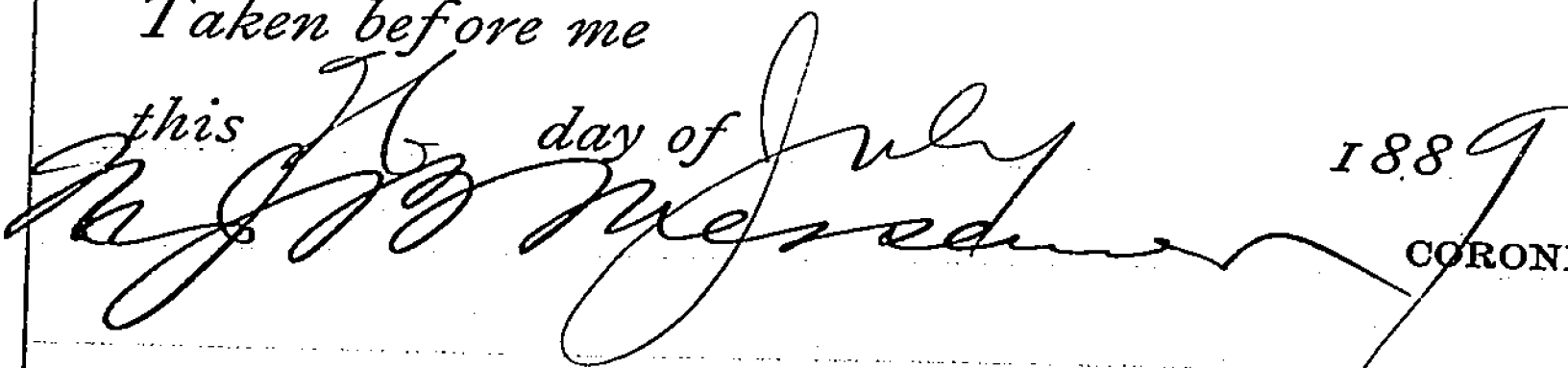
Taken before me

this

day of

July

1889



CORONER.

0549

E.P.

From Bellvue Hospital.

New York, July 17<sup>th</sup> 1889

To Coroner.....

Sir:

Please hold an Inquest on the body of

Name: George Nolan Residence: 674 3<sup>rd</sup> Ave

Age: 7 years 1 months 1 days. Admitted Tues + day, July

Father Patrick 16<sup>th</sup> 1889, at 3 30 o'clock P. M.

Nativity, U.S.; of Mary By Ambulance A

Life in U. S., 4 y in City. From Residence B

Civil Bond: single Occup.: ✓ Examined by Dr. ....

Suffering from symptoms of ..... C

Exquisite of head

Said Injuries said to have been received ..... D

beamed golden in light

..... E

Death took place Wed + day, July 17<sup>th</sup> 1889 at 4 o'clock P. M.

The Autopsy revealed ..... F

Remarks: ..... G

James Chewenck  
HOUSE SURGEON PHYSICIAN.

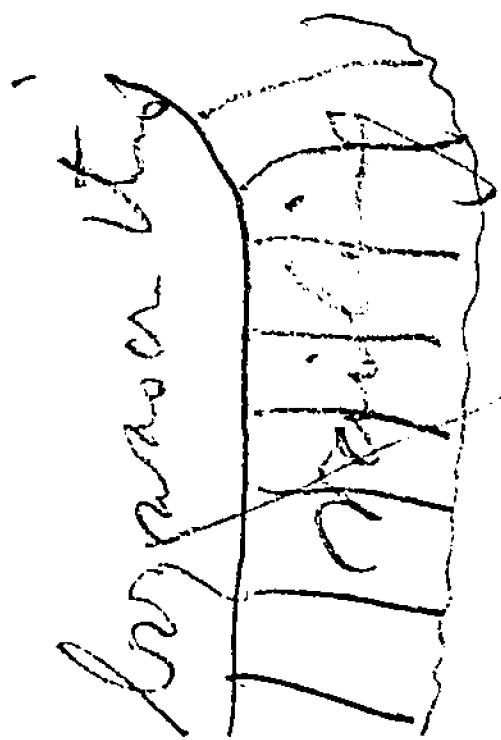
Exquisite Pat.

- Ad. +. State the day of the week.  
Ad. A. State whether by Ambulance or Friends.  
Ad. B. State whether from a Prerinct or a Residence and give the name.  
Ad. C. State whether from Natural Causes or from Shock (conscious or unconscious) due to Injuries, and if so, give name, place, date, number, character, and Extent of Injuries, always stating where indicated, whether right or left.  
Ad. D. State when, where, how, by what means or persons received, also whether Accidental, Suicidal or Homicidal; in falls, the distance, location and place; in Burns and Scalds the circumstances attending the same; in runover cases, the line of Street, Car, Railroad or Conveyance; in Weapons, the character of the same, &c., &c., always giving such information as will lead to an accurate knowledge of the case and facilitate judicial inquiry and justice.  
Ad. E. State name, date, place, character and results of any operation or amputation performed.  
Ad. F. Give a short resume of the Autopsy with the Pathological Diagnosis and the Cause of Death at the End.  
Ad. G. State here any important facts not embodied in the above statements.



0550

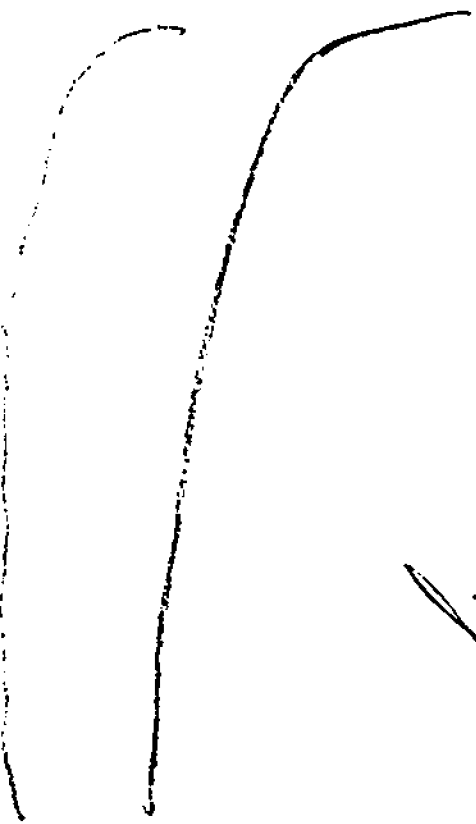
Exhibit 2  
MAB



From Wall  
Cover

Window

Door



Vacuum

0551

Coroner's Office.

TESTIMONY. 2

Lizzie Quigley being sworn says  
 Ollie at 140 East 43<sup>rd</sup> St & 104<sup>th</sup>  
 Street school - I knew George Nolan  
 since his uncle opened a tailors shop  
 I know the accused boy ~~and~~  
 about a year.

I saw the quarrel on July 4<sup>th</sup>  
 in 140 East 43<sup>rd</sup> Street about 3<sup>15</sup>  
 past 2 in the afternoon.

I saw Paul Finley take George  
 Nolan by the legs & fired him  
 over the railing in front of 140  
 East 43<sup>rd</sup> St. Paul Finley said he  
 ceased <sup>had</sup> cursed at him. I had  
 been there only a few minutes  
~~Ollie~~ not watch the little boy after.  
 Nolan was looking over the  
 railing - there was a door  
 between us - Nolan fell down  
 in the basement. Nolan's back  
 was towards Finley. I told my  
 papa that George Nolan got hurt  
 by Paul Finley - I did not see a  
 blow struck. I knew Nolan the best.

X Lizzie Quigley

Taken before me

this

day of July

1889

R. J. Messner

CORONER.

0552

## MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
7 Years - Months 4 Days	U.S.	propped p.m.	July 17 <sup>th</sup> 1900

Bellvue Hospital

Deceased was injured in a scuffle during the fourth of July by a boy named \_\_\_\_\_ who is under arrest. Was caught by the legs & thrown against a curbstone in 3<sup>rd</sup> Ave near his residence 674 - 3<sup>rd</sup> Ave, sustaining scalp wound over right frontal bone from which Erysipelas ensued; died in Bellvue 4 P.M. 18<sup>th</sup> / 00.



0553

M. J. B. M.

No. 229

1148

3rd. Quar.

1889

AN INQUISITION

On the VIEW of the BODY of

George Nolan

whereby it is found that he came to  
his death by my Traumatic  
Erythipulas from  
wound rec'd while in  
a scuffle

Paul Finley

Inquest taken on the 26th day  
of July 1889 before

MICHAEL J. B. MESSEMER, Coroner.

✓

0554

TESTIMONY.

William A. Conway M. D., being duly sworn, says:  
I have made an examination of the body of  
George Nolan now lying dead at  
the Mosque and from such examination  
and history of the case, as per testimony, I am of opinion the cause of  
death is

Traumatic Erysipelas

Wm A. Conway M. D.

Sworn to before me,

this 17<sup>th</sup> day of July 1889  
M. J. Messersmith

CORONER.

