0855

BOX:
10

FOLDER:
134

DESCRIPTION:
Brady, Owen

DATE:
04/13/80

134

0856

BOX:
10

FOLDER:
134

DESCRIPTION:
Lewis, Arthur F.

DATE:
04/13/80

134

0857

BOX:
10

FOLDER:
134

DESCRIPTION:
Redmond, James

DATE:
04/13/80

134

1 & 3 Johnson

Filed 13 day of April 1880

Pleads Not Guilty

THE PEOPLE,

vs.

Arthur T. Lewis P.

Owen Brady B.

James Richmond

Burglary & Grand Larceny in Second Degree in Stolen goods

BENJ. K PHELPS,

District Attorney.

Monday next

Part 3rd April 19. 1880

No 1, tried & convicted Burg 3.

A True Bill.

April 27. 1880.

No. 3. Tried & Convicted of Burglary 3d deg.

May. 12. Sentenced to Sing Sing six months.

May 10

Joseph T. Ross Foreman.

No 6 Ff

No 2 Discharged

No 8

34. 6 Mos St

FS

Bail

Ann

There is not sufficient Evidence to go to trial with in case of Brady the def^t is discharged on his own recog

June 16 1880

JS

Denied

No 3 Bailed Apr 17. 1880

Jas Moore

238 2nd Ave

Cen

8580

4 13?

The People vs. James Redmond } Court of General Sessions. Before Judge Gildersleeve. April 26, 1880.

Jointly indicted with Arthur J. Lewis and Owen Brady for burglary in the third degree, larceny and receiving stolen goods. Amelia Leopold sworn and examined: testified. I live at 327 E. Sixteenth St. I have got four rooms on the second floor, two bed rooms, a front room and a kitchen. I was married on the 7th of March; my husband lived with me. I live in the front and another family lives in the back; on the 8th of April I went away from the house about 10 o'clock in the morning. I fastened the door. I locked the kitchen door and the door inside and locked the front room with two keys. All the doors that led into the hallway were locked. I went to Mrs. Ahrens' the lady I lived with in 57 St. before I was married. I went to my cousin's after, and it may have been after 2 o'clock when I returned home. The policeman and three ladies told me right away that I had been robbed. I went up and I saw that the kitchen door was all broken away — the jam of the door, and the door was open. The things were gone out of my closet, all my dresses and my husband's suits — three suits and five dresses; my wedding suit, everything I

got, all the silver I got for wedding present, a cake basket, a silver caster, two napkin rings with my name on, a milk pitcher, three silver spoons, a gold watch and chain and locket; the whole property was worth six hundred dollars. I had two trunks in the bed room; the little trunk was taken away. Elizabeth Frazer, sworn and examined. I live in the same house with Mrs. Leopold in 16th St. On the 8th of April I was in and out of the house. I live one flight above Mrs. Leopold. I saw the prisoner that day as plain as I see him now; it was about 1/4 to one he came down with the trunk. Arthur Lewis was with him the prisoner who was convicted in the other court. When I first saw them they were turning the corner near the sink with the trunk at the head of the first flight of stairs. I was in the lower hall; they brought the trunk down stairs and took it toward Stuyvesant square. Lewis had his back toward me and the prisoner had his face. I had never seen the trunk before; there was nothing said by me or the prisoners at the time. I met Lewis about 11 1/2 alone on the first flight of stairs, passed him. I could not tell where

he came from, he did not come from my flight. I met him on the second floor and came down with him. Both of them had hold of the trunk. I went up to my own room. About half an hour later I heard the housekeeper walking down the hall and said Mrs. Leopold had been robbed. I came down stairs and went into Mrs. Leopold's room; the door was broken open. Officer Baker and two or three women came. We went in and I saw the condition of the room; the casing of the door was pried away with a jimmy. I saw Mrs. Leopold about 2 1/2 or 3 o'clock in the afternoon. I next saw the prisoner corner of 15th St. and 1st Ave. I should think about 4 o'clock. Officer Baker told me to go on the corner. I saw Lewis and Redmond there. I spoke to Lewis. I asked him if he was not the young man that carried the trunk from my house, I used the words "my house." I did not want to explain my business. The prisoner was right by his side. I says, "You are the young man that took the trunk from my house, aint you?" "No, I am not, if you think so, you had better call an officer" I said, that is what I intend to do.

With that Redmond punched him a little and changed hands; they stepped up and ~~hand~~ed each other; he put his hand in his pocket and handed what he had to Redmond; he (Redmond) stepped over to the coal box ~~to~~ where Haverty was and he handed him whatever Lewis gave him. Haverty ran away and I ran after him and called, "Stop thief." In the mean time he threw it in the coal box in 15th St. When I came back I did not see anything of the two prisoners Lewis and Redmond; the policeman also ran after the other fellow. Cross Examined. I did not see the face of the party that came down stairs backwards with the trunk the ~~first~~ time, but I did the first time. I dont remember whether ~~I~~ or not I said on the trial of Lewis, "it is too bad for that woman to lose all that property." Redmond did not speak when I went over and said he was the young man who took the trunk away. Haverty was afterwards arrested, I had a few words with him going down the avenue. I said, you will get paid if you know anything about it and tell. I was not into that he said, they gave me skeleton keys - Redmond handed them to me.

James Redmond, sworn and examined, testified in his own behalf. I was not in the rooms of Mrs. Leopold on the 8th of April I did not help to take a trunk down out of her house. I left my house 345 East 28th St at 7 o'clock and walked down the Avenue. I took up the Herald and saw three advertisements. I went down to the Herald Office to answer them; then I walked up the Bowery to Stuyvesant St and First avenue between 15th and 16th Sts. I went into an oyster saloon and the lady there told me that my little sister was there, and that there was a postal card at the house for me; that was about 25 minutes to ten. I walked up to the house and got the postal card and stayed ten minutes; the card was from Henderson's Intelligence Office in Nassau St. I took a Broadway stage and went down to Henderson's and showed the gentleman the postal card. I left his office and took a Fulton ferry stage and went into a baker store in Eleventh St. I stayed there ten minutes and walked down the Avenue and met two young fellows on Fourteenth St. and First Avenue; this was about half past eleven. I stood talking till half past twelve and then went home and had my dinner

him twice in my life. It was brass keys that were handed to me by Lewis. I did not

corner full fifteen minutes, and the lady in the undertaker's store called me over. I told her what the trouble was. I walked up to the corner to my supper; that was about six o'clock. I staged in the house till about seven. Then I went down the avenue as far as Eleventh St; I staged there till about ten, then walked up to the house and went to bed. About 11 o'clock my brother came in and told me he was going to get arested. He asked me if I knew anything about a robbery in 16th St. I told him, no; he said he was going to get arested for it. I went down to the Herald Office in the morning and came up again to 15th St. I was not on Fifteenth St five minutes when two detectives came over and asked me if a lady asked me about a trunk. I told them she asked a young man named Lewis. They said she identifies you wearing a blue neck tie. I says, All right, I walked up to the station house with them, I was under arest; the lady did not say one word to me that morning about having anything to do with the trunk. Cross Examined: I know Lewis by sight, but I never stood talking to him twice in my life. It was brass keys that were handed to me by Lewis. I did not

Knew they were Skeleton Keys. John Highfield, a clerk in Henderson's place in Nassau St. swore that Redmond made application for a situation on the 28th of February, but did not remember seeing him on the 8th of April but it was possible that the clerk sent him a postal card. Amelia Leopold recalled. I have seen since of my property a cake basket, a milk pitcher and two napkin rings. Peter J. Quinn, who attended a baker store for his father in 11th St. saw the prisoner there the day before he was arrested with a postal card. Andrew McBride, Thomas Hodgins, William J. Walker and James Moore all testified that they knew the prisoner since boyhood, and so far as they knew his character for honesty was good. Elizabeth Frazer was recalled and said that a week or ten days ago the father of the prisoner called on her; he said his name was Peter Higgins; this was after the arrest of the prisoner. Amelia Leopold recalled. I see Lawrence Redmond (the brother of the prisoner) in Court; he came to see me three times after his brother's arrest. Lawrence Redmond sworn. I went to Mrs. Leopold to enquire what my brother was arrested for.

The jury rendered a verdict of guilty of burglary in the third degree.

0866

Testimony in the Case
of James Redmond
filed April 13.

0867

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

Police Court—Fourth District.

Amelia Leopold

of No. 327 East 16th Street, being duly sworn, deposes and says, that on the 8th day of April 1880 at the City of New York, in the County of New York, the dwelling house occupied by deponent at 327 East 16th St. was burglariously broken and entered. and a quantity of property stolen therefrom, that James Redmond now in court is the person described in the annexed complaint as an unknown person. as this deponent is informed and believes. deponent identifies the cake basket, napkin rings and milk pitcher as being a portion of the property stolen from premises No 327 East 16th Street on the 8th day of April.

Sworn to before me, this 9th day of April 1880

Wm. Gilmore Beach Justice

0868

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

Police Court—Fourth District.

Elizabeth Fraser

of No 227 East 16th Street, being duly sworn, deposes and says,

that ~~on the~~ day of 18

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

the prisoner James Redmond now in court is the person whom deponent saw coming down the stairway of premises No 32 East 16th Street on the 8th day of April 1880. together with Arthur Lewis carrying a trunk.

Elizabeth Fraser.

Sworn to before me, this 9th day of April 1880

Wm. Wilson Justice

0869

Police Office, Fourth District.

City and County of New York, } ss.

Amelia Leopold

of No. 324 East 16th Street, being duly sworn, deposes and says, that the premises No. 324 East 16th Street, 18th Ward, in the City and County aforesaid, the said being a building and which was occupied by deponent as a dwelling house were BURGLARIOUSLY broke and entered by means of forcing open with an iron jimmy the door of a room on the second floor of said building with intent to commit a crime

in ~~on~~ the day time of the 8th day of April 1880 and the following property feloniously taken, stolen and carried away, viz.:

One gold cased Watch & chain attached of the value of	$110.-
One gold coin of the value of	5.-
One Gold locket of the value of $5 Gold Chain of the value of $10.	15.-
One Silver castor of the value of	10.-
Two silver napkin rings of the value of	5.-
Silver cake basket of the value of	25.-
One black silk dress of the value of	60.-
and other articles of jewelry and clothing of the value	171.-
in all of the value of	$401.00

the property of deponent and her husband Albert Leopold 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 Arthur Lewis and Owen Brady and another person unknown to deponent for the reasons following, to wit: That the aforesaid premises were securely locked and fastened by deponent who left the same at about ten o'clock on the morning of the said 8th day of April that at about one o'clock of the same day deponent returned and found

that the door of the kitchen had been forced open and the said property stolen and carried away. That deponent has since seen a portion of said property at the pawnbroker shop of Morris Levy on Avenue A between 15th & 16th Street in said city.

