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BOX:

232

FOLDER:

2267

DESCRIPTION:

Price, Henry C.

DATE:

09/30/86



2267

0194

by Hermann B. Lanfer
215 East 87th St.

Wm H Wood

POOR QUALITY
ORIGINAL

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City Court of New York.

-----o	:	Before
Henry C. Price	:	
vs.	:	Hon. David McAdam, C.J.,
Anna E. Macgregor.	:	and a Jury.
-----o	:	

Thursday, February 13, 1886.

For Plaintiff, J. Homer Hildreth, Esq.
For Defendant, Messrs. Morrison & Kennedy.

Plaintiff's Evidence.

H E N R Y C. P R I C E, the plaintiff, being duly sworn,
testified as follows:-

Q You are the plaintiff in this action? A I am, sir.

Q Do you know the defendant, Anna E. Macgregor? A Yes,
sir.

Q Is she here present in court to-day? A Not to-day.

Q Did you ever do any work for the defendant, Anna E.
Macgregor? A I have, sir.

Q State to the jury about what time it was and under what

circumstances you took the job. A Some time in

“ March or April, 1883, I received a note or notice there
“ left at my store to call at 1012 Lexington avenue in
“ reference to some plumbing work. I went there and met
“ Mr. Macgregor, Mrs. Macgregor and a couple more members
“ of the family; went over the plans that he had there
“ and laid the work out; he wanted a figure on the work,
“ which I gave him. He told me: “Now, I don't want to
“ spend so much money on the house as that, and if you
“ will send up the men and the necessary material I will
“ superintend the work myself,” which I done.

Q Whose house was it? Was anything said about that?

A Yes, sir.

Defendant's Counsel objects.

The Court:- Anything she said at the interview
would be competent.

The Witness:- I returned to my store and sent the
goods up to the house 1012 Lexington Avenue.

Defendant's Counsel objects.

The Witness:- (Continuing.) Well, I sent them on
the wagon and went up on the elevated myself and was
ready there to receive them.

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" reference to some plumbing work. I went there and met
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the wagon and went up on the elevated myself and was
ready there to receive them.

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Q Well, something made you go back to the house again .

A I went back to the house again and met Mr. and Mrs. Macgregor, and asked Mr. Macgregor who owned the house. He told me his wife owned it. He said "Why?" I said: "I want~~ed~~ to know where my money was coming from as there are judgments against you." He said: "My wife owns the house and I pay all her bills for her", and I continued the work after that.

Q Was anything said about his acting for her in any capacity while she was there at that interview?

A Yes, sir, she was present.

Q What did he say? A He said he was her agent and attended to the payment of her bills, and that she was the owner of the house.

Q You went on with the work? A I went on with the work, sir.

Q Is this the bill of particulars in this case sworn to by you and served upon the other side? A Yes, sir.

Q Shows a balance of how much? A \$236.16.

Q Between what dates? A May 11 to June 6.

Q Work ~~done~~^{on} at the premises you speak of? A Premises 1012 Lexington avenue.

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Q Material, work and labor? A Yes.

Q While you were there at work did you see the defendant, Anna E. Macgregor, at the house at any time? A I did, sir.

Q What did she do there, if anything, ^{that} ~~if~~ you recollect?

A She was throughout the whole house in fact, all over, and gave directions as to some of the work to be done in the house.

Q What particular directions, if any, do you recollect that she gave to you concerning any of the plumbing work?

A In reference to the servant's water-closet in the basement, she said she was going to have that changed so as to make more room there, and wanted to know whether it would cost much more to put a wash basin in her son's room, and, if not, to have it put in. I gave the probable cost of it and was ordered to put the basin in.

Q If, when you inquired of Mr. James M. Macgregor in the presence of his wife, Anna E. Macgregor, the defendant here, who the house belonged to and who the work was to be done for, he had said James M. Macgregor, would you have gone on with the work?

Defendant's Counsel objects.

Objection sustained. Plaintiff excepts.

Q To whom did you give credit in this transaction?

Defendant's Counsel objects.

The Court:- I don't think that is necessary. That is for the jury to determine.

CROSS - EXAMINED.

Q You say you saw Mr. and Mrs. Macgregor in March or April? A Yes, sir.