0555

JOHN O'BYRNE.  
ROBERT O'BYRNE.

Per  
or  
Finlay

LAW OFFICE OF  
JOHN O'BYRNE,  
STEWART BUILDING,  
Entrances: { 280 Broadway and  
53 Chambers Street.

New York, Dec. 5th, 1889.

Dear Sir:-

Will you set down this  
case for the latter part of the term,  
or for the 1st Monday of next term.

My father's absence prevents me  
fixing a date; ~~your~~ notice from  
your office only being received  
last evening.

Yours Truly  
Robert O'Byrne



0556

**PART I.**

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To

of No.

*George Hyoming*  
*108-1823*

Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of **SEPTEMBER** 1892, at 10.30 o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

*Paul Finley*

Dated at the City of New York, the first Monday of

**SEPTEMBER**

in the year of our Lord 1892.

DE LANCEY NICOLL, *District Attorney.*

1701

*10.30 A.M. Davis*  
*130 0'clock A.M.*

0557

L. W. Allen

habe.

and with no fault  
judges good tempered,  
and as far as I can  
attentive, obedient child  
self always a good  
and has proved him-  
self the last five months  
under my supervision for  
Mr. Schoof No. 73, has been  
sent Drury, a pupil of

New York  
July 23<sup>rd</sup> 1889.

Ed. J. J. J.

0558

*Court of General Sessions*

*The People vs*

*Paul Finlay*

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.

100 EAST 23D STREET,

New York,

*July 18 1889*

*Cuff 23rd Dist*

CASE NO.

*43236*

OFFICER

DATE OF ARREST

*July 14 1889*

CHARGE

*Homicide*

AGE OF CHILD

*12 years*

RELIGION

*Catholic*

FATHER

*John a Hack Driver -*

MOTHER

*Married*

RESIDENCE

*146 East 43rd St.*

AN INVESTIGATION BY THE SOCIETY SHOWS THAT

*boy can't read or write, and is very mischievous, and is known as the terror in the neighborhood, there is no record that he was ever arrested before. Parents are respectable*

*On Aug 1-1892: Boy was arrested for disorderly conduct by the police and discharged with a reprimand by Justice Kilbreth at the 4th District Police Court.*

*All which is respectfully submitted,*

*To the Court.*

*Henry E. Stocking  
asst Supt.*



*Count of Grand Jurors*

*The People vs  
against  
Paul Farley*

PENAL CODE, *§ Municipal*

Report of the New York Society  
for the Prevention of Cruelty  
to Children.

ELBRIDGE T. GERRY,  
*President, &c.,*

100 East 23d Street,

NEW YORK CITY.

0559

0560

New York, Sept. 19<sup>th</sup> '92  
Vernon M. Davis Esq.  
Asst. Dist. Atty.

Dear Sir.

Yours of even date in  
relation to the case of Geo. Nolan  
is received. On referring to my  
books I do not find his name  
entered in June or July '89.  
He was not a regular patient  
of mine, and I have no notes  
of his case, but have an indistinct  
recollection of having been called  
to see a boy who was said to have  
been injured by falling or being  
pushed off a stoop.

As I recollect the case he had  
several contused wounds of the  
scalp. Abscess formed, erysipelas  
suppurated and he died comatose.

Yours Truly

G. W. Chamberlain  
M.D.

439 Lex. Ave.

0561

Department of  
PUBLIC CHARITIES AND CORRECTION,

Office of City Prison, Corner of Franklin and Centre Streets,

HENRY H. PORTER, Pres't,  
CHARLES E. SIMMONS, M. D., } Commissioners.  
EDWARD C. SHERIDAN,

JOHN FALLON, Warden.

New York, Sept 21 1892

Dear Mr. Davis,

I have received  
your letter relating to  
one 'Nolan' who died  
in Bellevue Hospital.  
As I left the hospital  
April 1<sup>st</sup> '84 there must  
be some mistake about  
the report of my having  
treated him. I have  
looked up on my  
private records & there  
was no person, of  
the name you give,  
under my care  
at any other date  
during my term  
Edw. C. Sherwood.



0562

Department of Public Charities and Correction,  
BOSTON.

BELLEVUE HOSPITAL,

WARDEN'S OFFICE,

W. B. O'ROURKE,  
Warden.

New York, Sept. 17 1891

James L. Thompson, Esq.

Not a friend

Dear Sir,  
 I have the pleasure to inform you that your  
 application was brought to the attention of the  
 Hon. John B. Boyd, and did the preceding  
 day. As I J. Henderson, the assistant  
 Surgeon is now on leave, the following  
 has been recommended by the Board  
 and Dr. C. N. I. is now in the charge  
 of the case is Physician to the Institution  
 and resides at No. 6, 3rd Street.

*Very truly yours,*

*[Handwritten signature]*

0563

New York April 28<sup>th</sup>/88  
Recd from Wm Perry one hundred and  
one hundred and thirty six dollars in part  
payment on our hay house bought for one  
hundred seventy five dollars the balance  
due  
J Howard

Left

to

the

4/17/89

0564

Court of General Sessions of the Peace  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Paul Lindberg

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

of the crime of manslaughter,

committed as follows:

The said Paul Lindberg,

late of the City of New York, in the County of New York, aforesaid, on the  
fourth day of July, in the year of our Lord one thousand  
eight hundred and eighty-nine, at the City and County aforesaid,

with force and arms, in and upon  
one George Nolan, then and there  
being, unlawfully and feloniously  
did make an assault, and him  
the said George Nolan, down into  
and upon the ground there, with  
great force and violence, then and  
there unlawfully and feloniously  
did cast and throw, so that he  
the said George Nolan, by reason of  
such casting and throwing did then  
and there fall, with great force



0565

and violence down into and upon  
the ground there; giving information  
the said George Nolan, then and  
there, by the means aforesaid, in  
and upon the head of him the  
said George Nolan, one mortal  
wound and laceration, of the length  
of four inches and of the breadth  
of three inches, of which said  
mortal wound and laceration the  
said George Nolan, from the  
said fourth day of July in the  
year aforesaid, until the seventeenth day  
of July in the same year aforesaid,  
at the City and County aforesaid, did  
linger, and languishing did die,  
and on which said seventeenth day of  
July in the year aforesaid, the  
said George Nolan, at the City and  
County aforesaid, of the said mortal  
wound and laceration, did die.

And so the Grand Jury aforesaid  
do say: That the said Paul Embury from  
the said George Nolan, in manner and  
form and by the means aforesaid, willfully  
and feloniously did kill and slay; 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, in their dignity.  
J. M. R. Kellom,  
District Attorney

0566

**BOX:**

362

**FOLDER:**

3404

**DESCRIPTION:**

Finnegan, Edward

**DATE:**

08/16/89



3404

Bail \$1000.  
Geo. H. G.

Witnesses;

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

October 9, 1889, The within  
defendant this day pleaded  
another indictment for  
Attempted 1st degree.  
The witness in the case  
herein cannot be found  
I therefore recommend  
that the indictment be  
dismissed

A. D. Mason  
D. C. S. C.

Counsel,

Filed

day of

1889

Pleads

THE PEOPLE

vs.

Edward Timmigan

(2 cases)

Robbery in the  
(MONEY)  
first degree.  
[Sections 224 and 228, Penal Code]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. J. H. H. H.

Foreman.

0567



0568

Police Court—4<sup>th</sup> District.

Affidavit—Larceny.

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

of No. 208 East 73 Street, aged 34 years,  
occupation Bar-keeper being duly sworn

deposes and says, that on the 8<sup>th</sup> day of August 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property viz:

A Quantity of Cigars and  
Clothing of the value of  
Two Hundred <sup>or 100</sup> Dollars  
(\$200.<sup>00</sup>/<sub>100</sub>)

the property of deponent and James Lawlor  
and all in deponent's charge  
and custody

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was <sup>attempted to be</sup> feloniously taken, stolen,  
and carried away by Edward Finnegan (now here)  
with the intent to deprive the true  
owners of said property, from the  
following facts, to wit: That said  
property was in a room or  
office in premises N<sup>o</sup> 503 Third  
Avenue and deponent is said  
room or office was securely  
fastened and locked and  
deponent is informed by Martin  
Knobey that at about the hour  
of 12.30 A. M. of the aforesaid day  
Mr. Knobey saw said defendant  
climbing over a wooden partition  
surrounding and enclosing said

Sworn to before me this  
1888 day

Police Justice.

0569

room or office and said  
defendant had no business  
in paid room or office or in  
said premises.

Sworn to before me  
this 8-day of August 1889 John J. Farley  
D. T. McMahon  
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1889  
Police Justice.

I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1889  
Police Justice.

There being no sufficient cause to believe the within named  
guilty of the offence mentioned, I order he to be discharged.  
Dated 1889  
Police Justice.

Police Court, District.

THE PEOPLE, &c.,  
on the complaint of

Offence—LARCENY.

1.  
2.  
3.  
4.

Dated 1889

Magistrate.

Officer.

Clerk.

Witnesses.

No. Street.

No. Street.

No. Street.

