

0624

**BOX:**

20

**FOLDER:**

259

**DESCRIPTION:**

Waechter, Ignatz

**DATE:**

09/24/80



259

0625

177

Day of Trial.

Counsel,

Filed *24* day of *Sept.* 188*0*.

Pleas

THE PEOPLE

vs.

*B*

*Ignatz Waechter*

Adulterated Milk.

BENJ. K. PHELPS,

District Attorney.

A TRUE BILL.

*Alfred Eugene Lamb*  
*Sept 25* / *1880*  
*Placed in custody*  
*H. C. Jones P.S.*

0626

197

City and County of New York, ss. :

*John B. Schaw 74 W. 24 St* an Assistant Sanitary Inspector of said city, being duly sworn, deposes and says, that on the <sup>24</sup> day of *July* in the year 1880, at premises number *92 Kingston St* in the City of New York, the said premises being a place then and there where Milk was kept for sale, one *Ignatz Wächter* unlawfully did then and there keep, have and offer for sale three quarts of impure and unwholesome Milk, which had been and was then and there watered, adulterated, reduced and changed by the addition of water or other substance, or by the removal of cream therefrom, and that such impure, unwholesome, watered, adulterated or reduced and changed Milk, was then and there, by the said *Ignatz Wächter*, unlawfully held, kept and offered for sale against and in violation of the provisions of the Sanitary Code, and of such Sanitary Code then and there, and at all times thereafter in force and operation, and especially against and in violation of the provisions of a section and ordinance of such Sanitary Code which was duly passed and adopted by the Board of Health of the Health Department of the City of New York, and by said Health Department at a meeting thereof, duly held in said city, on the twenty-third day of February, 1876, in the manner and language following, to wit :

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

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

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

Sworn to before me the *26* day of *July* 1880. } *John B. Schaw* Asst. San. Insp. *74 W. 24 St.*  
*Maxwell O'Leary* Police Justice.

0527

Bailed by  
Henry Fry  
138 Ludlow St

424

Police Court, 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John B. Dehaan  
vs.  
Egnatz Wächter  
92 Rivington St  
New York City

Affidavit  
Henry Fry

Dated July 28 1880



Justice.  
Officer.

John T. G.  
General Services  
Bailed

0628

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

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

That *Ignatz Waechter*  
late of the *Tenth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *twenty-fourth* day of *July* in the year  
of our Lord one thousand eight hundred and ~~seventy~~ *eighty* at the Ward,  
City and County aforesaid, unlawfully and knowingly did expose for sale at the  
*premises* known as number *ninety two* *Livington* Street,  
then and there situate, ten quarts of impure, adulterated and unwholesome milk, against  
the form of the Statute in such case made and provided, and against the peace of the  
People of the State of New York and their dignity.

SECOND COUNT.

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

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

0529

THIRD COUNT.

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

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

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

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

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

BENJ. K. PHELPS, District Attorney.

0630

**BOX:**

20

**FOLDER:**

259

**DESCRIPTION:**

Walker, Isaac

**DATE:**

09/27/80



259

0631

**BOX:**

20

**FOLDER:**

259

**DESCRIPTION:**

Moore, Lawrence

**DATE:**

09/27/80



259

0632

**BOX:**

20

**FOLDER:**

259

**DESCRIPTION:**

Maloney, John

**DATE:**

09/27/80



259

0633

244  
M. Coleman  
Counsel,  
Filed day of Feb 1961  
Pleas  
John G. Kelly

THE PEOPLE  
vs.  
1. Jesse Walker  
2. Lawrence Moore  
3. John Chaboney \*  
Indictment - Larceny

BENJ. K. PHELPS,  
District Attorney.  
John G. Kelly

A True Bill.  
Chapman  
Foreman.  
John G. Kelly

RECEIVED DISTRICT ATTORNEY  
BENJAMIN K. PHELPS  
DISTRICT ATTORNEY  
COUNTY OF NEW YORK  
OFFICE OF THE DISTRICT ATTORNEY  
100 WALL STREET  
NEW YORK 5, N.Y.

0634

FORM 89 1/2

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

ss.