Franklin Lodge

Sworn to before me this 9th day of April 1880

Wm. H. Cornell Police Justice

State of New York
City & County of New York } ss

Elizabeth Fraser of No 324 East 16th Street in the City of New York, being duly sworn deposes and says, that she resides on the floor above Amelia Leopold the complainant, that on the said 8 day of April deponent saw Arthur Lewis one of the prisoners now in court on the stairway of said dwelling at about half past eleven o'clock in the morning, that at about quarter to one o'clock of the same day deponent again saw said Lewis in company with another person coming down the stairs of said premises having a trunk in their possession. Deponent saw said Brady watching on the opposite side of the street, also in hallway of said premises

Sworn to before me this 9 day of April 1880

Elizabeth Fraser

Police Justice

State of New York
City & County of New York } ss Frank Baker
of the 18th Precinct Police, being
duly sworn deposes and says: that
he was informed by Elizabeth Fraser
that a burglary had been committed
at No 327½ East 11th Street and from
the description of the burglars given
deponent arrested Arthur Lebris
and Owen Brady now in court
who have been identified by said
Elizabeth Fraser as the parties whom
she saw at said premises.

Sworn to before me this 9th Frank Baker
day of April 1880

Thos. Ryan Justice

0873

Police Court, Fourth District.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Arthur Lewis

Question. How old are you?

Answer. 20

Question. Where were you born?

Answer. Greenpoint L.I.

Question. Where do you live?

Answer. 41½ East 14th St

Question. What is your occupation?

Answer. Brass Turner

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

Answer. I am not guilty

Arthur F. Lewis

Taken before me this 4th day of April 1880

Wm. Morris

Police Justice.

Thieves

0874

Police Court, Fourth District.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Owen Brady

Question. How old are you?

Answer. 17 years

Question. Where were you born?

Answer. New York City

Question. Where do you live?

Answer. 417 East 18th St

Question. What is your occupation?

Answer. Peddler

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

Answer. I am not guilty.
Owen Brady

Taken before me this 9th *day of* April 1880

Police Justice.

0875

Police Court, Fourth District.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. James Redmond

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. New York City

Question. Where do you live?

Answer. 345 East 20th 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

James Redmond

Taken before me this 9th *day of* April 1880

[illegible]

Police Justice.

0876

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,

Police Court—Fourth District

THE PEOPLE &c.

ON THE COMPLAINT OF

Amelia Leopold
327 E 16th St

vs.

1 Arthur Lewis
2 Owen Brady
3 James Redmond
4
5
6

Offence, Burglary

RECEIVED
APR 10 1880
DISTRICT ATTORNEY'S OFFICE

Dated April 9th 1880

Murray Magistrate.

Baker Officer.

Clerk.

Witnesses,

Elizabeth Frazer
327 E 16th St
The son of
Morris Levy, Pawnbroker
Ave A bet 15th & 16th

Cons 5000 Bail to Ans

Cmd

Received in District Atty's Office,

0877

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 Arthur F Lewis, Owen Brady and James Redmond each —

late of the Eighteenth Ward of the City of New York, in the County of New York, aforesaid, on the Eighth — day of April —— in the year of our Lord one thousand eight hundred and ~~seventy~~ Eighty with force and arms, about the hour of Ten o'clock in the Day time of the same day, at the Ward, City and County aforesaid, the dwelling house of

Albert Leopold ——

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

he the said

Arthur F Lewis, Owen Brady and James Redmond each —

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

Albert Leopold ——

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

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

Arthur F Lewis, Owen Brady and James Redmond each —

late of the Ward, City, and County aforesaid,

One watch of the value of One hundred dollars —
One chain of the value of Five dollars —
One coin of the value of Five dollars —
One locket of the value of Five dollars —
One other chain of the value of Ten dollars —
One castor of the value of Ten dollars —
Two rings of the value of Two dollars and fifty cents each —
One Basket of the value of Twenty five dollars —
One drop of the value of Sixty dollars —
Jewelry and clothing of a number and description to the jurors unknown of the value of One hundred and Seventy one dollars —

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

Albert Leopold ——

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

BENJAMIN K. PHELPS, District Attorney.

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

That the said Arthur F. Lewis, Owen Brady and James Redmond 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,

One Watch of the Value of one Hundred Dollars
One Chain of the Value of Five Dollars
One Coin of the value of Five Dollars
One locket of the value of Five Dollars
One other Chain of the Value of Five Dollars
One Castor of the Value of Ten Dollars
Two rings of the Value of Two dollars and fifty cents each
One Basket of the Value of Twenty five dollars
One Dress of the Value of Sixty dollars
Divers articles of Jewelry and clothing of a number and description to the jurors unknown of the value one Hundred and Seventy one dollars

of the goods, chattels, and personal property of the said Albert Leopold by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said Albert Leopold unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said Arthur F. Lewis, Owen Brady and James Redmond 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.

BENJAMIN K. PHELPS, District Attorney.

0879

BOX:
10

FOLDER:
134

DESCRIPTION:
Fleig, Louis

DATE:
04/06/80

134

0880

BOX:
10

FOLDER:
134

DESCRIPTION:
Lanz, Philip

DATE:
04/06/80

134

X 15 Stickler

Day of Trial, Fleitzing

Counsel,

Filed 6 day of April 1866

Pleads Not Guilty (1)

30 Jurors Called

THE PEOPLE

vs.

Philip Lanz 1

Louis Kleg 1

Felo de Se

40 Jurors

50 Called

BENJ. K. PHELPS,

District Attorney.

A True Bill.

H. S. Taylor Foreman.

April 14. 1866.

(Feb)

Tried & Convicted.

S.P. 3 years

Indictment in the Court of Oyer and Terminer

1880

State of New York.
City and County of New York.

Catherine Breitinger being duly sworn deposes and says. I am a widow. Sixty years of age, residing at No 266. First avenue, in the City and County aforesaid, That on the 13th day of June 1879. this deponent was the owner and proprietor of a certain Lager beer Saloon and the fixtures and goods therein contained. to wit. the saloon No 266 First avenue. in said City of New York. and also of the sum of Six Hundred and fifty dollars in cash on deposit in the Greenwich Savings Bank in said City, That Philip Lang. Louis Fleig and Henry B Hawley, all late of the City and County of New York aforesaid. being of evil dispositions, name and fame, and of dishonest conversations, and devising and intending by unlawful ways and means to obtain the monies valuable things, goods, chattels, personal property and effects of the honest and good people of the State of New York. to maintain an idle and profligate course of life; on the 13th day of June 1879, at the City and

County aforesaid, with intent to feloniously cheat and defraud this deponent, did then and there conspire together, and then and there feloniously unlawfully, knowingly and designedly, falsely pretend and represent to this deponent, that the said Greenwich Savings Bank was unsound, that "it might break that day" to wit the 13th day of June 1879 or the "next day", but that "it could not stand," that "it was the worst of all," and this deponent then and there believing the said false pretences and representations so made as aforesaid by the said Philip Lang, Louis Fleig, and Henry B. Gourley and being deceived thereby was induced, by reason of the false pretences and representations so made as aforesaid, to withdraw the said deposit, and did withdraw therefrom the said sum of Six Hundred and fifty Dollars.

That immediately after and upon the same day to wit the 13th day of June 1879, at the City and County aforesaid the said Philip Lang, Louis Fleig and Henry B. Gourley still intending by unlawful ways and means to cheat

and defraud this deponent, did feloniously, unlawfully, knowingly and designedly falsely pretend and represent to this deponent, that a certain assignment of Mortgage together with the bond or obligation described therein, which one of their number to wit: Henry B. Gourley held was of the full value, and worth the sum of Seven Hundred and fifty dollars, and that said Bond and Mortgage was, said upon property situated at Toms River in the State of New Jersey which was of the full value and worth the sum of Fourteen Thousand dollars. And this deponent then and there believing the said false pretenses and representations so made as aforesaid by the said Philip Lang, Louis Flig and Henry B. Gourley so conspiring together as aforesaid, and being deceived thereby was induced to deliver, and did then and there deliver to the said Henry B Gourley the Stock fixtures and good will of the business of the said Saloon, together with the sum of Three Hundred Dollars, and the said Philip Lang Louis Flig and Henry B Gourley did then and there obtain and receive the same by means of the false pretenses and representations aforesaid, with the intent feloniously to

cheat and defraud this deponent of the said Stock and fixtures and good will of said business and the said three Hundred dollars. in all of the value of Seven Hundred and fifty dollars

Whereas in truth and in fact the said Greenwich Savings Bank was a sound and reliable institution for savings entitled to full credit credit and the confidence of the Public,

Whereas in truth and in fact the said Bond and assignment of mortgage were utterly worthless and of no value whatever,

Whereas the plot of land upon which the said assignment of mortgage and Bond were founded was utterly valueless. and Whereas: in truth and in fact the pretences and representations so made as aforesaid by the said Philip Lang Louis Fleig and Henry B. Gourley to this deponent was and were in all respects utterly false and untrue, and known by them and each of them at the time of uttering the same to be wholly false and untrue, the Complainant therefore asks that a warrant may issue for the apprehension and arrest of the said Philip Lang Louis Fleig and Henry B Gourley, and that they may be dealt with in the premises as law and justice may appertain,

Katharine Pretenger

Sworn to before me this 10th day of February 1880

[illegible]

Police Justice

City and County of New York ss:

John C. Fraser being duly sworn deposes and says that he is an Attorney and Counselor at Law, and resides at No 207 East 116th Street in the City of New York.