\$ to answer Sessions.



0570

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 21 years, occupation Manager of No. 219 West 40<sup>th</sup> Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of John J. Farley and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this

day of

183

August 8<sup>th</sup> of Martin Kwoeg

J. J. Farley  
Police Justice.



0571

Sec. 198-200.

4<sup>1</sup> District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Edward Finnegan* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is *h<sup>is</sup>* 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 Finnegan*

Question. How old are you?

Answer.

*19 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*No 335 East 36 Street about 9 years*

Question. What is your business or profession?

Answer.

*Peddler*

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

Answer.

*I am not guilty*

*Edward Finnegan*

Taken before me this

day of *August* 188*9*

Police Justice.

0572

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

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

Dated August 9 188 9 Wm. Mahan Police Justice.

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

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

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

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

0573

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

Police Court 4 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John J. Farley  
vs. Edward Timme

2  
3  
4

Dated August 8 1889

Magistrate  
Rice Officer.

21 Precinct.

Witnesses Martin Timme

No. 219 West 40 Street.

John Quinn

No. 5 E 1st Ave & 35 Street.

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

\$ 1000 to answer

One

Volume 4 Aug 9 92



0574

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edward Finnegan

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

Edward Finnegan  
attempting to commit the crime, of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed as follows:

The said

Edward Finnegan

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

divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of one hundred and fifty dollars, and five hundred cigars of the value of ten cents each

of the goods, chattels and personal property of one

John J. Farley

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

John R. Fellows  
District attorney

0575

216

Counsel,  
Filed 16 day of Aug. 1889  
Pleads, *Guilty. Sep 2.*

THE PEOPLE  
vs.  
*Edward Finnegan*  
2 cases.  
Grand Larceny *second degree.*  
[Sections 628, 63, Penal Code].

JOHN R. FELLOWS,  
District Attorney.  
*P. 2 Oct 9/89*  
*pleads guilty.*  
*Per: Me gear.*  
**A TRUE BILL.**  
*Alfred Kinnear*  
Foreman.

Witnesses:

0576

Police Court 4th District.

CITY AND COUNTY } ss  
OF NEW YORK,

Cornelius V. Farrell  
of No. 340. East 34th Street, Aged 29 Years  
Occupation Police being duly sworn, deposes and says, that on the  
7th day of August 1889, at the 21st Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

Some amount of money  
of the United States issue  
of the amount and value of  
Forty Dollars

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

Admiral. Finnegan (now here) and  
another person who yet arrested and  
returned to deponent from the fact  
that at about the hour of 11:45 P.M. on  
said date deponent was walking along  
Third Avenue and when near the corner  
of 33rd Street the said Finnegan and another  
person came up to deponent, the said  
unknown person shot deponent in the  
head with a pistol knocking deponent  
down and while deponent was lying prostrate  
the said Finnegan kicked deponent  
in the head and body. That while deponent

day of  
begin to before me, this

188

Police Justice.





0578

Sec. 198-200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty of the charges*  
*Edw. Finnegan*

Taken before me this

day of *December* 188*9*

*John J. Sullivan*  
Police Justice.



0579

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

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

Dated Aug 29 188 Wm Mahon Police Justice.

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

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

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

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



0580

Police Court-- District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

*Cornelius N. Farrel*  
*340 East 134 St*  
*Adwait Turner*

2  
3  
4

Offence

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated August 8 1889

M. Mahon, Magistrate

Malarkey, Officer.

Precinct.

Witnesses John Turner

No. S. E. Ave. 1 over 33 Street.

No. Street.

No. Street.

Committed to answer

1000 bond 27 Aug 9 9 am

0581

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 Timinegan*

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

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

The said *Edward Timinegan*,

#40- late of the City of New York, in the County of New York aforesaid, on the *seventh* day of *August*, in the year of our Lord one thousand eight hundred and eighty *nine*, in the *ninth* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *Rodolph H. Sandell*, in the peace of the said People then and there being, feloniously did make an assault, and *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars *each*; *four* 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*; *eight* 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*; *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 two dollars, and of the value of two 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 dollar, and of the value of one dollar *each*; *two* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars *each*; *four* 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*; *eight* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each*; *two* United States Silver Certificates of the denomination and value of twenty dollars *each*; *four* United States Silver Certificates of the denomination and value of ten dollars *each*; *eight* United States Silver Certificates of the denomination and value of five dollars *each*; *twenty* United States Silver Certificates of the denomination and value of two dollars *each*; *twenty* United States Silver Certificates of the denomination and value of one dollar *each*;

0582

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

of the goods, chattels and personal property of the said *Romelius H. Farrell,* from the person of the said *Romelius H. Farrell,* against the will, and by violence to the person of the said *Romelius H. Farrell,* then and there violently and feloniously did rob, steal, take and carry away, *the said Edward Dineen Henry Dean and there aided by an accomplice actually present, whose name is to the Grand Jury aforesaid unknown, and Henry also armed with a dangerous weapon, to wit: with a certain loaded pistol,* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.



0583

**BOX:**

362

**FOLDER:**

3404

**DESCRIPTION:**

Fischer, August

**DATE:**

08/06/89



3404

Witnesses:

J.A. Ferris

In this case the defendant  
acknowledged that a plea of  
petty larceny be accepted. There  
was not at any one time  
an amount of goods  
taken worth \$25.00  
Part 30th 18<sup>th</sup> 89

W. J. Gerone  
Dep. Asst.

37 Bill found

Counsel, F & M  
Filed, 6 day of Aug 1889  
Pleads, Not Guilty 17

THE PEOPLE,

vs.

\$5  
11  
11

August Fischer

Section 528 530 Penal Code.

Second  
RANOLD P. MARINE

District Attorney

Part 30th 18<sup>th</sup> 89

A True Bill.

Alfred Cameron

Part III October 18/89.  
Pleads - Petition Larceny -  
Total 23

Pen 6 months

0504

0585

GEORGE LACEY

1. Aged 32, born in New York, has been in the employ of F. A. FERRIS & CO. for about 14 or 15 years, as driver and porter.
2. His duties were to select Meats according to order tickets given him at the office, and after returning the tickets to the office with the proper weights marked thereon, to prove the weights of his load on the large scales and then deliver the goods to the various grocers in New York City and Brooklyn.
3. His chief method of stealing was by giving a larger weight of tare than the barrels, boxes or trucks in which the goods were contained, weighed, thus taking in his wagon 20-30 lbs. more Meat on each load than was accounted for.
4. This surplus he sold to grocers for cash and kept the money.
5. Lacey confessed all on being arrested and has since seemed to tell the truth in every particular.
6. He desires to plead guilty, and claims not to be represented by the counsel who have appeared for him.
7. When arrested, he had in his overalls' pockets \$438. in bank bills, of which he said \$203. was received from people to whom he had sold goods taken from F. A. FERRIS & CO.
8. In the presence of Sergeant Creed, Mangin, Detective Grady, Officer John J. Flood and Frank A. Ferris, he testified that he had in the Savings Bank about \$500., some of which belonged to the firm.
9. He confessed that he had taken as high as \$1,000.
10. Christopher Faist, grocer corner W. 10th St and Waverly



0586

George Lacey.

2

Place, testified that on, or about, July 1st, he bought Hams &c. of Lacey, amounting to about \$4., for which he paid him the cash, and that he had been buying Meat regularly of him in this way and for which he had not received any bill from the firm for a long time.

11. Jacob Faist, corner Second Avenue and 2nd Street, grocer, will testify that he bought Smoked Meats of Lacey for many months in the same way, never receiving any bill from the firm, and paying Lacey the cash on each delivery.

12. F. A. FERRIS & CO. have attached the \$438. in the hands of the Property Clerk at Police Headquarters.

13. Edward Fischer, son of Augst Fischer, confessed before Officers and employer he knew it was the custom of Lacey and his father to mark up the tares.

0587

*Verano, N-10*  
*64-20 July 1937*

The following statements were made in the presence of Mr. Ferris, of the firm of F.A. Ferris & Co., Sergeant Frank Mangin, Jr., Detective Sergeant John J. Creed, Detective Dennis Grady and Officer John F. Flood.

Q. Lacey, how old are you? A. 32.

Q. Where were you born? A. New York City.

Ser'gt. Mangin. Now, Lacey begin at the beginning and tell us all you know about this affair.

L. I went into the employ of F.A. Ferris & Co about 14 or 15 years ago. I went there as driver, shipping clerk and one thing and another. I delivered goods here in this city and in Brooklyn. I first began this stealing about three years ago, and in that time I have taken property consisting of hams, bacon and shoulders and one thing and another about 6 or 7 dollars a week. That \$203. found in my possession was received from people to whom I sold goods taken from Ferris & Co.

Every time we would go out, almost daily, we would have from 15 to 20 pounds over, which would be got by putting up the tares. We would give in the office the weight with the barrels and boxes heavier than they really were. There was a party named Kirkman in 20th street that did have meat. He used 4 or 5 pieces of bacon a week. I don't think he knew we stole this meat.