POLICE COURT—SECOND DISTRICT.

of N William Byrne  
the 20th Precinct Police being duly sworn, deposes  
and says, that on the 11th day of September 1880  
at the City of New York, in the County of New York, was feloniously taken, stolen and carried  
away, from the possession of deponent,

the following property, to wit:

One cloth coat. One pair of  
pantaloons and a quantity of  
neck ties and collars and  
One revolver pistol.

of the value of thirty Dollars,

the property of deponent

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

Lawrence Moore & John Maloney <sup>and</sup>

from the fact that said Isaac  
admitted to deponent that said  
defendants had taken stolen  
and carried away said property

William Byrne

Sworn to before me, this

17th

day

Police Justice.

0635

Police Court—Second District.

CITY AND COUNTY  
OF NEW YORK

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

QUESTION.—What is your name?

ANSWER.—

*John Maloney*

QUESTION.—How old are you?

ANSWER.—

*17 years*

QUESTION.—Where were you born?

ANSWER.—

*N.Y.*

QUESTION.—Where do you live?

ANSWER.—

*431 W 41 St*

QUESTION.—What is your occupation?

ANSWER.—

*clerk*

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

Answer.—

*I am not guilty*  
*John Maloney*

*John Maloney*  
*172*  
*Police Justice*

0636

Police Court—Second District.

CITY AND COUNTY)  
OF NEW YORK. (SS.)

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

QUESTION.—What is your name?

ANSWER.—

*Lawrence Moore*

QUESTION.—How old are you?

ANSWER.—

*30 years*

QUESTION.—Where were you born?

ANSWER.—

*Canada*

QUESTION.—Where do you live?

ANSWER.—

*558 W 44 St*

QUESTION.—What is your occupation?

ANSWER.—

*Plasterer*

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

ANSWER.—

*I am not guilty  
Lawrence Moore*

*Taken before me, this*

*Police Justice*

*1887*

0637

Police Court—Second District.

CITY AND COUNTY  
OF NEW YORK.

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

QUESTION.—What is your name?

ANSWER.—

*Isaac Walker*

QUESTION.—How old are you?

ANSWER.—

*27 years*

QUESTION.—Where were you born?

ANSWER.—

*N.Y. City*

QUESTION.—Where do you live?

ANSWER.—

*338 W 37 St*

QUESTION.—What is your occupation?

ANSWER.—

*Harrier*

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

Answer.—

*I am not guilty*  
*Isaac Walker*

Taken before me this

day of

1880

Justice District

0538

Form 894  
POLICE COURT—SECOND DISTRICT.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

*William Byers*  
vs.  
*Isaac Walker*  
*Eugene Moore*  
*John Callahan*

Affidavit  
Larceny

DATED *September 17 1880*

*Smith*  
MINISTRATE.  
*Byers* OFFICER.

WITNESS:  
*20 Dec*



*Wm. S. Each. Comd.*

BAILED BY \_\_\_\_\_  
No. \_\_\_\_\_ STREET.

0639

CITY AND COUNTY } ss.  
OF NEW YORK.

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

That Isaac Walker, Lawrence Moore  
and John Maloney each

late of the First Ward of the City of New York, in the County of New York, afore-  
said, on the ~~eleventh~~ day of ~~September~~ in the year of our Lord one  
thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County  
aforesaid, with force and arms

One coat of the value of fifteen dollars  
One pair of pantaloons of the value  
of five dollars  
Six ties (of the kind commonly called  
neck-ties) of the value of fifty cents each  
Six collars of the value of fifty cents each  
One pistol of the value of four dollars

of the goods, chattels and personal property of one

*William Byrne*

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

BENJ. K. PHELPS, District Attorney.

0640

**BOX:**

20

**FOLDER:**

259

**DESCRIPTION:**

Ward, James

**DATE:**

09/10/80



259

0641

74  
~~Shaw~~  
Jesse Ray King

Filed 10 day of Sept 1880

Pleas Not Guilty

THE PEOPLE

33- 125 Ell' vs.

James Ward

has been charged with

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

Wm. G. ... for Ramey

A True Bill.

Moham ...  
Foreman.

Pleas A+B  
Court No: Sep 20/80

Per one of year.

0642

Police Court—Fourth District.  
STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss.