That he was duly retained by the Complainant Katherine Breitinger for the purpose of taking steps towards foreclosing the mortgage assigned to her by Henry P Crowley provided the same was of sufficient value to warrant the same, and that in order to ascertain the true value of the lots upon which the said mortgage was based, this deponent did (in company with Mary Breitinger a daughter of the Complainant), on the 15th day of August 1879, proceed to Toms River in the State of New Jersey which is the County Seat of Ocean County, and there and then made dilligent inquiry concerning the actual value of said lots, and was there and then informed by the person in charge of the County Clerks office that said lots were "utterly valueless" that "they were good for nothing" and that no man in the County would

pay for recording the deed, if they were made a present of the lots,

Deponent further says that he called upon A. P. Irons, the Surveyor who surveyed and laid out said lots and who was familiar with their location and value, and said Irons informed deponent that the said lots were under water three months in the year, that they laid in the Swamp and had a few Cranberry Bushes on them and might be worth at the most not to exceed ten dollars, that he laid out about fourteen hundred lots in that section, and that they had been largely operated in by Strangers in Philadelphia, Brooklyn and New York. That a great many people had been to see him about the value of the lots laid out by him, Deponent further says that as soon as he asked Surveyor Irons about the lots and their value, he laughed and asked deponent if he had been swindled therein.

Deponent further says that he inquired of the Hotel Proprietor at Toms River, who was formerly Sheriff of the County, and several

citizens, and from all of them received a similar answer, towards which the Pols were utterly valueless

Sworn to before
me this 4th day of February 1850

John C. Fraser

B. C. Mounsey
Police Justice

The People:

v.

Philip Lanz

Louis Pleiq

Henry B. Gourley

$5,000 Ex 7th 2 Pers
10 - Virginia

The people &c
on
Complaint of
Catharine Boettinger
vs
Philip Lanz
Louis Fleig
~~Henry Schmidt~~

Vandell Justice

Offense False Pretenses
Examination Feby 10th 1880

Nathan Nesbit atty for Lanz
Alfred Steckler atty for Fleig
H E. Farnsworth atty for Lanz

Counsel for Lanz moved that an adjournment be allowed as they were not ready for the examination. motion denied.

Henry B Gourley. being duly sworn says that he resides at 332 Broom Street. I am engaged in Steamboating I know Lanz and Fleig the defendants in this case. (Assignment of mortgage shown. to witness who was asked if he had ever seen it before.) ~~I have seen it~~ objected to by Counsel for Fleig and Lanz — Question. Have you ever seen the paper marked (A) and

nore offered in evidence. I have ~~objected to on the ground that the~~ ~~[illegible]~~.
Question. What was the consideration paid for the instrument. Objected to on the ground that it is incompetent immaterial and contradicting or attempting to contradict a written instrument. Question admitted. Exception allowed. I received ~~[illegible]~~ three mortgages each of the amount of seven hundred fifty dollars and twenty five dollars in money on adjoining lands. I paid twenty five hundred dollars ~~[illegible]~~ in of stocks, ~~and~~ Question What kind of stocks were they. Objected to on the ground that it is incompetent and immaterial. Question allowed. Exception taken. Ans. The French Manufacturing Company of New York. Where did the French Manufacturing Company do business. Objected to. Ans I don't know. Question What was the market value of the stock. Ans I don't know. Question What year was the stock issued Ans I don't know. I held them about one year before I traded

them. I dont know whether the Company ever paid a dividend The business of the company was the manufacturing of perforated seat. A paper Marked Exhibit (B) shown to witness :: Question Is the signature on said paper your signature ~~yours~~ It is. Question When did you place it there? Objected to. It must be on the date of the paper as near as I can recollect it was last May or June. Q. After you first signed the paper did you ever see it until you saw it in this court. Ans I did not. Q Was it 1878 or 1879 when you signed the paper you now have in your hand? Ans It was in 1879. Who wrote the word Seventy and the body of the instrument? Ans Mr. Bott. Q Do you wish to correct your testimony as to the time you wrote your signature? Ans No sir I do not. Q Did you ever acknowledge the execution of the instrument before anyone? Objected to on the ground that the instrument speaks for itself

Allowed, exception Ans. I did not. 2. To whom did you give sell or dispose of that assignment of mortgage to? Objection to on the ground that it incompetent immaterial and leading. admitted. Exception. I gave it to Mr Fleig
2 Where you present on June 11th 1879 in the premises of Mr Breitenger No 264.-1st Ave. in company with the defendants Lang and Fleig Ans No. 2. Did you ever receive any consideration whatever either personally or through an agent or attorney from Mr Breitenger for that assignment of mortgage. objection to. allowed. Exception. No I never received any

Cross Examination 2- During the time you had the transaction with Mr Kohn when you gave him the stock and when you received the three mortgages were either of the defendants present. Ans. No. 2 They had nothing to do with that transaction, Ans. Nothing
3 When did the transaction take

place. Ans—April 1878

Sworn to before me this 18th day of February 1880 — Henry B Gourley

B C Manade Police Justice

Sebastian Somer. being duly sworn. says I reside at 164 5th Avenue. I am collector for the Herman Brewery. 2. Do you know where Mr Fleig was engage in business from the 14th day of June 1879. Ans—I don't remember dates but some time last summer he was engage on 1st Ave. between 15th & 16th Street the same premises that were occupied by Mr Breitinger. Mr Fleig the defendant. was the party who received and signed for beer after she left.

Motion to strike out on ground that it is irrelevant and immaterial. Motion denied.

F. Sherman

Sworn to before me this 18th day of Feby 1880 B C Manade Police Justice

Catharine Beckinger, sworn. The facts stated in my complaint are true, to the best of my knowledge & belief.

Cross Examination. 2 You state in your affidavit that Mr Lamy said to you that the Greenwich Savings Bank was unsound and might break on that day. "the 15th of June, or the next day for that it could not stand it was the worst of all Ans. He did.

What else was said at the time he told you the bank was unsound. Ans He told me to get ready and he would go with me and draw the money out of the Bank. 2 Did you go with him to the Bank and draw the money. Ans I did.

2. Before you went to the Bank with Lamy did you go to the Bank yourself and find out whether the Bank was unsound. Ans I did not. 2 At the time that Lamy had the conversation in relation to Bank was Henry B Gourley present. Ans He was not. 2 Do you know whether

the Greenwich Savings Bank is now doing business. Ans. Yes It is doing business and as good as ever. 2 — What did you do with the money you drew out of the Bank, Ans I gave it to Henry B Gourley. Some of it, I kept ~~the last~~ it all the next day. when I went to a Notary Public with Lamy and Fleig and there met a man called Henry B Gourley. After I got the money Philip Lamy talked to me about selling my saloon it was the same day. He said if I put my money in a bank I might lose it and that if I took the mortgage on the lands for seven hundred & fifty dollars, the lands was worth fourteen thousand dollars. And that on the first of January the mortgage would be due and I could draw the money. That I should give him the papers on the 1st of January and he would draw the money for me. ~~After~~ Lamy, Fleig and Gourley were all in my saloon at the time of the conversation. they all said together that I should give up the saloon and take

the mortgage papers. Louis Fleig asked me twenty dollars commission for procuring Gourley as a purchaser of my saloon. but said he would take fifteen dollars. I think I gave him fifteen but he handed back five dollars to my daughter. We, Larry Fleig and Gourley went to the Notary's and he made a bill of sale to Gourley. and I paid three hundred to Gourley in the presence of Larry Fleig and the Notary. and got the assignment of Mortgage Marked B and the other paper Marked (A). I exchanged my saloon and the three hundred dollars in money for the assignment of Mortgage Marked (B). I knew McLam two or three months before the saloon was sold and after the sale he lived with his wife in the same house with me. Fleig was in my saloon before this sale I had no intimate acquaintance with him. Fleig was the broker. I never gave Fleig any other money but the fifteen dollars. I did not examine

the property in Jersey before ~~the~~ I took the assignment of mortgage.

Cross Q. by counsel for Lang. Q Who first spoke to you about selling the saloon Ans. Philip Lang. Q. Where was he then Ans In my saloon. Q. Before or after you drew your money from the bank. Ans. Both before and after. Q. Did you not first tell Lang that you wanted to sell your saloon. Ans This not so Q Did you advertise your saloon for sale in the papers. Ans I never did. Q Did you employ an agent to sell the saloon for you. Ans - I did not. Q. Is it not true that you wanted to get out of the neighborhood. objected to, not allowed. Q Did you employ Lang or Kelly to sell your saloon for you. Ans I did not. Q. You sold it yourself Ans. I did. Q Did Lang get wall paper and put it on the walls of the saloon. Ans. He did out of my money. I did not ask him he offered to go with my daughter and get it. Q What

was the object of putting on the paper
Ans. Lamy said it would make the
place sell better. Q Did you send
somebody to buy an ice box. Ans
Lamy offered to go and buy one for
me. I wanted it to keep the beer
cool. Q Was there anything else
done in the saloon. Ans. It was whi-
tewashed, I sent for the men to do
it. Q Did you send Mr Lamy. Ans
I did not. I ~~sent~~ went my self.
Two weeks after it was furbished
up it was sold. I dont remember
seeing Mr Fleig there while it was
being fixed. Q When did Mr Fleig
first speak to you about selling
the saloon? Ans. On the 3d of June
1899 at my saloon door. Q.
Was this about two weeks after
you had fixed up the saloon? Ans.
About two weeks. Q Who was with
you at the door at that time? Ans
Philip Lamy Q. Was Fleig in the
saloon before he spoke to you? Ans
I don't remember. Fleig said to me
then he could sell the saloon for
a mortgage. Q. Lamy was

present that was the first that a mortgage was spoken of. Q Did Reig have any papers to show you? Ans No. sir! Q Did Reig say anything else at that time? A don't remember; Q What did you say to him about the mortgage? Ans I told him I did not know anything about a mortgage and I did not want it. Q When did you first see the mortgage? Ans On the 13th day of June after I came from the bank. Q Who first showed you the mortgage? Ans Gourley took it out of his pocket and handed it to Mr Lamy. Q. What did you then say to Lamy? Ans I told him I did not care to sell the saloon on a mortgage Q Did you ask any person to examine the mortgage and assignment to see if it was good? Ans I did not. Q Would you know the papers you got at that time. Ans I would not I can't read English. Q Do you recollect Mr Lamy telling you that he had been to the Register Office to enquire of a friend

about the correctness of the mortgage
Ans. I do. Q Did he tell you the
name of the man that he went to in
quire of. Ans. He did not.
Q Before he went did he tell you
he was going? Ans In the afternoon
before he told me he was going.
Q What did he tell you was
told him there? Ans. He told me
that the mortgage was as good
as gold. Q Did he tell you that
he was told so? Ans He did not
Q. Did you close the sale on
the 14th day of June.? Ans. I did.
Q On that day did he, Lanz not advise you
to be careful about trading your
saloon for a mortgage Ans He did
not. Q. At the time of closing the
sale. how much cash did you pay
Gourley. Ans three hundred dollars
Q. That was at the Notary's was it?
Ans It was. Q Lanz was there when
you paid the money? Ans Yes.
Q Did you pay any money that
day to Lanz? Ans I did not — Q
When you closed the transaction in
the Notary's was Lanz lying down?