Mr. Ferris. How long ago did Kirkman begin to buy of you?

A. Over a year ago.

Mr. F. When did he stop buying of you?

A. He bought up to within a month or two ago. During that time all the meat I carried there was stolen meat. I always got from him the full value of the meat.

Mr. F. Who else bought stuff from you?

A. Jacob Faast and Christopher Faast bought stuff from us.

Mr. F. Did't these two brothers know at any time that there was anything crooked about this meat?

A. I don't think they did, they always paid me regular prices. My rule has been to make this money on sales I made to these three parties, amounting to between 5 and 10 dollars a week, not over 10 dollars a week.

Mr. F. Did't you ever take lots of meat on your wagon that you did not put on the scale?

A. No, sir; I always weighed the meat; the crooked work was in giving over tares.

Mr. F. As a matter of fact, didn't you know that Gus was stealing all this time?

A. Yes, sir; we both understood how the thing was being worked. He knew I was taking stuff out, and I knew he was taking it out.

Ser'gt. Mangin. Did you ever give this boy (Eddie) money for delivering goods for you to people for whom you had no bill?

A. I gave him money at times, as much as fifty cents, to get his dinner or something like that. I often sent him with goods where he had no bill.

Ser'gt. Mangin. Did you ever sell any stuff in Brooklyn?

A. I don't believe I ever took a piece of meat to Brooklyn outside of the orders. Eddie knew we were doing wrong and taking stuff from the firm.

0588

*Geo Lacey's Confession Page 2*

(2)

Q. How much money have you got in the bank?

A. About five hundred dollars or so.

Q. Does any of it belong to the firm.

A. Yes, sir; some of this money in the bank belongs to the firm.

Q. Figuring up what you have taken every week and what you have spent, how much have you taken from us altogether?

A. Figuring up what I have spent and all it would go as high as a thousand dollars. August was taking a great deal more than I was.

(Next morning) Q. Lacey, have you remembered anything during the night about this matter.

A. Everything I told you was right.

Q. How did you first discover that August was taking meat?

A. I could not tell exactly.

Q. Do you remember any individual time when you knew of your own knowledge that he (August) took meat out?

A. I was not with him.

Q. Were there times when you actually saw him take meat out?

A. There was only one time, and that was the time of the blizzard. At that time I knew he sold meat. We had some in the barrel. There were 4 or 5 hams and some bacon. We both sold the meat and divided the money between us. This is the only time I recollect.

Q. How much money did you have to divide between you that day? A. Between 10 and 12 dollars.

Q. Do you mean that during all these years you cannot recollect any other one time when August took meat but this Blizzard time?

A. I could not say for sure, I am positive he took it out though. Some of the meat we sold that day was on the wagon, and some we got out of the place. What was taken from the place was put in the wagon by me.

Q. How would August manage to get this meat in the wagon? He would report the meat returned and instead of taking it up stairs would keep it on the wagon.



0589

Statement of George Lacey.

I make the following statement of my own free will and accord:

I went into the employ of F.A. Ferris & Co., about 14 or 15 years ago. I was first employed as driver and shipping clerk. I delivered goods here in the city and in Brooklyn. I first began this stealing about 3 or 4 years ago. In that time I have taken property consisting of hams, bacon, shoulders and one thing and another to the amount of about 6, 7 or 8 dollars a week. That \$203. found in my possession was received from people to whom I sold goods taken from Ferris & Co. Every time we would go out, almost daily, we would have 15 or 20 pounds over, which we would get by putting it on the tares. We would give in at the office the weight of the barrels and boxes heavier than they really were. We sold meat to Kirkman in 20th street; he used about 4 or 5 pieces of bacon a week. I don't think he knew we stole this meat. Kirkman began to buy from me over a year ago, and during that time most of the meat I carried there was stolen. Jacob and Christopher Paas bought stuff from us. I don't think these people knew the meat we sold them was stolen. They always paid me regular prices. The money I made was made on the sales I made to these three parties, and it amounted to between 5 and 10 dollars a week. The crooked work was in giving over tares. I knew that August (Fischer) was stealing all this time. We both understood how the thing was being worked. He knew I was taking stuff out, and I knew he was taking it out. I have at times given money to the boy, Eddie. I have often given him goods where I had no bill. Eddie knew we were doing wrong to the firm and taking stuff from it. Some of the money I have in the bank belongs to the firm. When I come to figure up what I have taken altogether it would go as high as \$1000. August has taken a great deal more than I have. The only time I actually saw August take meat out was at the time of the Blizzard. At that time I knew he stole meat. We had some in the barrel. There were 4 or 5 hams and some bacon. We both sold the meat and divided the money between us. We had about 10 or 12 dollars worth of meat to divide up between us that day. Some of this meat was on the wagon, and some was taken from the place. What was taken from the place I put it in. August would report meat as returned and instead of taking it up stairs would keep it in the wagon. I am perfectly sure about this Blizzard business. We sold the stuff to several men, and divided each lot among us.

0590

People  
Sept.  
George Tracy

Generalissimo

Part II

Monday Sept 23/89

0591

Police Court  
Second District

The People vs  
Mark A. Ferris  
August Fischel

Examination before Justice Gorman  
May 2 & 1893

It is agreed that the testimony of the  
complainant witness against the  
Defendant Fischel would be the  
same as he has given against  
the Defendant Lacey.

Defendant's counsel moves to dismiss  
the complaint.

Motion denied

Defendant held to answer  
\$2000 bond

W. L. Crosby Jr.  
Stenographer



0592

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

POLICE COURT, 2 DISTRICT.

aged 48 years Provisional dealer  
of No 264 Mott Street, being duly sworn, deposes and says,that on the day of between about the 1<sup>st</sup>  
at the City of New York, in the County of New York,

day of January 1888 and the 9<sup>th</sup> day of July 1889, was feloniously taken stolen and carried away from the possession of deponent in the day time the following property to wit: Smoked Meats of various kinds, and in all of the value of about one thousand dollars, the property of deponent, and Joseph Cape and Eugene S. Hand, deponent's Copartners, and deponent has probable cause to suspect and does suspect that said property was stolen taken and carried away by August Fischer (now dead) from the fact that said defendant was in the employ of deponent and said Copartners as a driver and porter, and by virtue of his employment he had access to said property then stored at the aforesaid premises, and he was empowered to sell and deliver goods after receiving a bill for such goods sold, and after having been charged in the books kept by deponent's firm, and when money collected by him to make due return thereof to the Cashier of said firm, deponent is informed by John W. Richter of No 1604 3<sup>rd</sup> Avenue that on the 9<sup>th</sup> day of July, 1889, he bought two pieces of Bacon from said defendant and paid him therefor, for which he did not receive a Bill and that said defendant did not make return

0593

of said sale to deponent or any person  
connected with deponent's place of business  
Deponent having witnessed a great deal of  
property carried the arrest of said defendant  
who acknowledged and confessed to deponent  
in the presence of witnesses that he did  
steal property from deponent and deponent's  
copartners to the amount of about  
fifteen hundred dollars that he  
sold the property and appropriated the  
money necessary for said property  
to his own use

Deponent prays that said defendant  
be dealt with as the law directs

Subscribed & before me this 19<sup>th</sup> day of July 1889  
John H. Norman  
Palmerston

POLICE COURT—

DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF.

vs.

Dated

188

Magistrate.

Officer.

Witness,

Disposition

AFFIDAVIT.

0594

CITY AND COUNTY  
OF NEW YORK, } ss.

*John W. Fisher*

aged 20 years, occupation Green of No. \_\_\_\_\_

1604 3<sup>rd</sup> Avenue Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Frank A. Fisher

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

knowledge.

Sworn to before me, this 19

day of July 1887

*John W. Fisher*

*John W. Fisher*

Police Justice.



0595

CITY AND COUNTY  
OF NEW YORK, } ss.

aged 25 years, occupation Prisoner of No.

1604 3rd Avenue Street, being duly sworn deposes and

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

Sworn to before me, this 19  
day of July 1888

188

John N. Richter  
Police Justice.

0596

Sec. 198—200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

2 District Police Court.

*August Fischer* 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. *August Fischer*

Question. How old are you?

Answer. *55 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *111 East 8th Street 18 years*

Question. What is your business or profession?

Answer. *Butcher*

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

Answer. *I have nothing to say at present*  
*A. Fischer*

Taken before me this

day of

*July*188*9**John J. McManus*  
Police Justice.

0597

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.....

*apud*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *100* 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 24* 188*9* *John Thompson* Police Justice.

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

Dated *July 24* 188*9* *John Thompson* 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.



0598

\$5000 bail  
for Ex 2 P.M.  
July 24<sup>th</sup>

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

2

1092

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Frank A. Ferris

vs.

1 August Fischer

2

3

4

Offence

Dated

July 19

1889

Gorman

Magistrate.

Speed & Grady

Officer.

Precinct.

Witnesses

No.

Street.

No.