Joseph McCormack

of No. 186 East 75th Street,  
on Sunday the 29th day of August  
in the year 1880 at the City of New York, in the County of New York.

being duly sworn, deposes and says, that  
at about the hour of 1 o'clock A.M. he was violently ~~assaulted~~ and feloniously assaulted  
and beaten by James Ward (now here)  
who did willfully maliciously and feloniously  
cut and stab deponent on the face with  
a Pocket Knife which he said Ward  
held in his hand. That said assault  
was committed on 2<sup>nd</sup> Avenue between 25<sup>th</sup>  
and 26<sup>th</sup> Streets in said city at about the  
hour mentioned aforesaid.

with the felonious intent to take the life of deponent, or to do him bodily harm; and without any  
justification on the part of the said assailant :  
Wherefore this deponent prays that the said assailant may be ~~bound~~ bound to answer  
for the above assault, &c., and be dealt with according to law.

Sworn before me, this 29th day  
of August 1880  
R. B. Rind  
Police Justice.

Joseph McCormack

0643

Police Court, Fourth District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

James Ward

Question. How old are you?

Answer.

Thirty Three years

Question. Where were you born?

Answer.

England

Question. Where do you live?

Answer.

125 East 11th Street

Question. What is your occupation?

Answer.

Clerk

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

Answer.

I put the complainant in  
Self defence,  
James Ward

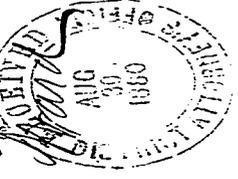
*Taken before me this 29th day of August 1898*  
*R. J. [Signature]*  
Police Justice.

0644

Police Court--Fourth District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

Joseph McMaack  
186 East 75 St



BAILED :

No. 1, by.....

Residence.....

No. 2, by.....

Residence.....

No. 3, by.....

Residence.....

No. 4, by.....

Residence.....

No. 5, by.....

Residence.....

No. 6, by.....

Residence.....

Dated August 29th 1880

Magistrate.

Ed J. Lacey

18th Precinct

Witnesses, get after witnesses from the complaint & produce them

Committed

Paul Fallon 26th St  
Mrs Rainey. 26th St

Received in District Att'y's Office,

0645

I attended the Plaintiff when he was admitted to Bellevue Hospital. On admission he was found to have ~~sustained~~ received an incised wound of the left cheek. The cut was not deep extending only through the skin, and was about two & a half inches long. This cut I dressed with sutures and adhesive straps. The date of this occurrence I can not remember.

W. J. Cheesman M.D.

This may be used as evidence  
for

0646

Pe. n

same word

in affidavit

hm

0547

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

That

*James Ward*

late of the City of New York, in the County of New York, aforesaid, on the  
*twenty ninth* day of *August* in the year of our Lord  
one thousand eight hundred and *eighty* with force and arms, at the City and  
County aforesaid, in and upon the body of *Joseph Mc Cormack*  
in the peace of the said people then and there being feloniously did make an assault  
and *him* the said *Joseph Mc Cormack*  
with a certain *knife*  
which the said

in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *Joseph Mc Cormack*  
then and there, feloniously and wilfully to kill, against the form of the Statute  
in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

SECOND COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *James Ward*  
with force and arms, in and upon the body of the said *Joseph Mc Cormack*  
then and there being, wilfully and feloniously did make an  
assault and *him* the said *Joseph Mc Cormack*  
with a certain *knife* which the said *James Ward*

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

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said *James Ward*  
with force and arms, in and upon the body of *Joseph Mc Cormack*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *Joseph Mc Cormack*  
with a certain *knife*

which the said *James Ward* in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *Joseph Mc Cormack* with intent *him* the

0548

said *Joseph Mc. Cormack* then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

FOURTH COUNT.

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

*James Hard* with force and arms, in and upon the body of the said *Joseph Mc. Cormack* then and there being, wilfully and feloniously, did make another assault and the said *Joseph Mc. Cormack* with a certain *knife* which the said *James Hard* in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *him* the said *Joseph Mc. Cormack* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

*74*  
*James Hard*  
 Filed *10* day of *Sept* 18*80*  
 Pleads *not Guilty*  
 THE PEOPLE  
*James Hard*  
 vs  
 Felonious Assault and Battery.  
 BENJ. K. PHELPS,  
 District Attorney.  
 A True Bill.  
*Michael J. ...*  
 Foreman.  
*James ...*  
 Per one of you.