Ans. He was lying on a sofa
Q Did Lanz charge you any commissions for the sale of the saloon. Ans He did not.
Q How long was Gourley in possession of the saloon after you sold to him.
Ans I don't know.

Adjourned till Feby 11th 1880 at 2 o'clock P.M.

Examination resumed Feby 11. 3 PM

Redirect: The Henry B Gourley who was a witness here. was not the one I referred to. I have not seen the man claiming himself to be Henry B Gourley since this examination commenced — I drew the money on the 13 June 1879 in the morning. My daughter went to the Bank the same day. She returned about 4 p.m. Fleig & the man who said he was Gourley were in the saloon when she returned Lanz came in with my daughters. One of them asked me if I was willing to sell the saloon. I told them I didn't want to sell it on a mortgage. Lanz said I was foolish because the lots were worth $1 1000 Dollars. Fleig then asked if he

would get his commission, and I said Yes— Gousley took the papers out of his pocket and handed them to Lanz, telling him Lanz to see if they were perfect. Lanz read them over and then said they were correct, but he would not depend on him, but would go and see further the next morning. Lanz put the papers in his pocket. About 11. A.M the next day Lanz came, and after Fleig & Gousley together, and I finally went to the Notaries—

XE. The man who said he was Gousley spoke in German to me. I don't remember hearing any other name than Gousley— I never heard the name Kronicker mentioned— I did not go with my daughter to the bank, but know she went because she and Lanz told me they were going—

Sworn to before me
this 11 July 1880

Katharina Breitenger

[illegible]
Police Justice

City & County
of New York ss.

Mary Ann Breitenger
being sworn and examined says.
I am 22 years of age. and reside
with my mother. the last witness.
I was present in the saloon No 264
1st Avenue, on the 13 June 1879,
when my mother & Philip Lanz had
a conversation. He came in about 9
P.M. He asked her if she had money
in the bank. Mother said Why do you
ask me that." He repeated the question.
and says. "The banks is all breaking".
Mother said I have a few hundred
dollars in the bank. He said What
bank. She said in Greenwich
Savings Bank. He said That was
the worst bank of all. that it might
break to day or tomorrow. but
couldnt last a month. Mother
then told him I had a little in the
Bank; and he said to Mother. put on
your things, come with me and draw
your money first. They went. drew
the money and came back about 11.
A.M. Between 1 & 2 P.M. the same
day, Lanz and I went to the Bank

my money being in the same bank as mother's. He waited outside saying it would arouse suspicion - I drew out all I had on deposit $163.23/100 - Dollars - and Lanz & I returned to my mother's saloon - Fleig & a man represented to be Gourley were in the saloon when I came back - They were playing cards with each other - Fleig first spoke to mother and said this is the man that has the mortgage papers referring to the man represented to be Gourley. Lanz pretended not to know Gourley - and said to him let me see the papers - At the same time Gourley took the papers from his pocket - handed them to Lanz, who looked them over - and said they appear to be correct, but I won't take your word for it, but go to the Register's office - Lanz said when he first came to the saloon handing her his card - that that was his business - to wit Real Estate. The three went away together, and the next morning about 11 o'clock Lanz came back - and said to my

mother. "Mother they are as good as gold", the property is worth $14000 dollars. He said "Mother you're foolish if you dont venture the $750 dollars on those lots. He says, "You'd get 5 percent on the dollar, the 1st of July they will be due and you can fore-close and draw your money. If you put it back in the bank, the bank will speculate and break. and you will loose it all, and you are sure of your money on this mortgage. Mother said she didnt want to as she didnt understand anything about mortgages. He said "I do". Mother said she didnt care to sell her saloon, unless for cash money. Then Fleig and the man represented to be Gourley came in. Gourley asked mother if she had made up her mind to give up the saloon and take the papers. Lang got at mother again and said she was foolish. that for 100 dollars she could fit up a better saloon than she had and put the rest of the money in her pocket. Lang says I am acting as a friend to you for

your interest. I'll do you for you as your husband is dead, and Mary (meaning me) has no father, and I'll act as a father for her. Mother then went out with the three men, Lanz & Fleig saying they moved 98 to the Notary and have the bill of sale made out. Mother and the three all returned together. I was behind the bar. Lanz & Gourley pushed me out and said the saloon was theirs now. I had nothing more to do with it. I have seen the papers marked Exhibits C D. E & A B. before Fleig. Lanz. Mother & I were the only ones present on the 13 June A.M. when Lanz spoke of the bank breaking. I did not enquire of any one about the Bank before going there. The conversation was 9. A.M. and my money drawn between 1 & 2 P.M. I did not read or know the contents of the papers shown and marked Exhibits A B. C D & E.

X E.

Lanz then lived in ~~Auer's block~~ 7 & 8 East 5th Street in June last. I went to his house with him and from there

to the Bank with him. I had known Lanz 3 months before June 1st I never gave any of my money to Lanz or Fleiger. Lanz gave me the business card about 3 months before June 3rd. He very first time he came in the store. I did not tend bar after the saloon was sold. I did ~~not bear~~ stay about 1/2 an hour at their request. We moved to Lanz's house and lived there 4 weeks. It is admitted that a civil order of arrest was granted and executed. The man Gourley who was here yesterday as a witness was not the one who represented himself as Gourley in the saloon.

Mary Ann Dreitinger

Counsel for defence moves for discharge of defendants upon the ground that no case has been made against them.
Motion denied, & Exception.

Held to answer at General Sessions $2000 bail each.

Mary Ann Dreitinger
Witness for defence
Wm. Williams
Chas. Fadice
Police

Copy to Gary
300. each to Gary

Pev
v
Sanz

Eduard Michel 40 Avenue B
says that he did not make or
endorse the note held by
Sparenberg purporting to be
made by him. The note was
$75. Inquiries was presented
to the German Exchange Bank
where I had an account & was
refused payment there I saw
the note.

E. J. Sparenberg 75 Canal St.
In the November of 1897 or 1898
Sanz came to Sparenberg & ~~[illegible]~~
borrowed $50 from the on
fourth June for $175 made
in order of Sanz by the Edward
Michel and indorsed by Sanz
to me. I learned that note
was a forgery. It went thru
a one month's due. It was no
good. Afterwards Sanz
Mathew Berger ~~[illegible]~~ came
alone I accused & got the note

Complete good!

3rd. cap Lauz

~~Forgery~~

People on
Complt of Starenberg

v

Lauz

~~False claim~~

Forgery

witnesses

E J Starenberg
75 Canada

Edward Mackie
40 Acres

Justification. Been in usual. Seems
well satisfied with decision
Pecks & Tarrant Decision
Pecks & Tarrant

To
v
Philip Lanz

City and County of New York ss: August Schafer of No 198. Avenue A in said City being duly sworn says that on or about June 9th 1875 said Lanz showed deponent a note for ~~$85~~ $88 purporting to be made by one Wolfgang Kuffner, dated on or about June 1st 1875 and payable thirty days after date to the order of deponent; that said Lanz represented said note to be made by Wolfgang Kuffner the brother of Jacob Kuffner, that deponent relying on said representations ~~let~~ ~~said~~ ~~Lanz~~ ~~Lanz~~ ~~Lanz~~ ~~have~~ ~~that~~ ~~said~~ ~~note~~ $88 paid to give the note to deponent that when said note ~~Lanz~~ became due Lanz came to deponent and represented he wanted to get it to have Kuffner pay it and deponent gave it to him for that purpose ~~and~~ but never after received the money nor the note but received a note of Lanz's which he gave to my son

about six or eight days after Lanz obtained the Kuffner note, which note was received by my son without my consent therefor that the note so received by my son was never paid. That said ~~[illegible]~~ note purporting to be made by said Kuffner, deponent is informed by said Kuffner, ~~said~~ verily believes was never made by said Kuffner and that said representation was made with intent to cheat and defraud deponent. That deponent has never seen the said Kuffner note nor did he give it to Lanz for the reasons

2nd day of March 1880 } Aug: Schaefer.

Lanz
Sworn before me
[illegible]

City and County of New York } ss.: Wolfgang Kuffner of No 153 Prince St in said City being duly sworn says that deponent is the brother of George Kuffner of the City and that deponent recollects that in June or July 1875 August Schaefer now here came to deponent asked me whether I gave a note to Lanz and I told him no and deponent never made the note described in the foregoing affidavit

never at any time, made any note to Sawyer
or Saul Schaefer and never authorized
anyone else to sign any such note
Sworn & before me this
2nd day of March 1880

W. Tuffer

Pierce J. Lacy
Notary Pub
Yz Co.

Pave to my Son

Complete. - good. -

2nd Concept Lanz
Forgery

Ter complicity of August Schaefer
& Philip Lanz

~~Intercepted as~~

Forgery

Witness
August Schaefer
198 Ave A
Wolfgang Kaffner
153 Prince St

0917

Police Court, Fourth District.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Philip Lanz

Question. How old are you?

Answer. 35 years

Question. Where were you born?

Answer. Germany

Question. Where do you live?

Answer. 618 East 16th Street

Question. What is your occupation?

Answer. Agent

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

Answer. I am not guilty

Philip Lanz

Taken before me this 12th *day of* May 1880

B Wandelt

Police Justice.

0918

Police Court, Fourth District.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Louis Klug

Question. How old are you?

Answer. 40 years

Question. Where were you born?

Answer. Germany

Question. Where do you live?

Answer. 85 - East 129th Street

Question. What is your occupation?

Answer. Real Estate Agent

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

Answer. I am not guilty
Louis Klug

Taken before me this 13th *day of* July 1880

B. Wilson

Police Justice.

Application for discharge or reduction of bail denied Feby 16 1880. [illegible]

by

Residence,

No. 3, by Application to discharge or for reduction of bail both denied. Feby 16. 1880.

Residence,

No. 4, by

Residence,

No. 5. by

Residence,

6, by

Res

Let Marvin be Clerk Marshall 291 Broadway Know when prisoner is able bail [illegible]

340

Police Court—Fourth District.

THE PEOPLE &c.

ON THE COMPLAINT OF

Catharine Breitinger
266 First Ave

vs.