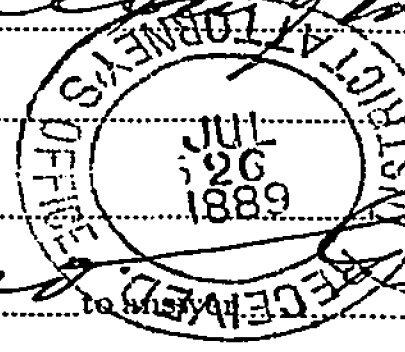
No.

Street.

\$

to

Bail



0599

~~People~~  
~~Appt.~~  
~~George Lacey~~

People  
Appt.  
August Fisher.

Witnesses to be Subpoenaed.

Christian E. Faish 152 West 10<sup>th</sup> St  
Jacob Faish 2<sup>nd</sup> Ave & 2<sup>nd</sup> St  
H. H. Kirkman 238 W 20<sup>th</sup> St

~~John~~  
F. H. Jaeger 1033, 3<sup>rd</sup> Ave  
Sergeant Mangin Police Headquarters  
" " " "

0600

Witnesses to



0601

AUGUST FISCHER

1. A German, has been in the employ of F. A. FERRIS & CO. for 18 years continuously.
2. For 11 years has been driver and porter.
3. For several years past his duties have been to receive order tickets from the office, get out the Meats desired, mark the weights on the tickets which were to be returned to the office and then deliver the goods by wagon to grocers in New York City.
4. When the several orders constituting a load were ready they were weighed on large platform scales by the office, to prove the weights as given in by August.
5. His plan was to report the barrels, boxes, trucks &c. in which the Meats were contained as weighing 20-30 lbs. more than they actually did, thus securing that amount more weight of Meat than he accounted for at the office.
6. When the load was delivered from the wagon, this surplus remained and he sold it to grocers who would pay cash for it, putting the money in his pocket.
7. On or about July 9th, 1889, he sold two pieces of Bacon, weighing 6 1/2 lbs. at 14¢ to John Richter, clerk for J. H. D. Myer, grocer at 1604 Avenue 3.
8. This being discovered by his employers, when first questioned as to where he got the Bacon, he replied confusedly, "I don't know".
9. That evening, he called with his son, Edward, on William Levers, a grocer at 99 Lexington Avenue. Mr. Levers came down from his

0602

August Fischer.

2

supper to see him.

10. August told him he had come to ask a favor, but did not wish to borrow money.

11. If any one came from the house, (F. A. FERRIS & CO.) to ask him if he (Levers) had sold to him (August) two pieces of Bacon weighing 6 1/2 lbs. for 91 ¢, would he say "yes" ?

12. Levers replied that he would think about it, but revealed the matter to the salesman of F. A. FERRIS & CO. the next day.

13. The morning after the evening of the interview with Levers, August told Mr. Hand that he remembered where he got the Bacon.

14. To accomodate Myers, who wanted it, he had bought it of Levers.

15. On the evening of Thursday, July 18th, in the presence of Frank A. Ferris, Eugene S. Hand, Sergeants John J. Creed and Mangin and William Barrett (salesman of F. A. FERRIS & CO.), August confessed he stole these two pieces of Bacon and kept the money.

16. After being locked up that night at headquarters, the next morning in the presence of Sergeants Creed, Mangin, Detective Grady, John F. Flood and Frank A. Ferris, he confessed that he had been stealing for several years, had deposited \$50. or \$60. every month in Savings Bank, that he had two bank books with \$3,000. deposited to each account, namely, in the Dry Docks' Savings Bank and in the German Savings Bank (14th St., & Fourth Avenue).

17. He confessed, "I admit that for the last several years I have taken at least \$1,500. worth. The rest of this \$6,000. belongs

0603

August Fischer.

3

to my wife and children, and not to FERRIS & CO."

✓ 18. George Nacey, under arrest for the same offence, will testify that he knew August Fischer had been stealing for years.

19. On one occasion, a day or two after the blizzard, in March, 1888, they took out stolen Meat, for which they got \$10. or \$12., which was equally divided between them.

20. Edward Fischer, son of August, age 24 years, has been in the employ of F. A. FERRIS & CO. three or four years.

21. Helped his father and Lacey on the wagons as porter.

22. Confessed in the presence of Sergeants Creed and Mangin, Officers Grady and Flood and Frank A. Ferris,---

23. "Found out his father was taking goods two years ago. He knew it was the practice of his father and Lacey to mark up the tares.

24. He knew where the stolen Meat was sold."

25. His confession closed as follows,---

26. "For about two years I knew he was doing this work. I cautioned him about selling and told him he had better stop."



0504

*Mr. Lacey*

Statement of August Fischer.

Q. August, how long have you been with me? A. I have worked with you 20 out of 28 years.

Q. How long is it since you began driving uptown?

A. About 11 years.

Q. How soon after did you begin working this scheme?

A. I didnt take nothing out that didnt belong to me.

Q. How much meat do you suppose you have taken in a year for the last four years?

A. I only took those two pieces of bacon.

(Next morning)

Q. Well, August, have you remembered anything during the night?

A. I didnt take much if I took anything, Mr. Ferris.

Q. When did you begin?

A. Long after your brother-in-law died I commenced, and I kept it up ever since.

Q. Where have you kept your bank books?

A. At the Dry Dock and 14th street and 4th avenue.

Q. How much money have you got in these banks?

A. I got three thousand in each book.

Q. In whose name are the books?

A. In my wife's name.

Q. How much have you been in the habit of depositing every month?

A. I deposited about 50 or 60 dollars every month.

Q. August, how much meat have you been in the habit of taking out over and above what you gave in at the office?

A. I have been taking out about 25 or 30 pounds a day.

Q. Do you remember about being out with Lacey during the Blizzard and selling meat and dividing the money with him?

A. Yes, sir; he and I went out together, we sold the meat at several different places and divided the money between us. He gave me something that day, but I didnt have much of it.

Q. Do you remember the day you had on the wagon barrels containing over 10 dollars worth of meat?, and that you and Lacey sold and divided between you?

A. I didnt have much of it.

Q. How much did you have out of that lot?

A. I dont know; maybe I had 2 dollars out of that lot.

Q. Didnt you have over 5 dollars out of it? A. No, sir.

Q. Didnt you have both of you together over 10 dollars on that trip?

A. I couldnt tell you. I took the two dollars; I think it was silver and some change.

Q. How much of the money you have in bank came out of proceeds of what you took from the firm and sold.

A. I dont believe there is more than half of \$3000. that come from what I took from you.

Q. Do you mean to say that of your savings, there is not over 1500 dollars that is the proceeds of meat you took from us and sold and kept the money?

A. I am perfectly sure there is not more than 1500 dollars. I thought this over last night and I admit that for the last several years I have been taking meat and have taken at least 1500 dollars worth. The rest of this 6000 dollars belongs to my wife and children and not to Mr. Ferris, & Co.

0605

Statement of Edward Fischer.

- Q. Eddie, how old are you? A. 24.
- Q. How long have you been with our firm??
- A. About 3 or 4 years. I came there in poor health and have been helping my father and Lacey on the wagons.
- Q. When did you first know your father was taking out goods selling them and keeping the money?
- A. As much as I recollect I have not found it out until about 2 years ago.
- Q. When you found it out two years ago you knew it was going on for some time, didn't you?
- A. I had no idea of that Mr. Ferris. Some times we had goods come back, and in some places they said "Well, we'll take the goods". I thought they put the money in the envelopes and turned them in.
- Q. Didn't you know it was your father's and Lacey's practice to mark up the tares? A. Yes, sir. I did know it.
- Q. Where did you know that these goods that were stolen were generally sold?
- A. There were Faas on the east side; Faas on the West side, and on 20th street, Kirkman's.
- Q. What about some place up town where your father delivered goods?
- A. Yaeger's on 3d avenue between 61st and 62nd street. Keefe-er 3d avenue between 91st and 92nd street.
- Q. How about Myers?
- A. Sometimes they sold him some goods. My father went in there and sold him two pieces of bacon.
- Q. Did you sell anything at Hyer Brothers? A. No, sir.
- Q. Did they buy of you meat that you took from other places?
- A. No, sir.
- Q. Did Keefer and Yaeger buy all the meat your father took?
- A. Yes, sir; pretty near all they had.
- Q. Did you make inquiries at Leopolds', near the corner of 82nd street, as to whether anybody from the firm came up there?
- A. Yes, sir.
- Q. How long did you know that your father was doing this work??
- A. For about two years I knew he was doing this work. I cautioned him about selling, and told him he had better stop. That is all I can say about this matter.

The above statement was made in the presence of Mr. Ferris, Sergeant Mangin, Detective Sergeant Creed, and Officers Grady and Flood.

0506

GENERAL SESSIONS--PART II.

\*\*\*\*\*

THE PEOPLE

VS.

AUGUST FISCHER.

\*\*\*\*\*

C H A R G E.

On or about July 9th, 1939, defendant sold two pieces of bacon, weighing 8 1/2 pounds to John Richter, clerk for J. H. D. Meyer, grocer, at 1304 Third Avenue, at fourteen cents per pound.

This was discovered by his employers and led to his confession that he had stolen meats from the firm during the years of his employment to the value of \$1500.