0649

**BOX:**

20

**FOLDER:**

259

**DESCRIPTION:**

Whalen, Thomas

**DATE:**

09/09/80



259

0650

57  
Comer  
Filed  
day of  
Sept  
1880  
Pleas  
L. S. Gentry

1880

Assault and Battery—Felony.

THE PEOPLE

vs.

F.  
Thomas Haden

2 cases

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Wm. J. Gentry  
Foreman.

Sept. 13. 1880

Wm. J. Gentry

0651

Form 31.

Police Court—Second District.

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

Annie O'Neil

of No. 38 Downing Street,

being duly sworn, deposes and says,

that on the 22nd day of August  
in the year 1890, at the City of New York, in the County of New York,

he was violently ASSAULTED and BEATEN by

Thomas Whalen

(now known) who struck her  
several blows on the  
face discolored her eyes  
The said Thomas stated in court in  
presence of Judge Murray that he would be  
deposed but as soon as he would get out  
without any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be apprehended and  
bound to answer for the above assault, &c., and be dealt with according to law.

Annie O'Neil

*John J. [unclear]*  
*of [unclear]*  
*27*  
*Police Station.*

0652

Form 11.

Police Court-Second District.

712

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Annie O'Neil*  
38 Downing St

vs.

*Thomas Whaley*

AFFIDAVIT A. & B.

Dated *Aug 24* 187*8*

*Winnay* JUSTICE.

*Kierman* OFFICER.

9.

WITNESS:

*507 B. B. to ans*



0653

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

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

That

*Thomas Whalen* \_\_\_\_\_

late of the First Ward of the City of New York, in the County of New York, aforesaid  
on the *twenty-second* day of *August* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County  
aforesaid, in and upon the body of *Annie O'Keill*  
in the peace of the said people then and there being, with force and arms unlawfully  
did make an assault and *her* the said *Annie O'Keill*  
did then and there unlawfully beat, wound, and ill-treat, to the great damage of the  
said *Annie O'Keill* and against the peace of the  
People of the State of New York and their dignity.

**BENJ. K. PHELPS, District Attorney.**



0655

AFFIDAVIT—FELONIOUS ASSAULT, &c.

Second District Police Court.

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

Annie O'Neil of No. 38

Downing Street, being duly sworn, deposes and says  
that on the 24<sup>th</sup> day of August in the year

1887, at the City of New York, he was violently and feloniously assaulted and beaten by

Thomas Whalen (nowhere) who did  
unlawfully aim and dis-  
charge a pistol (which was at the  
time loaded with powder and  
ball) at the person of deponent  
that he did so discharge one shot  
and attempted to discharge the  
second.

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

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

Sworn to before me this 24<sup>th</sup> day

of August 1887.

Annie O'Neil

Wm Murray

Police Justice.

0656

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, ss. *Thomas Whalen*

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

QUESTION.—What is your name?  
ANSWER.—*Thomas Whalen*

QUESTION.—How old are you?  
ANSWER.—*18 Years*

QUESTION.—Where were you born?  
ANSWER.—*New York City*

QUESTION.—Where do you live?  
ANSWER.—*88 Downing*

QUESTION.—What is your occupation?  
ANSWER.—*Picture Frame Maker*

QUESTION.—Have you anything to say, and if so, what—relative to the charge

here preferred against you?

Answer.—*The complainant struck my mother and I did not fire any shot at her*

*Thomas Whalen*

Taken before me this *24th* day of *August* 188*8*  
*John J. Downey*  
Police Justice

0657

POLICE COURT—Second District

OFFENCE—Felonious Assault and Battery

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Archie O'Neil*  
*38 Downing St*



*Thomas Mahan*

Dated *Aug 26* 1880

*Murray* Magistrate

*John Stewart* Officer

*J. P.* Clerk

Witnesses  
*John Stewart*  
*John Stewart*

*Com*  
Committed in default of \$1000 bail.

Bailed by

No. Street.