1 Philip Lang
2 Louis Fleig
3
4
5
6

Offence, Felon Larceny

Dated February 1880

Wandell Magistrate.

A. P. Jones / Jas Reid
Jas. H. Shine / [illegible] Officer.

John Lautenschager
203 E 4th Clerk.

Witnesses,

John C. Fraser 217 E 116th St
Sebastian Somers 164 5th Ave
Mary Ann Breitinger 266 1st Ave
Henry B. Gourley 332 Broome St
Jacob Luff

Held to Answer $3000 & C.

Bail

Received in District Atty's Office

Other witnesses [illegible]

RECEIVED FEB 13 1880 DISTRICT ATTORNEY'S OFFICE

619

0920

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

Philip Lanz and Louis Fleig each

late of the First Ward of the City of New York, in the County of New York, aforesaid on the thirteenth day of June in the year of our Lord one thousand eight hundred and seventy-nine, at the Ward, City and County aforesaid, with force and arms, on the day and year last aforesaid, with intent feloniously to cheat and defraud one Catharine Breitinger

did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend and represent to the said Catharine Breitinger

That The Greenwich Savings Bank in the said City and County of New York (the same being a Savings Bank organized and incorporated under the laws of the State of New York) was unsound (that the said Bank was then and there insolvent meaning thereby)
That the said Bank was unsound (that the indebtedness and liabilities of the said Bank then and there exceeded its good and available assets and property meaning thereby)
That it could not stand (that the said Bank could not then and there pay its debts and liabilities in the ordinary course of business meaning thereby)

of the same.

That it could not stand (that the said Bank could not pay the depositors of moneys therein in the ordinary course of its business meaning thereby)

That a certain assignment purporting to be executed by one Henry B. Lourey to the said Catharine Breitinger bearing date the fourteenth day of June one thousand eight hundred and seventy nine of a certain Bond and Mortgage bearing date the fourth day of December one thousand eight hundred and seventy six purporting to be made by one James W. White to one Charles B. Schneider to secure payment of seven hundred and fifty dollars and to be recorded in the Office of the Clerk of Ocean County in State of New Jersey in book No 26 of mortgages page 200 on the sixth day of December one thousand eight hundred and seventy six and the said Bond and Mortgage were good and valid instruments and securities and were as good as gold;

That the property described and contained in said Mortgage being forty eight lots of land situate at Village of Toms River in said Ocean

County in State of New Jersey were of the value of fourteen thousand dollars

That a certain person, whose name is to the jurors aforesaid unknown and can not now be given, but who was then and there present with them the said Philip Lanz and Louis Fleig was the said Henry B. Bourley.

And the said Catharine Breitinger

then and there believing the said false pretences and representations so made as aforesaid by the said Philip Lanz and Louis Fleig

and being deceived thereby, was induced, by reason of the false pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said Philip Lanz and Louis Fleig a certain sum of money to wit the sum of three hundred dollars in money and of the value of three hundred dollars — Divers fixtures and stock, a description of which is to these jurors unknown and cannot now be given, of a Saloon situate at number two hundred and sixty four, First Avenue in the said City of New York in the County of New York aforesaid, of the value of three hundred dollars

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said Catharine Breitinger

and the said Philip Lanz and Louis Fleig did then and there designedly receive and obtain the said certain sum of money to wit the sum of three hundred dollars in money and of the value of three hundred dollars — Divers fixtures and stock, a description of which is to these jurors unknown and cannot now be given of a Saloon situate at number two hundred and sixty four, First Avenue in the said City of New York in the County of New York aforesaid, of the value of three hundred Dollars

of the said Catharine Breitinger

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said Catharine Breitinger

by means of the false pretences and representations aforesaid, and with intent feloniously to cheat and defraud the said Catharine Breitinger

of the same.

Whereas in truth and in fact the said the Greenwich Savings Bank in said City of New York in the County of New York aforesaid was not then and there insolvent, but was then and there wholly financially sound and solvent and had a surplus of available assets and property greatly in excess of its debts and liabilities as they the said Philip Lanz and Louis Feig then and there knew

Whereas in truth and in fact the indebtedness and liabilities of the said Bank did not then and there exceed its good and available assets and property but were over one hundred thousand dollars less than its good and available assets and property as they the said Philip Lanz and Louis Feig then and there well knew

Whereas in truth and in fact the said Bank was then and there abundantly able to pay its debts and liabilities and the depositors of money therein in the ordinary course of its business, as they the said Philip Lanz and Louis Feig then and there well knew

Whereas in truth and in fact the said certain assignment of bond and Mortgage

were not good and valid instruments and securities nor was any of them a good and valid instrument and security, but the same were and each of them was wholly without consideration and utterly void and pecuniarily worthless and not worth one cent as they the said Philip Lanz and Louis Fleig then and there well knew

Whereas in truth and in fact the said forty eight lots situate at the village of Toms River in the County and State aforesaid were not of the value of fourteen thousand dollars and were not of the value of over ten dollars as they the said Philip Lanz and Louis Fleig then and there well knew

Whereas in truth and in fact the said certain person whose name is to the jurors aforesaid unknown, but who was then and there present with them the said Philip Lanz and Louis Fleig was not the said Henry B. Conley as they the said Philip Lanz and Louis Fleig then and there well knew

0925

aforesaid, by the said

to the said Catharine Breitinger was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said Philip Lanz and Louis Fleig well knew the said pretences and representations so by them made as aforesaid to the said Catharine Breitinger to be utterly false and untrue at the time of making the same.

And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said Philip Lanz and Louis Fleig by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did receive and obtain from the said Catharine Breitinger the said certain sum of money, to wit: the sum of three hundred dollars in money and of the value of three hundred dollars — Dwis fixtures and stock, a description of which is to these jurors unknown and cannot now be given, of a Saloon situate at number two hundred and sixty four First Avenue in the said City of New-York in the County of New York aforesaid of the value of three hundred dollars —

of the proper moneys, valuable things, goods, chattels, personal property, and effects of the said Catharine Breitinger

with intent feloniously to cheat and defraud her of the same, 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.

0926

BOX:
10

FOLDER:
134

DESCRIPTION:
Lamphier, John

DATE:
04/15/80

134

Publication Sept 27 119 9

Day of Trial

Counsel,

Filed 15 day of April 1880.

Pleads

THE PEOPLE

vs.

B

John Laughlin

Violation of Lottery Laws.

Table 1880

BENJ. K. PHELPS,

District Attorney.

Part Iro Sept 30. 1880
bail forfeited entered

A True Bill.

H. S. Taylor *Foreman.*

0928

Police Court—First District.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. John Lamphier

Question. How old are you?

Answer. 46 years

Question. Where were you born?

Answer. This City

Question. Where do you live?

Answer. 5 Rutgers Place

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 Lamphier

Taken before me, this 9 *day of* April 1870

R M Tansey

POLICE JUSTICE.

0929

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

John Ca

of No. 77 Bedford Street,

being duly sworn deposes and says, that on the 9th day of April 1880 at No. 387 Water Street, in the City and County of New York,

John Campbier

did unlawfully and feloniously sell and vend to

deponent

a certain paper and document, the same being what is commonly known as, and is called a Lottery Policy, and which said Lottery Policy, writing, paper, and document is as follows, that is to say: WSC April 9 — 1 — 25 the ticket hereto annexed and for which deponent paid said Campbier the sum of ten cents

Wherefore deponent prays that the said Campbier may be dealt with according to law.

Sworn to before me, this 9 day of April 1880

Johny Rivera

R V Brady Police Justice.

4th Pct 5 Rutger Place
West

Police Court — First District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

John Rivara
77 Bedford St

vs.

John Campbell

SELLING LOTTERY POLICIES.

Dated April 9 1880

B H Bixby Police Justice.

Lim West 4

Officer.

Witness:
Titus of the 4 Precinct says that he will produce the Complainant

$ 1000 to answer. G.S

Bailed by Samuel Jinque

Residence 199 Atlantic Street.

Brooklyn

Rebailed by the same party Oct 14/80

0931

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

John Rivera

of No. 77 Bedford Street,

being duly sworn deposes and says, that on the 9th day of April 1880 at No. 387 Water Street, in the City and County of New York,

John Campbell

did unlawfully and feloniously sell and vend to

deponent

a certain paper and document, the same being what is commonly known as, and is called a Lottery Policy, and which said Lottery Policy, writing, paper, and document is as follows, that is to say: MWC April 9 — 9 — 1 — 25 the ticket hereto annexed and for which deponent paid said Campbell the sum of ten cents

Wherefore deponent prays that the said Campbell may be dealt with according to law.

Sworn to before me, this 9 day of April 1880

John Rivera

R S Rigby Police Justice.

46 Pro 5 Rutgers Place
West

Police Court — First District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

John Rivara
77 Bedford St

vs.

John Campbell

SELLING LOTTERY POLICIES.

Bailed by Samuel Jonque

Residence 199 Atlantic Street.

Brooklyn

Rebailed by the same party Oct 14 1880

Dated April 9 1880

B A Riley Police Justice.

Officer.

Sam West 4

Witness:

Titus of the 4 Precinct says that he will produce the Complainant

$ 1000 to answer. G.S

0933

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 Lamphier

late of the Fourth Ward, in the City and County aforesaid, on the Ninth day of April, in the year of our Lord, one thousand eight hundred and Eighty, at the Ward, City and County aforesaid, with force and arms, did unlawfully and knowingly offer to vend, and to sell, and to barter, and to furnish, and to supply, and to procure, and to cause to be furnished and procured, to and for one John Kevard a certain paper and instrument purporting to be a ticket of a certain lottery, to wit.: a description of which is to the jurors unknown, and cannot now be given the same being a lottery for the purpose of exposing, setting to sale, and disposing of certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the jurors aforesaid unknown, which said paper and instrument, called a lottery ticket is as follows, that is to say:

WH & Apl
— 9 —
— 9 — 1 — 257

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 John Lamphier late of the Ward, City and County aforesaid, on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, did unlawfully, and knowingly offer to vend, and to sell, and to barter, and to furnish and to supply, and to procure, and to cause to be furnished and procured, to and for one John Kevard a certain paper and instrument purporting to be a part of a ticket of a certain lottery, to wit.: a description of which is to the jurors unknown and cannot now be given the same being a lottery for the purpose of exposing, setting to sale, and disposing of certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the jurors aforesaid unknown, which said paper and instrument, called a part of a lottery ticket is as follows, that is to say:

WH & Apl
— 9 —
— 9 — 1 — 257

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.