W I T N E S S E S.

Frank A. Ferris, of F. A. Ferris & Co.

Eugene S. Hand of F. A. Ferris & Co.

Sergeants John J. Grady and Harvi.

William Barrett, salesman for F. A. Ferris & Co.

Detective Grady, Central Office.

John F. Flood, Central Office.

George F. Lacey.

Edward Fischer.

August Fischer.



0607

On or about the \_\_\_\_\_ day of \_\_\_\_\_ 1889,  
on being detected of the theft of the bacon aforesaid, said  
Fischer called on William Levers, 99 Lexington Ave., and re-  
quested him to tell Ferris & Co. that he, Levers, had sold  
to Fischer the said bacon. The next day Mr. Levers re-  
ported the facts of the case to P. A. Ferris & Co..

On July 18th, 1889, in the presence of Mess. Wand,  
Ferris, Creed, Mangin and Barrett, he confessed the stealing  
of the bacon.

On July 19th, 1889, in the presence of Creed, Mangin  
Grady, Flood and Barrett he confessed that he had been  
stealing for years; said that he had deposited \$50. or  
\$60. from that; that he then had on deposit about \$3,000.,  
\$3,000. in each of two banks, and about \$1500. of it be-  
longed to P. A. Ferris & Co.. Confessed that a day or two  
after the blizzard he and Lacey took out about \$10. or \$12.  
worth of meat which they had stolen, and which they sold and  
divided the proceeds.

#### CONFESIONS.

Willetts vs. The People, 27 Hun, 409.

Willetts was arrested for murder and convicted  
October 10th, 1881. He made statements at three different  
interviews to detective Hotchkiss of the District Attorney's  
Office after his arrest. He was told by the District At-  
torney that he need not make any statements, and that if he  
did they would be used against him, and that they would

0608

probably hang him. His confession was then reduced to writing, and was subsequently admitted as evidence.

(J. Boardman says: "If he was advised or induced or "frightened into making the declarations, the evidence is "not competent."

Wharton in his work on Criminal Law, Paragraph 685, says: "The settled law may now be said to be that confessions made even to constables or police-officers cannot be "excluded unless it appears that there was a threat of harm "or a promise of worldly advantage employed by an authoritative person." Evidence has been rejected when of the following character: You had better tell the whole truth, and if you make any disclosures I will do what I can for you. It will be worse for you if you do not confess. (J. Earl) in Baldrys case says: "Unless there was a threat or a "promise to induce it the confession ought not to be excluded.

Lord Campbell, C. J., says: "The various statements of a prisoner obtained from him voluntarily are competent evidence."

Same rule as above in People vs. Wentz, 37 N. Y. 303.

Kelly vs. People, 43 N. Y., 571.

Murphy vs. The People, 68 N. Y., 596--7.

#### A C C O M P L I C E S.

Sec. 399 Criminal Code of Procedure.

The testimony of an accomplice must be corroborated

0609

by evidence tending not only to show the commission of the crime, but to connect the defendant with it.

P. J. Davis, 33 Hun, 533.

People vs. Courtney.

Corroborative evidence required by Section 300 of the Code of Criminal Procedure, to justify conviction upon the evidence of an accomplice, must be as to facts independent of the testimony of the accomplice, which taken by themselves tend to the inference not only that a crime was committed, but that the defendant was implicated in it. This view sustained by 21 Wend., 309.

People vs. Williams, 39 Lam, 520.

The Court refused to charge that the evidence tended to connect the defendant with the commission of a crime must be more than such evidence as raised a suspicion of guilt.

People vs. Davis, 21 Wend., 309.

Having in his possession with intent to pass, bank bills purporting to be issued by the Morris Canal & Banking Company, appeal on the point of charge, the evidence of an accomplice not to be believed by the jury unless confirmed by other credibly witnesses, in respect to the facts connecting the prisoner with the possession of the forged paper.

(Ch. J. Nelson) "His possession of the forged bill  
"of the bank or the act of the forging of it, if not the es-  
"sence, went to the point of the offense, and if believed  
"pressed very strongly against him, and laid the foundation



06 10

"of believing the narrative of his associates.

People vs. McCallum, 105 N. Y. 587.

Not error for the Court to refuse to pass on propositions of law before the conclusion of the evidence, nor to refuse to pass on abstract conclusions of law.

Code of Criminal Procedure, § 395.

Confessions to an officer under no threat or fear is competent and admissible. The Court charged that if the jury were ~~convinced~~ convinced that property over the value of \$500. was taken and that the defendant took it, that they might convict her of grand larceny in the first degree; if property of a less value than \$500., but more than \$25. worth, was taken, of grand larceny in the second degree; and if property of less than \$25. in value, of petty larceny. Held, no error. The fact that defendant was under arrest does not render his statement involuntary.

Murphy vs. The People, 35 N. Y., 391.

Salbo vs. The People, 50 N. Y., 184.

The People vs. Rogers, 16 N. Y., 9.

The People vs. Wentz, 37 N. Y., 303.

The People vs. Smith, 3 How. Pr., 227.

Willet vs. The People, 27 Hun, 439.

Cox vs. The People, 80 N. Y., 502.

The People vs. Jachne,

In case of a confession in the absence of threats and fear, confession is competent testimony.

The People vs. McGloyn, 91 N. Y., 241.

0611

(J. Miller) "It is not necessary to show exclusive possession of the stolen property to authorize a conviction, and such a rule only applies to such a case where the evidence of guilt is the possession of the property stolen, and is to be proved from that fact; but in case of no possession but the evidence of circumstances tending to show that defendant took and had possession of the property, it was for the jury to say whether the defendant is guilty of the offense charged."

People vs. James, J. Andrews: "When in addition to the confession there is proof of circumstances which although they may have an innocent construction, are nevertheless calculated to suggest the commission of a crime, and for the explanation of which the confession furnishes the key, the case cannot be taken from the jury for non-compliance with the statute. The words of the statute 'additional proof that the crime has been committed' seem to imply that the confession is to be treated as evidence of the corpus delicti, that is, not only of the subjective criminal act, but also the criminal agency of the defendant, that is to say, competent proof of the body of the crime, though insufficient without corroborative testimony, will warrant conviction."

Ch. J. Nelson, in People vs. Badgley, 18 Wend., 53, says: "Full proof of the body of the crime, independent of the confession is not required by any of the cases, and in many of them slight corroborating facts are held sufficient."

0612

To Charge.

That if the jury is convinced that the prisoner has in his possession property of ~~another~~ the Complainant & has unlawfully obtained it & its value is over \$500 he is guilty of Grand Larceny in the 1<sup>st</sup> Degree.

That if they believe that the prisoner Ever had property of the Complainant of ~~the~~ over the value of \$500 in his possession obtained in an unlawful manner from the Complainant he is guilty of Grand Larceny in 1<sup>st</sup> Degree.

That being authorized to take possession of goods of the Complainant he has appropriated the same to his own use he is guilty of Larceny.

That if the jury are satisfied that by fraudulent representations or by any false token or writing or by fraud & deceit the prisoner has obtained goods of the Complainant over the value of \$500 he is guilty of Grand Larceny in 1<sup>st</sup> Degree.

That if the jury are satisfied that the ~~Complainant~~ has now in



0613

in his possession the produce of the  
Conversion of the property of the  
Complainant which was unlawfully  
obtained from him or which was  
obtained by fraud, deceit, false token  
or writing, or which he was authorized  
to take & has appropriated & converted  
to his own use or the use of another  
& the property is of a value over  
\$500 he is guilty of Grand Larceny  
1st Degree.

0614

Additional Witnesses

F. H. Jaeger 62<sup>nd</sup> and 3<sup>rd</sup> ave and  
R. Kiefer 1638 3<sup>rd</sup> ave  
Both these parties have bought  
meats from "Fischer" for along  
time & rec'd no bills from  
the firm F. A. Ferris & Co.

---

George Lacey Will testify  
against Fisher as to his various  
stealings —

---

06 15

People  
~~got~~  
August 23/89

Generalissimo

Park III.

Monday Sept 23/89



06 16

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

August Fischer

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

August Fischer  
of the CRIME OF Grand Larceny in the first degree,  
committed as follows:

The said August Fischer,

late of the First Ward of the City of New York, in the County of New York aforesaid, on  
the ninth day of July, in the year of our Lord one  
thousand eight hundred and eighty-nine, at the Ward, City and County aforesaid,

Two pieces of bacon of the value of  
one dollar each piece, and a  
quantity of smoked meats, (a  
more particular description whereof  
is to the Grand Jury aforesaid  
unknown and cannot now be  
given,) of the value of fifteen  
hundred dollars, of the goods,  
effects and personal property  
of one Frank A. Ferris, then and  
there lawfully 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 D. Holloway,  
District Attorney

0617

**BOX:**

362

**FOLDER:**

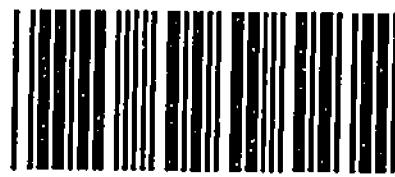
3404

**DESCRIPTION:**

Flint, John B.