Q Where was that? A In Lexington avenue.

Q What number? A 1012.

Q Was that the house where you did this work? A Yes, sir.

Q Were they living there at this time? A Mr. Macgregor used to take his meals on 3rd avenue; I was not there at night; I could not say.

Q Was the furniture in the house? A Part of it.

Q Who else was present at that interview where you saw Mr. and Mrs. Macgregor? A Mr. and Mrs. Macgregor only.

Q You say that a notice was left on your slate for you to

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come there? A Yes, sir.

Q And that was the reason you came there? A That was the reason.

Q You had no previous conversation with Mr. Macgregor about this? A Yes, sir.

Q You say that in a subsequent interview you had conversations with ~~Mr.~~ and Mrs. Macgregor, as I understand it, where Mr. Macgregor represented himself, in the presence of his wife, as his wife's agent? A Yes, sir.

Q That conversation was the result of an inquiry on your part as to who was going to pay you your money?

A Yes, sir.

Q Have you a book-keeper? A I had at that time; I have one now.

Q You had a book-keeper at that time? A Yes.

Q What was his name? A William M. Gambling.

Q Where is he now? A He is dead.

Q This is your account? (Bill of Particulars.)

A That is my account.

Q This account is taken from where? A The books.

Q From what books? A Blotter, day-book, ledger &c.

Q This shows the work that was done at 1012 Lexington

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avenue? A Yes, sir.

Q When did you begin work at 1012 Lexington avenue?

A Somewhere in May; the bill will show.

Q May 11th? A That is the date.

Q From the time you began work until you finished it, how often were you in the house? A Two or three times a week. I will state, if you will give me permission, I placed the mechanic in the house that Mr. McGregor requested me to place there; he had got confidence in that man.

Q Two or three times you were in the house? A Yes, sir.

V Q As to the fact ^{that} ~~or~~ all the work was done as mentioned in this bill, what knowledge have you of it? A From seeing it from time to time.

Q Would you be able to tell by going through the house how much pipe was used? A By measuring it, yes, sir.

Q Did you measure it in every instance afterwards?

A No; we bought it in a lump and sent it there, almost in one bill, took the bill ^{of} ~~to~~ Paton Brothers and took

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the charge from that as the pipe was delivered.

Q What knowledge have you that all that pipe was used in that house? A Because I saw it go there.

Q Is that all the knowledge you have? A Yes.

Q Is it not the fact that you depend upon memoranda furnished you by your working men? A No; we take the measurements first and send for the amount of material as near as possible; sometimes we send a little more and sometimes a little less, and if we have over, we take that back, and if we have less, we send more.

Q As to charges for labor, what evidence had you as to that in making up your bill? A The evidence that he has charged there at the rate of \$3.50 a day for the plumbing, which was the regular wages at that time, and 68 cents a day for ~~the~~^a boy's time; not the usual charge; the usual charge is \$5.50. He has got that job at cost, everything.

Q How many bills were rendered? A Two, I believe.

Q Do the first bills presented agree with this statement?

A No, sir; I don't think they do.

Q What is the discrepancy? A There was a credit given, and when the book-keeper charged it up he made it a debit, and when I went over the books I found in my hand-writing that credit had been given Mr. Macgregor on that house, 1012 Lexington avenue, for that, and when that error was found it was corrected.

By Plaintiff's Counsel.

Q That is deducted here? A Yes.

By Defendant's Counsel.

Q That is the only difference between the bills and this account? A I believe that is the only difference.

Q How are you in the habit of charging on your books? When you do work for a man you charge it on your books?

A Yes, sir.

Q And when you render bills do you make them out to the person to whom you charge it? A Yes, sir.

Q Who made out your bills at that time? A Mr. Gambling; according to the charge I made on the blotter.

Q Do you make your bills from your blotter, or your ledger? A From the ledger.

Q Then, as I understand it, he took the blotter in accordance with the entry made by you, transferred it to the

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ledger and afterwards made out his bill from the ledger.

A Yes, sir.

Q Whose handwriting is that? (Paper shown witness.)

A That is mine.

Q Then your book-keeper, Mr. Gambling, did not make out all of your bills? A No, not all of them, according to that.