0934

THIRD COUNT.—*And the Jurors aforesaid, upon their Oath aforesaid, do further present:* THAT the said John Lauphier late of the Ward, City and County aforesaid, on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, did unlawfully and knowingly offer to vend, and to sell, and to barter, and to furnish, and to supply, and to procure, and to cause to be furnished and procured, to and for one John Kenna, a certain paper and instrument purporting to be a share and interest in a certain ticket of a certain lottery, to wit.: a description of which is to these jurors unknown and cannot now be given the same being a lottery for the purpose of exposing, setting to sale and disposing of certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the jurors aforesaid unknown, which said paper and instrument, called a share of a certain lottery is as follows, that is to say:

WrS Et Apl

— 9 —

— 9 — 1 — 257

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 the said John Lauphier late of the Ward, City and County aforesaid, on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, did unlawfully and knowingly offer to vend, and to sell, and to barter, and to furnish, and to supply, and to procure, and to cause to be furnished and procured to and for one John Kenna, a certain paper and instrument purporting to be a certificate of a certain share and interest in a certain ticket of a certain lottery, to wit: a description of which is to these jurors unknown, and cannot now be given the same being a lottery for the purpose of exposing, setting to sale, and disposing of certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the jurors aforesaid unknown, which said paper and instrument, a certificate of a share of a certain lottery is as follows, that is to say:

WrS Et Apl

— 9 —

— 9 — 1 — 257

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.

0935

BOX:
10

FOLDER:
134

DESCRIPTION:
Lanz, Philip

DATE:
04/06/80

134

17

Counsel,

Filed 6 day of April 1870.

Pleads Not Guilty G.

THE PEOPLE

vs.

Kaufman

Philip Lang P

(3 Cases)

INDICTMENT.
FORGERY in the Third Degree

BENJ. K. PHELPS,

District Attorney.

A True Bill.

H. S. Taylor *Foreman.*

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 Philip Lanz

late of the First Ward of the City of New York, in the County of New York, aforesaid on the eleventh day of June in the year of our Lord one thousand eight hundred and seventy-seven with force and arms, at the Ward, City, and County aforesaid, feloniously did falsely make, forge, and counterfeit, and cause and procure to be falsely made, forged and counterfeited, and willingly act and assist in the false making, forging and counterfeiting a certain instrument and writing for the payment of money to wit: a certain promissory note bearing date on some day ~~which said false, forged and counterfeited is as follows, that is to say:~~ to the jurors aforesaid unknown, for the payment of a certain sum of money to the jurors aforesaid unknown at some time thereafter and in said note specified to the jurors aforesaid unknown, to the order of some person to the jurors aforesaid unknown, purporting to be made and signed by one Edward Michel of the City of New York in the County of New York aforesaid and which said false forged and counterfeited instrument and writing for the payment of money as aforesaid is in the possession of the said Philip Lanz

with intent to injure and defraud one Edward J. Sparenberg

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

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

And THE JURORS aforesaid ~~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~~ aid & further present

That

Philip Lanz

late of the First Ward of the City of New York, in the County of New York, aforesaid on the eleventh day of June in the year of our Lord one thousand eight hundred and seventy-seven with force and arms, at the Ward, City, and County aforesaid, feloniously did falsely make, forge, and counterfeit, and cause and procure to be falsely made, forged and counterfeited, and willingly act and assist in the false making, forging and counterfeiting a certain instrument and writing for the payment of money: to wit a certain promissory note bearing date on some day ~~which said false, forged and counterfeited is as follows, that is to say~~: to the jurors aforesaid unknown, for the payment of a certain sum of money to the jurors aforesaid unknown at some time thereafter and in said note specified to the jurors aforesaid unknown, to the order of some person to the jurors aforesaid unknown purporting to be made and signed by one Eduard Michel of the City of New York in the County of New York aforesaid and which said false forged and counterfeited instrument and writing for the payment of money as aforesaid, was destroyed by the said Philip Lanz on some day to the jurors aforesaid unknown

with intent to injure and defraud one Edward J. Sparenberg

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

3

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

And THE JURORS ~~OF THE PEOPLE OF THE STATE OF NEW YORK,~~ aforesaid ~~in and for the body of the City and County of New York,~~ upon their Oath, ~~aforesaid~~ do further present

That

Philip Lanz

late of the First Ward of the City of New York, in the County of New York, aforesaid on the eleventh day of June in the year of our Lord one thousand eight hundred and seventy-seven with force and arms, at the Ward, City, and County aforesaid, feloniously did falsely make, forge, and counterfeit, and cause and procure to be falsely made, forged and counterfeited, and willingly act and assist in the false making, forging and counterfeiting a certain instrument and writing for the payment of money to wit: a certain promissory note bearing date on some day ~~which said false, forged and counterfeited is as follows, that is to say~~: to the jurors aforesaid unknown for the payment of a certain sum of money to the jurors aforesaid unknown at some time thereafter and in said note specified to the jurors aforesaid unknown, to the order of some person to the jurors aforesaid unknown, purporting to be made and signed by one Edward Michel of the City of New York in the County of New York aforesaid and which said false forged and counterfeited instrument and writing for the payment of money as aforesaid was on some day to the jurors aforesaid unknown lost and ever since has so continued lost with intent to injure and defraud one Edward J. Sparenberg and divers other persons; to the jurors aforesaid unknown against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity

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

THAT the said Philip Lanz

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

Edward J. Sparenberg

and divers other persons, to the jurors aforesaid unknown, a certain false, forged, and counterfeited instrument and writing. for the payment of money to wit: a certain promissory note bearing date on some day to the jurors aforesaid unknown ~~which said last mentioned false, forged and counterfeited is as follows, that is to say:~~ for the payment of a certain sum of money to the jurors aforesaid unknown at some time thereafter and in said note specified to the jurors aforesaid unknown, to the order of some person to the jurors aforesaid unknown, purporting to be made and signed by one Eduard Michel of the City of New York in the County of New York aforesaid and which said false forged and counterfeited instrument and writing for the payment of money as aforesaid is in the possession of the said Philip Lanz —

the said Philip Lanz

at the same time he so uttered and published the last-mentioned false, forged, and counterfeited instrument and writing for the payment of money as aforesaid, then and there well knowing the same to be false, forged and counterfeited, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

BENJ. K. PHELPS, District Attorney.

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

THAT the said Philip Lanz

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

Edward J. Sparenberg

and divers other persons, to the jurors aforesaid unknown, a certain false, forged, and counterfeited instrument and writing. for the payment of money to wit: a certain promissory note bearing date on some day to the jurors aforesaid un-
~~which said last mentioned false, forged and counterfeited~~
~~is as follows, that is to say:~~
known, for the payment of a certain sum of money to the jurors aforesaid unknown at some time thereafter and in said note specified to the jurors aforesaid unknown to the order of some person to the jurors aforesaid unknown purporting to be made and signed by one Edward Nickel of the City of New York in the County of New York aforesaid and which said false forged and counterfeited instrument and writing for the payment of money as afore-said, was destroyed by the said Philip Lanz on some day to the jurors aforesaid unknown

the said Philip Lanz

at the same time he so uttered and published, the last-mentioned false, forged, and counterfeited instrument and writing for the payment of money as aforesaid, then and there well knowing the same to be false, forged and counterfeited, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

BENJ. K. PHELPS, District Attorney.

18

Counsel,

Filed 6 day of April 1870

Pleads Not Guilty G

THE PEOPLE

vs.

Philip Lanz P

(3 Cases)

INDICTMENT.

FORGERY in the Third Degree

BENJ. K. PHELPS,

District Attorney.

A True Bill.

H. S. Taylor *Foreman.*

2660

0943

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 Philip Lanz

late of the First Ward of the City of New York, in the County of New York, aforesaid on the ninth day of June in the year of our Lord one thousand eight hundred and seventy-five with force and arms, at the Ward, City, and County aforesaid, feloniously did falsely make, forge, and counterfeit, and cause and procure to be falsely made, forged and counterfeited, and willingly act and assist in the false making, forging and counterfeiting a certain instrument and writing for the payment of money to wit: a certain promissory note bearing date on some day to the jurors aforesaid unknown, for the payment of a ~~(which said false, forged and counterfeited is as follows, that is to say:~~ certain sum of money to the jurors aforesaid unknown at some time thereafter and in said note specified to the jurors aforesaid unknown, to the order of some person to the jurors aforesaid unknown, purporting to be made and signed by one Wolfgang Kuffner of the City of New York in the county of New York aforesaid and which said false forged and counterfeited instrument and writing for the payment of money as aforesaid is in the possession of the said Philip Lanz

with intent to injure and defraud one August Schafer

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

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

And THE JURORS ~~OF THE PEOPLE OF THE STATE OF NEW YORK,~~ aforesaid ~~in and for the body of the City and County of New York,~~ upon their Oath, ~~aforesaid~~ aid do further present

That Philip Lanz

late of the First Ward of the City of New York, in the County of New York, aforesaid on the Ninth day of June in the year of our Lord one thousand eight hundred and seventy five with force and arms, at the Ward, City, and County aforesaid, feloniously did falsely make, forge, and counterfeit, and cause and procure to be falsely made, forged and counterfeited, and willingly act and assist in the false making, forging and counterfeiting a certain instrument and writing for the payment of money to wit: a certain promissory note bearing date on some day to the jurors aforesaid ~~which said false, forged and counterfeited is as follows, that is to say:~~ unknown for the payment of a certain sum of money to the jurors aforesaid unknown, at some time thereafter and in said note specified to the jurors aforesaid unknown, to the order of some person to the jurors aforesaid unknown purporting to be made and signed by one Wolfgang Kuffner of the City of New York in the county of New York aforesaid and which said false forged and counterfeited instrument and writing for the payment of money as aforesaid, was destroyed by the said Philip Lanz on some day to the jurors aforesaid unknown

with intent to injure and defraud one August Schafer

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

3

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

And THE JURORS ~~OF THE PEOPLE OF THE STATE OF NEW YORK,~~ aforesaid ~~in and for the body of the City and County of New York,~~ upon their Oath, ~~aforesaid~~ do further present