**DATE:**

08/06/89



3404

06 18

Witnesses,

Off McNaught

40 Bishop

Counsel,  
Filed 6 day of Aug 1889  
Pleads,

THE PEOPLE

vs.

3d. / Pleader

John B. Flint

Bringing, third degree  
[Section 498, Penal Code.]

JOHN R. FELLOWS,

District Attorney.

Aug 7/89  
pleads by 3d.

A True Bill.

Alfred K. Krum

Aug. 7, 1889 Foreman.  
J. P. Dwyer & Co



0619

Police Court— / District.

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

Daniel P. Potter  
of No. 164 Second Avenue Street, aged 39 years,  
occupation Clergyman being duly sworn

deposes and says, that the premises No 162 to 166 Second Avenue  
in the City and County aforesaid, the said being a Church a part of

~~and~~ which was occupied by deponent as a dwelling  
~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of ~~climbing~~ climbing over  
a railing separating a room and entering  
a room in said Church and returning  
and forcibly open a door leading into  
the street and breaking out of said premises  
on the 17<sup>th</sup> day of July 1889 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

A quantity of silver plated ware  
used as a communion set in said  
church of the value of about Seventy  
five dollars

the property of The Baptist Tabernacle and in care  
and charge 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

John B. Flint (nowhere)

for the reasons following, to wit: for the reasons that on said  
day said property was in a closet  
in a room in said premises and the doors leading  
into said church were securely locked and  
fastened. That the defendant entered into  
said room in the manner aforesaid  
and did break out of said premises  
and carried away said property.  
Deponent is informed by Robert

0620

McNaught, Detective Sergeant, (now here)  
that he McNaught saw the defendant  
on the Bowery and had in his possession  
silverware which defendant has  
since seen and identifies as stolen  
from his possession  
Sworn to before me } D. C. Butler  
this 19<sup>th</sup> July, 1889 }

Joseph C. Butler  
Police Justice

Police Court — District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Degree.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No.

Street.

0621

CITY AND COUNTY }  
OF NEW YORK, } ss.

Robert W. Maughan  
aged \_\_\_\_\_ years, occupation Detective Sergeant of No. Central office Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Daniel C. Potter  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me this 19  
day of July 1887

Robert W. Maughan

Daniel C. Potter

Police Justice



0522

Sec. 198-200.

124 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss

John B. Flint 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 B. Flint

Question. How old are you?

Answer. 34 years.

Question. Where were you born?

Answer. Canada

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

Answer. 104 2 Avenue 6 months

Question. What is your business or profession?

Answer. Laborer

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

Answer. I am guilty

John B. Flint

Taken before me this

day of

19

188

John B. Flint  
Police Justice

0623

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

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

Dated July 19 188 9 Samuel H. Kelly 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.

0624

Police Court---

1067 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Daniel C. Potter*  
*164 2<sup>nd</sup> ave*  
*John D. Fluit*

Offence *Reigning*

2  
3  
4

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *July 19* 188 *9*

*O'Reilly* Magistrate.  
*Cowley & McNaughton* Officer.  
*CO* Precinct.

*Robert McNaughton*  
*CO*

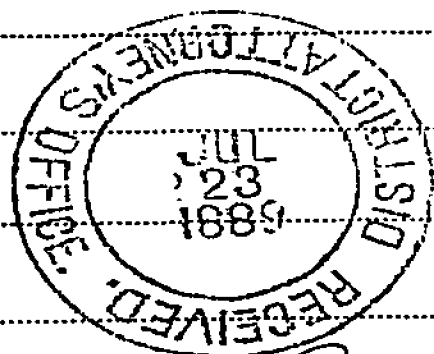
No. .... Street.

No. .... Street.

No. .... Street.

\$ *15.00* to answer *9.8.*

*Committed*





0625

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 B. Smith*

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

Indictment accuse

*John B. Smith*

of the crime of *Burglary in the third degree,*

committed as follows:

The said

*John B. Smith,*

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

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

*being in the building of one David  
R. Baker, there situate, with force and  
arms, divers articles of silver-plated  
ware (comprising what is commonly  
called a church communion set), of  
a number and description to the  
Grand Jury aforesaid unknown, of  
the value of seventy five dollars, of the  
goods, chattels and personal property  
of the said David R. Baker, in the said  
building then and there being found,  
in the building aforesaid then and*

0626

These feloniously did steal, take and  
carry away; and having so committed  
the said crime and grand larceny in  
the said building as aforesaid, the  
said John B. Hunt, afterwards, he  
with or the day and in the year  
aforesaid, at the City and County  
aforesaid, did feloniously and unlawfully  
larcenously break out of the said  
building; 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 B. Hunt

Attorney

0627

**BOX:**

362

**FOLDER:**

3404

**DESCRIPTION:**

Folts, William

**DATE:**

08/16/89



3404



Bail \$1000

Witnesses:

Lizzie Folts  
Marion Fairbairn  
Marion Fairbairn

Ally

Counsel, William Folts

Filed 16 day of Aug 1889

Pleads, Not Guilty

202

THE PEOPLE

vs.

William Folts

BIGAMY  
(Section 298, Penal Code)

Let for a term of 180 days by consent  
JOHN R. FELLOWS, D.D.

At the time of the trial, the defendant was  
in custody of the Sheriff of the County of  
San Francisco, and was not permitted to  
appear in person at the trial.

A True Bill.

Ally Cannon  
Foreman.

0628

0629

Court of General Sessions

The People

vs.

William Felts

Report

Indictment:

Bigamy

§ 2951, C.

for having on the 14th of April, 1889, in the city of New York married Mairrie Fintolet, while he had another wife, Liggi Felts, still living.

Trial Witnesses:

Liggi Felts,

Utica, N. Y.

First marriage.

Mairrie Fintolet

1625 Second Ave.

Second marriage.

Mairrie Farrell

414 Second Ave.

Jennie Allen,

220 East 56 Street

0630

Nellie McDonough

352 East 81st Street

Katie Fintolet

1625 Second Avenue

Rev. Herbert Andrews

332 East 17th Street

Witnesses to the second marriage



0631

the truth of said statement.

Rev. Herbert Andrews, 332  
East 17th Street, Pastor of Romney  
Chapel, married the defendant  
to Maurice Fintolet at Romney  
Chapel, in East 14th Street, on the  
~~14th~~ 15th of April, 1889. He is certain  
that he can identify the parties.

0632

Maurice Fieret, 1623 Second Avenue, wife of the defendant. In August 1888, in the city of New York, I made the acquaintance of the defendant who represented himself to be an unmarried man. On or about Christmas of 1888, at my above residence, the defendant proposed to marry me on the 14th of April, 1889. I accepted his said proposition. I kept company with him, from August, 1888, until the said 14th of April, when he took me to No. 318 48th Street, between West 47th & 49th Streets, where the marriage ceremony was performed by the Rev. Mr. Andrews. From this time on I lived with the defendant as his lawful wife at No. 318 48th Street, South Brooklyn, until he was arrested. We boarded <sup>here</sup> with Mr. Annie Mary Krumm, who informed me of her suspicion that the defendant had another wife living. I asked the defendant whether this statement was true, and he denied it.

0633

Minnie Farrell, 414 Second Avenue,  
Dressmaker. I have known  
Minnie Fintelot for the last three  
years and the defendant since  
August, 1888. At the request of  
Miss Fintelot I acted as one of  
bridesmaids and one of the wit-  
nesses at the marriage cere-  
mony. This took place on the  
14th of April, 1889, at Rorers  
Chapel, in East 14th Street. Rev.  
Mr. Andrews officiated at the  
ceremony. Thereafter I have  
frequently visited the defendant  
and his said wife at their  
home in South Brooklyn. I heard  
the defendant respond to the questions put  
to him by Rev. Mr. Andrews at the marriage ceremony.  
Cigar-maker, 220 East 56th St.  
I have known Miss  
Fintelot for the last three years and  
the defendant since August, 1888.  
At the request of Miss Fintelot  
I acted as a witness to her mar-  
riage ceremony with the defend-  
ant at Rorers' Chapel, in East  
14th Street, on the 14th of April, 1889.  
I heard the defendant and Miss  
Fintelot respond to the questions



0634

put to them by Rev. Andrews.  
I also attended ~~at~~ the marriage  
feast given at the bride's house  
in Second Avenue, after the said  
marriage ceremony.

Nellie McDermough, 352 East  
81st Street. Cigar maker. I have  
known Miss Fintolet for the  
last three years and the defend-  
ant since November, 1888. At  
the invitation of Miss Fintolet  
I attended at her marriage cere-  
mony with the defendant in  
Riverside Chapel in East 14th  
Street on the 14th of April, 1889.  
I heard both of said parties re-  
spond to the questions put to  
them severally by the Rev. Mr.  
Andrews. I also attended at the  
wedding feast which was  
given after said ceremony  
in the bride's house.