Q Whose handwriting is that in, "James M. Macgregor"?

A That is in mine.

Q What has this bill reference to? A Well, this has reference to some work done in the house in Irving place.

Q Only in Irving place? A That is all, sir; this part that is here.

Q Down below? A From October 7, 1882, to April 9th, and then the bill for the Lexington avenue house commences from April 11th.

Q That, then, from May 11th down, that has reference---

A To the work at 1012 Lexington avenue.

Q Where is your ledger from which this is transcribed?

A In my safe.

Q Is it not a fact that it appears upon your ledger that

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these charges mentioned in this bill were made out to James M. Macgregor? A I could not say, sir, unless I had the book here.

Q Well, in the blotter, as a matter of fact they were made to James M. Macgregor? A As James M. Macgregor, agent.

Q Why is it you did not put James M. Macgregor, agent, on that bill? A At his request I sent the bill in his name, only that he would see it was paid.

Q You put James M. Macgregor, agent? A Yes.

Q That appears upon your blotter now? A On my blotter.

Q In your handwriting? A In my handwriting.

Q How does it appear upon your ledger? A I wont be positive as to the ledger.

Q The ledger is in the handwriting of Mr. Gambling? A Yes.

Q The blotter is in your handwriting? A Yes.

Q The blotter shows James M. Macgregor, agent? A Yes sir.

Q That you are certain of? A Positive.

Q But you don't know what the ledger shows? A No, sir.

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- Q You say you received \$105.? A \$100. in cash and 5 for a bath-tub or water-closet, or something of that kind.
- Q Whose check did you receive? A I don't know who it was signed by; I did not take the signature off.
- Q Who did you give a receipt to? A I can't say, but you have the receipt; that will show, I suppose.
- Q Did you not give a receipt to Mr. Macgregor in his name? A I may possibly have done so, ^{because} ~~but~~ he requested me to send the bill in his name and he would see that the bill was paid.
- Q Where you make contracts with people, is it your custom to charge those contracts to the so called agents, or to the persons themselves? A Charge them up to the persons.
- Q And you made an exception in this particular case at the request of Mr. Macgregor? A Yes, sir, in making out the bill.
- Q As I understand you you even charged it to Mr. Macgregor, in his name, in putting it on your books? A If you will allow me to explain.
- Q No; I ask you the fact. A Put your question again,

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please.

Q You charged it in the name of James M. Macgregor in entering the account on your books? A Yes; and then found on record judgments against him.

Q I don't ask you that. A^T You want to know why I put agent there and I am telling you. I put his name on, and found the record of judgments, and then put agent⁺ on.

Q It was after you had made this charge to Mr. Macgregor that you found out that there were judgments against him, and then you put agent?⁺ A Yes, sir. ⁺

By Plaintiff's Counsel.

Q And before the work was done? A Yes, sir.

By Defendant's Counsel.

Q Do you say before the work was done? A After the goods were delivered, but before the work was commenced.

Q But after the goods were delivered and before the work was commenced, you charged this to Mr. Macgregor?

A I charged ^{this} when the goods were delivered and after I returned to my store and found out there were judgments against Mr. Macgregor, then I went to the house and asked him, in the presence of his wife, "Who

owns this house?" He said "Why?" I said: "I want to know where my money is coming from; there are judgments against you." He said: "My wife owns the house and I will attend to all her bills." Then when the bill was made out at his request it was made out in his name.

Q Why did you not make it out against the wife, if you thought Mr. Macgregor was pecuniary irresponsible?

A Well, it was at his request.

Q Did he ask you to charge it on your books as James M. Macgregor, agent? A No; I did that of myself.

Q It did not indicate who he was agent for, did it?

A On that particular job it did.

Q Indicated who he was agent for, on your books?

A Yes, sir; the owner of the house 1012 Lexington avenue.

Q ~~It~~ ^{What} did not indicate on your books who owned the house 1012 Lexington avenue? A But I found out who owned it.

Q But it did not carry any evidence to your book-keeper who the charge was against? A I explained that to the book-keeper.

Q Do you remember what portion of the month of March or

April it was that you saw Mrs. Macgregor at 1012 Lexington avenue? A Well, I saw her there a couple of days before--it might have been a week or ten days before--the work was ordered there; it was, I think, about that time. It gave me a chance in the mean time to make out an estimate.