That Philip Lanz

late of the First Ward of the City of New York, in the County of New York, aforesaid on the Ninth day of June in the year of our Lord one thousand eight hundred and seventy-five with force and arms, at the Ward, City, and County aforesaid, feloniously did falsely make, forge, and counterfeit, and cause and procure to be falsely made, forged and counterfeited, and willingly act and assist in the false making, forging and counterfeiting a certain instrument and writing for the payment of money to wit: a certain promissory note bearing date on same day to the ~~which said false, forged and counterfeited is as follows, that is to say:~~ jurors aforesaid unknown for the payment of a certain sum of money to the jurors aforesaid unknown at some time thereafter and in said note specified to the jurors aforesaid unknown, to the order of same person to the jurors aforesaid unknown, purporting to be made and signed by one Wolfgang Kuffner of the City of New York in the County of New York aforesaid and which said false forged and counterfeited instrument and writing for the payment of money as aforesaid was on same day to the jurors aforesaid unknown lost and ever since has so continued lost

with intent to injure and defraud one August Schafer

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

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

THAT the said Philip Lanz

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

August Schafer

and divers other persons, to the jurors aforesaid unknown, a certain false, forged, and counterfeited instrument and writing. for the payment of money to wit: a certain promissory note bearing date on some day to the jurors aforesaid unknown ~~which said last mentioned false, forged and counterfeited is as follows, that is to say:~~ for the payment of a certain sum of money to the jurors aforesaid unknown at some time thereafter and in said note specified to the jurors aforesaid unknown, to the order of some person to the jurors aforesaid unknown purporting to be made and signed by one Wolfgang Kuffner of the City of New York in the County of New York aforesaid and which said false forged and counterfeited instrument and writing for the payment of money as aforesaid is in the possession of the said Philip Lanz

the said Philip Lanz

at the same time he so uttered and published the last-mentioned false, forged, and counterfeited instrument and writing for the payment of money as aforesaid, then and there well knowing the same to be false, forged and counterfeited, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

BENJ. K. PHELPS, District Attorney.

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

THAT the said Philip Lanz

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

and divers other persons, to the jurors aforesaid unknown, a certain false, forged, and counterfeited instrument and writing, for the payment of money to wit a certain promissory note bearing date on some day to the jurors aforesaid unknown ~~which said last mentioned false, forged and counterfeited is as follows, that is to say~~: for the payment of a certain sum of money to the jurors aforesaid unknown, at some time thereafter and in said note specified to the jurors aforesaid unknown, to the order of some person to the jurors aforesaid unknown purporting to be made and signed by one Wolfgang Kuffner of the City of New York in the County of New York aforesaid and which said false forged and counterfeited instrument and writing for the payment of money as aforesaid, was destroyed by the said Philip Lanz on some day to the jurors aforesaid unknown

the said Philip Lanz

at the same time he so uttered and published the last-mentioned false, forged, and counterfeited instrument and writing for the payment of money as aforesaid, then and there well knowing the same to be false, forged and counterfeited, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

BENJ. K. PHELPS, District Attorney.

0948

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

THAT the said Philip Lanz

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

August Schafer

and divers other persons, to the jurors aforesaid unknown, a certain false, forged, and counterfeited instrument and writing. for the payment of money to wit: a certain promissory note bearing date on some day to the jurors aforesaid unknown ~~which said last mentioned false, forged and counterfeited is as follows, that is to say:~~ for the payment of a certain sum of money to the jurors aforesaid unknown at some time thereafter and in said note specified to the jurors aforesaid unknown, to the order of some person to the jurors aforesaid unknown, purporting to be made and signed by one Wolfgang Kuffner of the City of New-York in the County of New York aforesaid and which said false forged and counterfeited instrument and writing for the payment of money as aforesaid was on some day to the jurors aforesaid unknown lost and ever since has so continued lost

the said Philip Lanz

at the same time he so uttered and published the last-mentioned false, forged, and counterfeited instrument and writing for the payment of money as aforesaid, then and there well knowing the same to be false, forged and counterfeited, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

BENJ. K. PHELPS, District Attorney.

0949

BOX:
10

FOLDER:
134

DESCRIPTION:
Loring, John C.

DATE:
04/23/80

134

171

Filed 23 day of April 1880

Pleads

THE PEOPLE

vs.

John C Loring

No.

Obtaining Goods by False Pretences

BENJ. K. PHELPS,

District Attorney.

A True Bill.

H. S. Taylor

Foreman.

Copy.

Office of the
Boston Loan Company
275 Washington Street
Opposite Water Street
Boston.

N. B. Bryant, Pres. — Organized Jan 1st 1873
Edwd. L. Chaffee, Treas. — Incorporated Jan. 10th 1878
Chas. W. Bartlett, Secy.

Boston, Mass. Jan. 30th 1879.

Whereas the Boston Loan Company has this day loaned John C. Loring the sum of seven thousand and twenty dollars and taken as security for the payment of the said sum the stock in trade and additions to be made thereto together with fixtures and other securities the stock in trade and fixtures as a pledge. Said sum to be paid in instalments the whole to be paid in four months.

Now it is mutually understood and agreed between the said parties that if the said Loring at the end of Four months having paid his instalments every week and a balance should be left by reason of the instalments not amounting to the full sum of seven thousand and twenty dollars but each amounting to the sum of two hundred dollars as agreed in note, then the arrangement

is to be renewed between said parties for the balance due on the same terms as the original loan.

In witness whereof the parties have hereunto set their hands and seals this thirtieth day of January 1879.

(signed) John C. Loring (seal.)
(signed) The Boston Loan Co. (seal.)
by Edwd L. Chaffee
its Treas.

Boston, Mass. May 30. 1879.

It is agreed between the parties to the within agreement that upon accounting on the said May 30. 1879, the sum of Five thousand Five hundred and thirty one dollars and twenty six cents ($5.531.26) is found to be due. That the said sum shall be paid to the said Boston Loan Company by the said John C. Loring in Five months from said May 30th. It being understood that the within agreement is extended to that time as to the above sum and under the terms of the within agreement.

In witness whereof the parties have hereunto set their hands and seals this thirtieth day of May 1879.

(signed.) John C. Loring (seal.)
(signed.) The Boston Loan Co.
by Edwd. L. Chaffee. (seal)
its Treas.

0954

Boston, Mass. Nov. 4. 1879.

It is agreed between the parties to the within agreement that upon accounting together on the said fourth day of November 1879 the sum of Four thousand and thirty-six dollars and seventy-four cents ($4036.74) is the amount found to be due to the said Boston Loan Company from said Loring. That the said sum shall be paid to the said Boston Loan Company in three months from said Fourth day of November 1879. It being understood and agreed that the within agreement is extended to that time as to the above sum and under all the terms and conditions of the within agreement.

In witness whereof the parties have hereunto set their hands and seals this fourth day of November 1879.

(signed) John C. Loring (seal.)
(signed) The Boston Loan Co. (seal.)
by Edwd L. Chaffee
its Treas.

0955

Copy.

Office of the
Boston Loan Company.
275 Washington Street.
Opposite Water Street.

N. B. Bryant, Pres. Boston. Organized Jan. 1st 1843.
Edwd. L. Chaffee, Treas. Incorporated Jan. 10th 1878.
Chas. W. Bartlett, Secy.

Boston, Mass. Jan. 30th 1879

$7020.00

I promise to pay the Boston Loan Company or order the sum of seven thousand and twenty dollars for value received in instalments, a payment to be made once every week of not less than two hundred dollars, the whole amount to be paid in Four months from date.

(signed) John C. Loring.

0956

Copy.

Office of the
Boston Loan Company.
275 Washington Street.
Opposite Water Street.

N. B. Bryant, Treas. Boston. Organized Jan 1st 1873.
Edwd. L. Chaffee, Treas. Incorporated Jan. 10th 1878
Chas. W. Bartlett, Sec'y.

Boston, Mass. Jan. 30th 1879.

$7020.00

I promise to pay the Boston Loan Company or order the sum of seven thousand and twenty dollars for value received in instalments, a payment to be made once every week of not less than two hundred dollars, the whole amount to be paid in Four months from date.

(signed) John C. Loring.

Without recourse to me in any event.

(signed) The Boston Loan Company
by Edwd L. Chaffee
its Treas.

0958

Copy.

Know all men by these presents

That I John C Loring of Boston, County of Suffolk and Commonwealth of Massachusetts in consideration of Seven thousand and twenty dollars to me paid by The Boston Loan Company, a corporation duly established and existing and having a place of business in said Boston the receipt whereof is hereby acknowledged, do hereby grant, sell, transfer, and deliver unto the said Boston Loan Company the following goods and chattels, namely:—

The entire stock of merchandise, consisting of cloaks, suits, dry goods, fancy goods, silks and black goods now in my store on the corner of Tremont Row and Pemberton Square in said Boston and numbered twenty-six (26) and twenty-eight (28) on said Tremont Row. Also all the fixtures in said store, consisting of a large circular Desk, all shelving, counters, two safes, one made by E. B. Morse, all gas fixtures, two stoves, gas stove, Five (5) sewing machines, sixty stools, seven large looking glasses, two carpets - meaning and intending hereby to convey all the personal property of every kind and nature in said store - also including thirty-six frame forms and also all goods, wares and merchandise and fixtures that may hereafter be added to said stock by purchase or otherwise - the new goods to take the place of any of the above mentioned goods that may be disposed of.

To have and to hold all and singular the said goods and chattels to the said Boston Loan Company and its successors ~~executors, administrators,~~ and assigns, to their own use and behoof forever.

And I hereby **covenant** with the grantee that I am the lawful owner of the said goods and chattels; that they are free from all incumbrances,

that I have good right to sell the same as aforesaid; and that I will **warrant and defend** the same against the lawful claims and demands of all persons,

In witness whereof, I the said John C Loring

hereunto set my hand and seal this thirtieth (30th) day of January in the year one thousand eight hundred and seventy-nine.

Signed, sealed, and delivered in presence of

(signed) John C Loring (Seal.)

0959

For value received we hereby assign, set over and convey unto Thomas Savage and George B. Fowler all interest and title we have in and to the stock and property covered by the within bill of sale.

Witness our hand and seal this 20th day of March A. D. 1880.

In presence of— (signed) The Boston Loan Co.
by Edwd L. Chaffee
its Treas. (Seal)

Bals Red & Cole
to

Bill of Sale
of
Personal Property,

From the Office of

SOLD BY
CHARLES K. DARLING, LAW STATIONER,
15 EXCHANGE STREET, BOSTON.