0658

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

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

That

*Thomas Whalen* \_\_\_\_\_

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

on the *twenty-fourth* day of *August* in the year of our Lord  
one thousand eight hundred and eighty \_\_\_\_\_ with force and arms, at the City and  
County aforesaid, in and upon the body of *Annie O'Beill*  
in the peace of the said People then and there being, feloniously did make an assault  
and to, at and against *her* the said *Annie O'Beill*  
a certain *pistol* then and there loaded and charged with gunpowder and one  
leaden bullet, which the said *Thomas Whalen*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously, did then and there shoot off and discharge,  
with intent *her* the said *Annie O'Beill*  
thereby then and there, feloniously and wilfully to kill, against the form of the Statute  
in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

SECOND COUNT.

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

*Thomas Whalen*  
with force and arms, in and upon the body of the said *Annie O'Beill*  
in the peace of the said people then and there being, wilfully and feloniously did make  
an assault and to, at and against *her* the said *Annie O'Beill*  
a certain *pistol* then and there loaded and charged with gunpowder and one  
leaden bullet, which the said *Thomas Whalen*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously, did then and there attempt to discharge,  
with intent *her* the said *Annie O'Beill*  
thereby then and there, feloniously and wilfully to kill, against the form of the Statute  
in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

## THIRD COUNT.

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

*Thomas Whalen* *Annie O'Beill*  
with force and arms, in and upon the body of the said *Annie O'Beill*  
then and there being, wilfully and feloniously did make an  
assault and to, at and against *her*, the said *Annie O'Beill*  
a certain *pistol* then and there loaded and  
charged with gunpowder and one leaden bullet, which *pistol* the said

in *his* *Thomas Whalen*  
right hand, then and there had and held, wilfully and feloniously, and  
without justifiable and excusable cause, did then and there shoot off and discharge,  
with intent, then and there, thereby *her* the said *Annie*

*O'Beill*  
wilfully and feloniously then and there to injure, against the form of the Statute in  
such case made and provided, and against the peace of the People of the State of New  
York and their dignity.

## FOURTH COUNT.

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

*Thomas Whalen* *Annie O'Beill*  
with force and arms, in and upon the body of the said *Annie O'Beill*  
then and there being, wilfully and feloniously, did make an  
assault and to, at and against *her* the said *Annie O'Beill*  
a certain *pistol* then and there loaded and  
charged with gunpowder and one leaden bullet, which *pistol* the said

in *his* *Thomas Whalen*  
right hand, then and there had and held, wilfully and feloniously, and  
without justifiable and excusable cause, did then and there attempt to shoot off and  
discharge, with intent then and there thereby *her* the said *Annie*

*O'Beill*  
wilfully and feloniously then and there to injure, against the form of the Statute in  
such case made and provided, and against the peace of the People of the State of  
New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

0660

**BOX:**

20

**FOLDER:**

259

**DESCRIPTION:**

Wheeler, Ernest

**DATE:**

09/22/80



259

0661

**BOX:**

20

**FOLDER:**

259

**DESCRIPTION:**

Burns, William

**DATE:**

09/22/80



259

BW

Counsel  
Filed *Sept 23* day of *Sept*, 188*0*  
Pleads

Larceny, and Receiving Stolen Goods.

THE PEOPLE

*I.* vs. ~~*II.*~~

*Ernest Wheeler*

*William Currier*  
M.A.

*Ch. I. Arnold Clerk*

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*Stephen Laska*  
*Sept. 23. 1880.*

Foreman.

*John P. ...*  
*Shannon ...*

*De ...*  
*Chancellor ...*

*Malcolm Graham.*

*19. Maiden Lane*

*Wm. M. Reynolds*

*19 Maiden Lane*

*Wm. Williamson*

*Director of ...*

*700*  
*100*  
*100*  
*100*  
*100*

0663

New York General Sessions.

PEOPLE, ON MY COMPLAINT,

versus

Ernest Wheeler

Gross Larceny

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. I have recovered the goods, and in consideration of the defendant's youth and family, I pray the court to allow me to withdraw the charge.