Q And what took place at that interview? A At that interview we went over the plans of the house, and the first work was in the basement, and Mrs. Macgregor said she would like to have the closet, if I remember right, turned round, so as to make more room, or there was a stairs or something going up there. I forget the particulars.

Q Were they regular builder's plans? A Yes, sir.

Q You went through all the plans? A Yes.

Q To find out where the plumbing was? A We knew where it was, but there was some little changes to be made.

Q You refer to the plans about changing the house?

A Yes; general plan drawn by Mr. Macgregor, who, I believe was the architect of the building.

Q But at that interview, as I understand you, you were

dealing with Mr. James M. Macgregor, or thought you were?

A At that particular interview I was dealing with Mr. Macgregor.

Q That was in March you think? A It might have been a week, might have been two weeks before the work ^{was} commenced there.

Q What month was it in? A The latter part of April.

Q You stated that it ~~was~~ ^{was} in March or April you had the first interview. A Yes, that was in the house in Irving place; I was notified to go to 50 or 52 Irving place and make some repairs in the house, as they intended to sell this house and wanted those repairs made before they could find a customer; I went there and made the repairs; at the same time the painter there was touching up the painting in the house

Q Then the other interview must have been the latter part of April in 1012 Lexington avenue? A Yes.

Q And at that time your interview was with Mr. Macgregor in regard to making the contract? A Yes, sir.

Plaintiff's Counsel:- I object to the word contract.

The Witness:- There was no contract made.

Q You informed him at the time what the work would amount to?
A I gave him an estimate which was not accepted. He said they would rather have it done by the day.

Q To whom was the estimate presented?
A I sent it to the house.

Q To Mr. Macgregor?
A Yes.

^{When}
Q Did you hear from him again?
A The next morning, I think; he came to my store.

Q What did he tell you?
A Told me that was too high.

Q Did you make any engagement with him then?
A No; after that the notice was left on the slate for me to go to Lexington avenue.

Q When you speak of this estimate, do I understand you to have reference to Lexington avenue, or Irving place?
A Lexington avenue.

Q After presenting this estimate and being informed it was too high, the next intimation you had that they wanted you was on your slate?
A Yes, it might have been on the slate or the book-keeper might have told me.

Q In pursuance of that you went to 1012 Lexington avenue?
A Yes,

Q Who did you see?
A Mr. and Mrs. Macgregor. I be-

lieve Mr. Macgregor's brother was in the building, an
oldish gentleman, and carpenters and masons.

Q Were the people living in the house at the time?

A I can't say; there was one bed there that looked
mussed, a longe.

Q Then you went over the plans? A Yes.

Q And Mr. Macgregor said he would rather have it done by
the day? A Yes.

Q And you agreed to do it by the day? A Yes.

Q Up to that point you thought you were doing it for Mr.
Macgregor? A Yes.

Q Then you went back and sent up the goods? A Yes,
sent them up from the store and went up on the elevated
and received them.

Q And you had this interview that you speak of with Mr.
and Mrs. Macgregor? A Yes, sir.

Q Could you locate with any degree of certainty what month
that was in? A Well, no, sir, I can't, not to be
exact; about April; about the latter part of April.

Q You are sure it was in the latter part of April?

A Yes, or it might have been in May, the first part of
May.

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- Q It was either in the latter part of April or first of May? A Yes.
- Q That you are positive of? A Yes. It was just previous to sending the men there, within a few days of the 11th--the commencement of the work.
- Q It was not in March? A No, sir.
- Q And it was not in the first part of April? A No, sir.
- Q Nor in the first week of April, you are positive of that? A Positive of that, ^{yes,} yes, sir.
- Q Now, we will go back to March. Were you not doing some work at the United States Hotel? A Yes.
- Q Who was superintending that work? A James Macgregor.
- Q Were you not in the habit of seeing Mr. Macgregor daily? A Yes, sir.
- Q When you sent up this stuff to Lexington avenue and afterwards went up there yourself, what time of day was that? A In the morning.
- Q What time in the morning? A Well, I made a collection of stuff and got it to the store; it might have been half past eight or nine in the morning, might have

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been 10 o'clock.