Katie Fintolet, 1625 Second  
Avenue. I am the mother of  
Maurice Fintolet. The defendant  
kept company with my said

0635

daughter from August, 1888, until the 14th of April, 1889, when he was married to her at Roney's Chapel in East 14th Street by Rev. Mr. Andrews. He visited my said daughter twice every week at my house, and about a week after Christmas, 1888, he asked me whether I would give him my said daughter for his wife. I assented, and he promised to marry her on the 14th of April, 1889. I attended at the said marriage ceremony and heard the said parties respond to the questions put to them severally by said clergyman. Before said day he always represented himself as a single man, and since his arrest herein he has steadily denied the alleged first marriage. When shortly after said marriage I visited my daughter ~~at~~ in Brooklyn, Mrs. Remer-  
man informed me that the defendant admitted to her that he had another wife living. The defendant denied

0636

daughter from August, 1888, until the 14th of April, 1889, when he was married to her at Roney's Chapel in East 14th Street by Rev. Mr. Andrews. He visited my said daughter twice every week at my house, and about a week after Christmas, 1888, he asked me whether I would give him my said daughter for his wife. I assented, and he promised to marry her on the 14th of April, 1889. I attended at the said marriage ceremony and heard the said parties respond to the questions put to them severally by said clergyman. Before said day he always represented himself as a single man, and since his arrest herein he has steadily denied the alleged first marriage. When shortly after said marriage I visited my daughter ~~at~~ in Brooklyn, Mrs. Remer-  
man informed me that the defendant admitted to her that he had another wife living. The defendant denied



0637

Court of General Sessions

The People

vs.

William C. Felt

REPORT.

For the District Attorney.

Dated October 15 1889

Edward Green

Deputy Assistant

0638

District Attorney's Office.

PEOPLE

vs.

William Folto

The complainant  
living at Utica,  
N. Y., a commu-  
nication should  
be sent to her  
to ascertain  
when she can  
appear in court.  
The case should  
there be put on  
the calendar to  
give a day for  
trial. *Edw. [illegible]*  
*Sept 1894*

0639

Police Court, 5 District.

City and County } ss.  
of New York,

of No. 1625-2 Maria Street, aged 19 years,  
 occupation Maid being duly sworn, deposes and says,  
 that on the 5 day of ~~December~~ 1888, at the City of New  
 York, in the County of New York, Dependent says that

She was married to William Foltz (now dead) in the Town of Haverfield in the State of New York and lived and cohabited with the said William as his wife for the space of three years. That on or about the 11<sup>th</sup> day of August 1888 said William left dependent saying he would send for her to said city of Astoria where dependent resided at the time. Dependent further says that she has been informed by Annie Lumbolt that the said Annie was married to said William Foltz on the 14 day of April 1889 in this city by the Rev Mr Andrews in East 14<sup>th</sup> Street between 1<sup>st</sup> and 2<sup>nd</sup> Avenues. That said Foltz was married to said Annie under the name of Fredrick William Foltz.

Dependent further says that no decree of divorce was ever made or application by said dependent and that she is the true and lawful wife of said William Foltz and prays he may be held with as the law provides in such case.  
 Libbie Foltz  
 sworn before me this  
 12 day of August 1889  
 Charles N. Laintop  
 Police Justice



0640

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 34 years, occupation Cigar Maker of No.

1625-20 Ave Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Lizzie Felt

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

knowledge.

Sworn to before me, this

12 day of Dec 1888

Mamie Fintolett

Charles N. Fintolett  
Police Justice.

0641

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK }

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

Question. What is your name?

Answer. *William Folts*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *New York State*

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

Answer. *357 18th Brooklyn one year*

Question. What is your business or profession?

Answer. *Oil Cloth Printer*

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

Answer. *I am not Guilty*  
*William Folts*

Taken before me this

day of

*April*

188

*9*

*Charles H. Dwyer*

Police Justice.

0642

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

*Alfred*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Twenty 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 *Aug 12* 188 *9 Charles N. Linton* 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.



0643

Police Court---

1195 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

1

2

3

4

Offence

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

Now

Remain

14th St

6th Ave

1st Ave

2nd Ave

3rd Ave

4th Ave

5th Ave

6th Ave

7th Ave

8th Ave

9th Ave

10th Ave

11th Ave

12th Ave

13th Ave

14th Ave

15th Ave

16th Ave

17th Ave

18th Ave

19th Ave

20th Ave

21st Ave

22nd Ave

23rd Ave

24th Ave

25th Ave

26th Ave

27th Ave

0644

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Saxo

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

William Saxo

of the CRIME OF BIGAMY, committed as follows:

The said William Saxo,

late or the City of New York, in the County of New York aforesaid, on the 29th day of December, in the year of our Lord one thousand eight hundred and eighty-nine,

did marry one Sarah Saxo, and her.

the said Sarah Saxo, did then and there have for

his wife: and the said William Saxo,

afterwards, to wit: on the 14th day of April, in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid,

did feloniously marry and take as his wife one Marie Kirkholt, and to the said Marie Kirkholt

was then and there married, the said Sarah Saxo,

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

JOHN R. FELLOWS,

District Attorney.

0645

**BOX:**

362

**FOLDER:**

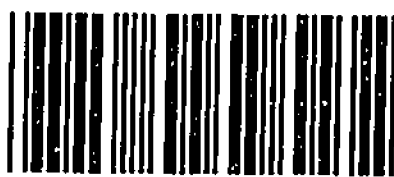
3404

**DESCRIPTION:**

Francis, George

**DATE:**

08/05/89



3404



Off. Lembar

Martha McAuley.

Filed

... day of Aug, 1889.

Pleads, *Not Guilty*

THE PEOPLE

vs.

George Francis.

Grand Larceny 2<sup>d</sup> degree. [Sections 528, 531, Penal Code].

JOHN R. FELLOWS,

*District Attorney.*

# A True Bill

Alfred J. Lancaster

*Foreman.*

Aug 7. 1889  
 Thos P. L  
 Penn. One year.

0647

Police Court—4th District.

Affidavit—Larceny.

City and County }  
of New York, } ss.:of No. 478 Third Avenue Street, aged 30 years,  
occupation Laborer being duly sworndeposes and says, that on the 27th day of July 1888 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:Two Heavy Overcoats together of the value  
of twenty eight dollarsthe property of Abraham Morris in the care and custody  
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 George Francis (now here) and  
another man not now arrested from  
the fact that the defendant and said other  
man came into the Clothing Store in the above  
described premises and stated that they desired  
to purchase two pairs of pantaloons and while  
the defendant was in the rear part of said  
store and for the purpose of trying on a pair of  
pantaloons deponent discovered the aforesaid  
property concealed underneath defendants  
clothing and the defendant ran away pursued  
by deponent until defendant was taken into  
custody by an officer and the property was  
subsequently taken from underneath defendants  
clothing in the station house and identified by deponent  
Philip A. Morris

Sworn to before me, this

day

of

1888

William McCulloch  
Police Justice.

0648

Sec. 198-200.

4th

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss

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

Question. What is your name.

Answer. *George Francis*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *Louisiana*

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

Answer. *No Home*

Question. What is your business or profession?

Answer. *Waiter*

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*

*George Francis*

Taken before me this

day of

1889

Police Justice.



0649

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

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

Dated *Aug 27* 188 *A. J. McMahon* Police Justice.

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

Dated ..... 188 ..... Police Justice.

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

Dated..... 188 ..... Police Justice.

0650

Police Court

451092 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Philip A. Morris  
478 vs. 3d ave  
George Francis

Offence

By Andrew L. Lacey

BAILED.

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

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

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

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

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

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

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

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

Dated July 28 1889

W. J. Mahon Magistrate

Michael L. Lacey Officer.

21st Precinct.

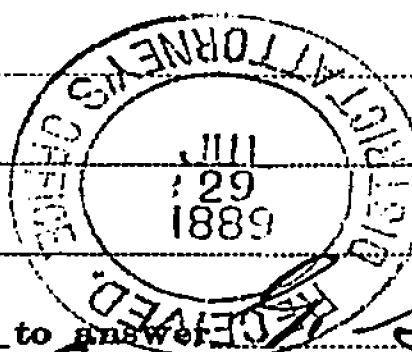
Witnesses \_\_\_\_\_

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

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

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

\$ 1000 to answer



Handwritten signature or initials.

0651

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*George Francis*

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

*George Francis*

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

The said

*George Francis*

late of the City of New York, in the County of New York aforesaid, on the *twenty-seventh-*  
day of *July* in the year of our Lord one thousand eight hundred and  
eighty-*nine*

, at the City and County aforesaid, with force and arms, *two*  
*overcoats, of the value of fourteen dollars each,*

of the goods, chattels and personal property of one

*Philip A. Morris*

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.



0652

SECOND COUNT—

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

*George Francis*

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

*George Francis*

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

*of the value of fourteen dollars each*

of the goods, chattels and personal property of one *Philip A. Morris,*

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

unlawfully and unjustly, did feloniously receive and have; the said *George Francis*

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

JOHN R. FELLOWS,

District Attorney.