People
vs
John C Loring

The defendant is charged ~~by~~ with having represented to Lewis M Bates, Volney Reed and Martin J Cooley of firm of Bates Reed & Cooley of the City of New York wholesale dry goods jobbers that there was no encumbrance whatever on the stock ~~of the~~ on the 21st day of Oct 1879 on the stock of goods he owned in Boston Mass and that he owed no debts in Boston Mass other than $3000 for merchandise. Much strength of the representations said Bates Reed & Cooley claim they sold him $1700 of goods on credit. He claims that these representations were false

Mr Thomas Savage
can testify as to falsity

of these representations.

Asa D. Dickinson of Ny
Hotel where was a member of
Porter Reed & Co can testify
as to representations.

Mr Savage is from Boston &
wants to be examined to-day to
get away & Mr Dickinson
will attend to-morrow
June 20. 1880

171

Ten
v
John C. Long
Fabre Prelaire
Interrogs
Thomas V. Swinga
Asa Dickinson

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 C Loring

late of the First Ward of the City of New York, in the County of New York, aforesaid on the twenty first day of October in the year of our Lord one thousand eight hundred and seventy nine, at the Ward, City and County aforesaid, with force and arms, on the day and year last aforesaid, with intent feloniously to cheat and defraud ~~one~~ Levi M Bates, John A Reed and Martin J Cooley, persons then and there carrying on Business in the City and County of New York under the firm name and style of Bates Reed and Cooley

did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend and represent to the said Bates Reed and Cooley — That there was no encumbrance whatever on any of the stock of goods wares and merchandise then and there in the store of him the said John C Loring in the City of Boston County of Suffolk State of Massachusetts -

And that there was no chattel mortgage whatever on any of the goods, or stock of goods wares and merchandise then and there in the store of him the said John C Loring in the said City of Boston, County of Suffolk State of Massachusetts,

and that he the said John C Loring then and there owed no sum of money whatever to any one in the said City of Boston, County of Suffolk, State of Massachusetts for money lent to him the said John C Loring —

And the said Bates Reed and Cooley

then and there believing the said false pretences and representations so made as aforesaid by the said

John C Loring

and being deceived thereby, was induced, by reason of the false pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said John C Loring, divers goods wares and merchandise a description of which is to the jurors aforesaid unknown and can not now be given of the value of seven hundred dollars

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said Bates Reed and Cooley

and the said John C Loring. did then and there designedly receive and obtain the said divers goods wares and merchandise a description of which is to the jurors aforesaid unknown, and can not now be given of the value of seven hundred dollars

of the said Bates Reed and Cooley

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said

Bates Reed and Cooley by means of the false pretences and representations aforesaid. and with intent feloniously to cheat and defraud the said

Bates Reed and Cooley

of the same.

Whereas in truth and in fact there was then and there as he the said John C Loring well knew an encumbrance on some and all of the stock of goods wares and merchandise then and there in the store of him the said John C Loring in the City of Boston, County of Suffolk, State of Massachusetts, to wit: an encumbrance in the nature of two (2) certain

instruments in writing bearing date the 30th day of January 1879 and executed simultaneously by and between the said John C. Loring and Boston Loan Company, a corporation duly organized under the laws of the State of Massachusetts, one by the said John C. Loring and the other by him the said John C Loring and the said Boston Loan Company whereby the said goods, wares and merchandise in the store of him, the said John C. Loring were sold, transferred and set over by the said John C. Loring to the said The Boston Loan Company, as a security and as a pledge for the payment of a loan of Seven thousand and twenty ($7020 00/100) dollars, made by the said Boston Loan Company to him the said John C. Loring and under which said two (2) instruments the said Boston Loan Company was then and there in the lawful possession of said goods, wares and merchandise in said store. there being then and there still due and unpaid thereon and on said loan the sum of Two thousand five hundred ($2500 00/100) dollars, and said two (2) certain instruments being then and there in full lawful force, efficacy and

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.

effect.

Whereas in truth and in fact, there was then and there a chattel mortgage as he the said John C. Loring, then and there well knew on said stock of goods, wares and merchandise, then and there in the store of him the said John C. Loring in the said City of Boston in the County of Suffolk and State of Massachusetts to wit: a certain chattel mortgage constituted of and by two (2) certain instruments in writing bearing date the 30th day of January 1899 and executed simultaneously by and between the said John C. Loring and the said Boston Loan Company whereby the said goods, wares and merchandise in the store of him the said John C. Loring were mortgaged by him the said John C. Loring to the said Boston Loan Company to secure the payment of a loan of Seven thousand and twenty ($7020 00/100) dollars made by the said Boston Loan Company to him the said John C. Loring and which mortgage was then and there in lawful full force and effect and upon which mortgage and the said loan, there was still due and unpaid the sum of Two thousand five hundred ($2500 00/100) dollars.

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.

Whereas in truth and in fact he the said John C. Loring did then owe, as he the said John C. Loring, then and there well knew, divers sums of money exceeding in the aggregate Three thousand ($3000 00/100) dollars to divers individuals in the said City of Boston, County of Suffolk and State of Massachusetts for money lent to him the said John C. Loring (a more particular description of which divers sums of money and of the divers individuals to whom he the said John C. Loring then and there owed the same, is to the jurors aforesaid and cannot now be given).—

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.

~~And Whereas, in truth and in fact, the said~~

And Whereas, in truth and in fact, the pretences and representations so made as aforesaid, by the said John C Loring to the said Bates Reed and Cooley ——— was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said John C Loring well knew the said pretences and representations so by him made as aforesaid to the said Bates Reed & Cooley to be utterly false and untrue at the time of making the same.

And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said John C Loring ——— by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did receive and obtain from the said Bates Reed and Cooley — divers goods wares merchandise and chattel, a description of which is to these jurors unknown and can not now be given of the value of seven hundred dollars —

of the proper moneys, valuable things, goods, chattels, personal property, and effects of the said Bates Reed and Cooley

with intent feloniously to cheat and defraud them of the same, 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.

0968

BOX:
10

FOLDER:
134

DESCRIPTION:
Lowrey, Andrew

DATE:
04/13/80

134

0969

BOX:
10

FOLDER:
134

DESCRIPTION:
Lowrey, Robert

DATE:
04/13/80

134

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Counsel, J. M. Otis assnt.

Filed 13 day of April 1880.

Pleads Not Guilty.

THE PEOPLE

vs.

1 Andrew Lowney P

2 Robert Lowney P

31. Sigillum

30

Larceny, and Receiving Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Joseph L. Rogers *Foreman.*

Part 3 ro April 14. 1880.
Both Tried & No 1 acquitted
1 No 2 Convicted R. S. G.
of R. Larceny 15 m & P.
E.S.

0971

FORM 89½

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

POLICE COURT—SECOND DISTRICT

Joseph Humphries

of No. 342 Broadway Street, being duly sworn, deposes and says, that on the 5th day of April 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, from premises No 7 Reade Street

the following property, to wit: One Roll of Body Brussels Carpet

of the value of Eighty Dollars, the property of deponent - George E. Hamlin and Melvin J. Bailey Copartners in business

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 Andrew Lowery & Robert Lowery (now here) from the fact that deponent is informed by officer Sproles that at about 6½ o'clock P.M. of the 5th day of April 1880 he arrested said Robert with said property in his possession, Deponent further says that said Robert subsequent to his arrest admitted in the presence of deponent that he

Sworn to before me, this day of 18

Police Justice.

Robert had received the
same property from his
brother the said Andrew
on the morning of the
9th day of April 1880
at about 7 1/2 A.M. at
the premises No 7 Reade
Street where the said
Andrew was in charge
being then & there in the
employ of defendant
& his said Captain
& he Andrew having
the Keys of the said
Store in his possession
by virtue of such
Employment

J. H. Humphill

Sworn to before me
this 9th day of
April 1880

[illegible]
Police Justice

350

Form 894.

POLICE COURT—SECOND DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Hemphill
342 Broadway

Andrew Lowery
Robert Lowery

Affidavit—Larceny.

Dated April 9 1880

Duffy Magistrate.

Stopo Officer.

Witness:

Melvin J. Bayley
842 Broadway

$500 to ans. each

Bailed by

No. Street.

RECEIVED
APR 10 1880
DISTRICT ATTORNEY'S OFFICE

Larceny

0974

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, } ss.

Robert Lawrey 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.— Robert Lawrey

Question.—How old are you?

Answer.— 31 years

Question.—Where were you born?

Answer.— Ireland

Question.—Where do you live?

Answer.— 130 Eighth ave

Question.—What is your occupation?

Answer.— Furniture Movers

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

Answer.— I received the Carpet from my brother who told me he had bought it from his Employers, Robert Lawrey

Taken before me this 29th day of October 1875

Police Justice.

0975

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, } ss.

Andrew Lowery 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.— Andrew Lowery

Question.—How old are you?

Answer.— 42 years

Question.—Where were you born?

Answer.— Ireland

Question.—Where do you live?

Answer.— Hudson St

Question.—What is your occupation?

Answer.— Porter

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

Answer.— I am not guilty of the charge

Andrew Lowery

Taken before me, this 8th *day of* Oct 1885

Police Justice.

0976

FORM 10.

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

Ezra D. Strobe

of No. Clen 8 on Greene Street, being duly sworn, deposes and says,

that on the 8 day of June 1878 at the City of

New York, in the County of New York,

he arrested

Robert Lowery in

the manner and on

the grounds set forth in the

foregoing affidavit

which defendant

has read

Ezra D. Strobe

Sworn before me this

day of

Police Justice.

0977

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 Andrew Lowrey and Robert Lowrey Each —

late of the First Ward of the City of New York in the County of New York, aforesaid, on the Fifth day of April 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 roll of carpet of the value of Eighty dollars

Eighty yards of carpet of the value of one dollar each yard

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

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

That the said

Andrew Lowrey and Robert Lowrey

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,

One roll of carpet of the value of eighty dollars —

Eighty yards of carpet of the value of one dollar each yard

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

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

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

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.

~~BENJAMIN K. PHELPS, District Attorney.~~

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

That the said Robert Lowrey

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,

One roll of carpet of the value of eighty dollars
Eighty yards of carpet of the value of one dollar each yard

of the goods, chattels, and personal property of the said Joseph Hemphill by ~~a certain person or persons to the Jurors aforesaid unknown~~ Andrew Lowrey, then lately before feloniously stolen of the said Joseph Hemphill unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said Robert Lowrey 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.

BENJAMIN K. PHELPS, District Attorney.