Malcolm Graham

0664

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

That Ernest Wheeler and William Burns  
Each -

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

Nine guns of the value of Eighty dollars  
each -

Five rifles of the value of twenty seven  
dollars each -

Fifty yards of cloth of the value  
of three dollars each yard -

One thousand yards of lace of  
the value of seventy five cents each  
yard -

Eighty ounces of gold (of the kind called  
Bullion) of the value of two dollars and  
fifty cents each ounce -

of the goods, chattels, and personal property of one

Malcolm Graham

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

0665

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

That the said

Ernest Wheeler and William Brown.  
Each —

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

Nine Guns of the value of Eighty dollars each.  
Five rifles of the value of twenty seven dollars each

Seventy yards of cloth of the value of three dollars each yard

One thousand yards of lace of the value of seventy five cents each yard.

Eighty ounces of brass [of the kind called bullion] of the value of two dollars and fifty cents each ounce.

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

Malcolm Graham

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

Malcolm Graham —

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

Ernest Wheeler and William Brown

then and there well knowing the said goods, chattels, and personal property, to have been feloniously stolen,) against the form of the Statute in such case made and provided, and against the peace of the

People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

0666

**BOX:**

20

**FOLDER:**

259

**DESCRIPTION:**

White, John

**DATE:**

09/20/80



259

0667

Counsel,  
Filed 10 day of Sept 1880  
Plends

THE PEOPLE  
vs.  
John White.  
INDICTMENT  
Larceny from the person.  
in the night time

BENJ. K. PHELPS,  
District Attorney.

A TRUE BILL.  
Abraham Smith  
Foreman.

Plends guilty  
Part 2. Sep 20/80  
Amir Ref  
Feb 27

0568

FORM 89 1/2

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

SS.

POLICE COURT—SECOND DISTRICT.

*Edward Sanders*

of No. *14 Grand* Street, being duly sworn, deposes

and says, that on the *3* day of *September* 18*80*

at the City of New York, in the County of New York, was feloniously taken, stolen and carried away, from the possession of deponent, *and from deponents*

*person*

the following property, to wit:

*One Diamond Pin*

of the value of *Thirty Five* Dollars,

the property of *deponent*

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

*John White*

*(now here) for the reason that on the said date when deponent laid down in the room occupied by deponent at said premises the said Pin was worn by deponent on the neck. He then upon deponents person - deponent slept and on awaking missed the said property - that the said deponent acknowledged in deponents presence that he had taken said property - and that deponent saw the pawn ticket books attached and repre-*

Sworn to before me, this

of

18

day

Police Justice

0669

senting the said property taken from the person  
of said defendant by Officer Peilly of the  
15<sup>th</sup> Precinct

Sworn to before me  
this 5<sup>th</sup> day of September 1888  
McDonough  
Police Justice

Edward Sanders

0670

Police Court—Second District.

CITY AND COUNTY) SS.  
OF NEW YORK

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

QUESTION.—What is your name?

ANSWER.—

*John White*

QUESTION.—How old are you?

ANSWER.—

*Twenty years*

QUESTION.—Where were you born?

ANSWER.—

*Charleston*

QUESTION.—Where do you live?

ANSWER.—

*5 York St.*

QUESTION.—What is your occupation?

ANSWER.—

*Writer*

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

Answer.—

*I am guilty of the charge*

*John White*

Taken before me, this

*John W. ...*  
day of *Sept* 188*8*  
Police Justice.

0671

Form 894

POLICE COURT—SECOND DISTRICT

THE PEOPLE  
ON THE COMPLAINT OF

*Edward J. Anderson*  
14 Grand St.

*John White*

DATED *September 6* 18*80*

MAGISTRATE.

*M. Reilly* OFFICER.

WITNESS:

*James Reilly* 115th St.

*John*



BAILLED BY

No. STREET.

*Admitted to Agency*

0672

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

That *John White* \_\_\_\_\_

late of the First Ward of the City of New York, in the County of New York, aforesaid,

on the *third* day of *September* in the year of our Lord one  
thousand eight hundred and eighty *seven* at the Ward, City, and County aforesaid,  
with force and arms, *in the night time of said day*

*One pin of the value of Thirty five dollars*  
*One precious stone (of the kind commonly*  
*called a diamond) of the <sup>value</sup> of Thirty five dollars*

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

**BENJ. K. PHELPS, District Attorney.**

0673

**BOX:**

20

**FOLDER:**

259

**DESCRIPTION:**

White, Mary

**DATE:**

09/27/80



259

0674

*LWS C. J.*

Counsel

1880

Filed

day of *Sept*

Pleas

*McGully*

THE PEOPLE

vs.

*P*  
*Mary White*

INDICTMENT.  
Larceny of Money, &c., from the person  
in the night time.

BENJ. K. PHELPS,

District Attorney.

Part No: *Sept 28, 1880*  
*Arrested & jury disagreed.*  
*9 to 5 for adv.*

A True Bill.

*Arthur Lee*  
Foreman.

*James D. Lee*

*2 Mos low*  
*F. J.*

0675

FORM 89 1/2

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK

ss.

POLICE COURT—SECOND DISTRICT.

of No. 269 West 35 Street, being duly sworn, deposes  
and says, that on the 17 day of September 1880

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

person  
the following property, to wit:

Good and lawful money  
viz. One National Bank Bill of the  
denomination of Ten dollars - Two  
Bills of the denomination of Five dollars  
each and other Bills of smaller denomination  
in all

of the value of Twenty Two - - Dollars,  
the property of deponent

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

Mary White  
(own here) for the reasons following -  
that said defendant was standing  
alongside of deponent in a Saloon in  
Thompson Street at the right hand side  
of deponent at which time the said  
money was contained in the right  
hand pocket of the vest then worn  
there worn by deponent -  
immediately after leaving said Saloon  
deponent missed said money -  
That deponent was so informed  
by Officer Connell as set forth in

Subscribed before me this 18th day of September 1880

Robert Justice

0676

The affidavit of said Cornell hereto annexed

Conrad Kubor

Sworn to before me?  
This 18<sup>th</sup> day of Sept 1880  
[Signature] Police Justice

City and County } S.S.  
of New York }  
James Cornell of the 8<sup>th</sup> Precinct being duly sworn says on the 14<sup>th</sup> day of September 1880 at the hour of 9.30 P.M. deponent while taking Mary White to the station house saw said White pass from her hand into the hand of a ~~unknown~~ <sup>deponent's</sup> ~~deponent's~~ <sup>said</sup> ~~woman~~ <sup>woman</sup> sitting on a stool in Thompson the amount and description of money named in the foregoing affidavit of the complainant ~~to wit~~ <sup>to wit</sup> the sum of Twenty Five dollars that the said money was subsequently found on the sidewalk by deponent where it was dropped by said unknown woman

James Cornell

Sworn to before me?  
This 18<sup>th</sup> day of Sept 1880  
[Signature] Police Justice

0677

Police Court—Second District.

CITY AND COUNTY)  
OF NEW YORK. ss.

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

QUESTION.—What is your name?

ANSWER.—

*Mary White*

QUESTION.—How old are you?

ANSWER.—

*Twenty years*

QUESTION.—Where were you born?

ANSWER.—

*Scotland*

QUESTION.—Where do you live?

ANSWER.—

*6 York Street*

QUESTION.—What is your occupation?

ANSWER.—

*Laundress*

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

Answer.—

*I am not guilty*

*Mary White*

*[Signature]*  
I have before me, this  
*[Signature]*  
1888  
Police Justice

0678

763

Form 891.  
POLICE COURT—SECOND DISTRICT.

Alfred A. Latency

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Conrad G. Huber  
249 W. 38th St.  
Mary White

DATED September 8, 1880

South MAGISTRATE.

Connell OFFICER.  
877

WITNESSES  
James Connell  
877 1/2 West



\$ 500 TO ANSWER

BAILED BY James Connell  
No. \_\_\_\_\_ STREET.

Exc

0679

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

*That Mary White*

late of the First Ward of the City of New York, in the County of New York, aforesaid,

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

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

**BENJ. K. PHELPS, District Attorney.**

0680

CITY AND COUNTY  
OF NEW YORK

*aforsaid*  
And THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
*in and for the body of the City and County of New York, upon*  
*their Oath, do say, that*

That *Mary White*

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

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of the goods, chattels and personal property of one Conrad Zuberger by a certain person or persons to the jurors *aforsaid* unknown, then lately before feloniously stolen of the said Conrad Zuberger, unlawfully, unjustly and for the sake of suspected gain, did feloniously receive and have of the said *Mary White* and then well knowing the said goods, chattels, and personal property of *Conrad Zuberger* to have been feloniously stolen, then and there being found,

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

BENJ. K. PHELPS, District Attorney.