Q This, as I understand, was either the latter part of April or first of May? A That is right.

Q Why was it, Mr. Macgregor seeing you daily, that he left an order on your slate, and not tell you down at the United States building? A That I could not tell you; he was not there every day at the United States Hotel Building; sometimes when I would be there in the morning he would not be there, or vice versa.

Q You have got an item here, May 29, six pounds of pipe, one half-inch trap, something about solder, and one dozen so and so. Just read that item. A On the 29th, 6 pounds of pipe, one 2-inch trap, three pounds of solder, one day plumber and helper \$9.48.

Q How do you make up that amount? State in detail.

A We make all our charges from the price list; don't have to carry them in our mind at all; we take the manufacturer's price list; the time is \$4.18; we pay the men \$3.50.

Q There is no time charged there. A One day, P & H.

Q Six pounds of pipe, a two-inch trap and the solder and one day's work amounts to \$9.48? A Yes, sir.

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Q Was that house 1012 Lexington avenue ever occupied before Mr. Macgregor moved into it? A That I don't know, sir.

Q Could you not tell as a plumber whether it had been used or not? A No, sir, nor nobody else; it did not look as if it ever had been occupied, but I don't know.

Q What is your impression about it as an expert?

A My impression is that it had not been occupies on account of the lumber that was there, the stuff that was in the building.

Q And this plumbing you did had no reference to repairing?

A General pull out of the bad work that was in.

Q Did I understand you to say that you arranged the servant's water-closet? A Yes, sir; that is, we changed a little on the plan, reversed it in some way to make a little more room.

Q What portion of the house was the servant's closet?

A I think it was in the basement, or it was taken out altogether. I have forgotten now the particulars.

Q Did I ^{not} understand you to say that Mrs. Macgregor told you to put it in the cellar? A No, sir.

- Q Just simply to reverse it? A To reverse it or take it out, that there was a stairs going up there. I cant remember the exact statement about that. I think it was taken out altogether, to the best of my belief.
- Q What month was that in that you saw Mrs. Macgregor there?
A That was about the time ^{that} I specified before.
- Q I understood you to say ~~that~~ you saw her there on several occasions afterwards. A Well, I have seen her in the house, may be four or five times, altogether.
- Q After this first interview which you speak of?
A Yes, sir.
- Q Give us the time of the month that was? Was it all in the month of May? A Might not be. During the time we were working there.
- Q How long apart? A That I could not say; might have seen her this morning and then go to-morrow morning and see her.
- Q Was she living in the house all the time? A No, sir; she used to go down to New Jersey and then come back again.
- Q Why was it you did not render a bill to James M. Macgregor, agent?

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The Court:- You have been already over that sufficiently.

Q Why is it that you rendered a bill afterwards in the name of Mrs. Macgregor? A By the advise of my counsel. When I took my blotter to him and told him and showed him what I had found out and gave him the particulars, "Why," he said, "you have got a clear case against Mrs. Macgregor; sue her, because he is no good."

Q Did you intend to sue Mr. Macgregor before that?

A No; I thought it was all right before that.

Q That is the only bill you ever rendered Mrs. Macgregor, is it? (Two papers pasted together shown witness.)

A I think that is the only one I ever rendered her.

Q Why is it you never rendered her a bill of details?

A That is the amount; they had the amount on the other bill, and I did not want to lose time by going all over it.

Q This bill was rendered to Mrs. Macgregor immediately before commencing suit? A Yes, sir.

Q Did you ever make a demand on Mrs. Macgregor other than this bill? A Yes, sir.

Q Where was that? A She stood inside the basement

bars and I outside, she raised the window up.

Q Whose handwriting is that? A Mrs. Annie B. Gambling's.

Q Who was that lady? A Book-keeper, also.

Q That bill you say is rendered to James M. Macgregor?

A Yes, sir.

Q Did you have any understanding with Mr. Macgregor as to what this was to cost, at all? A Yes, sir.

Q As to the amount? A Yes, sir.

Q What was that understanding? A In consideration of his obtaining the work for me at the United States Hotel this work was to be done at the Lexington avenue house at cost, which the bill shows; the bill shows that because he has got the full discount off everything; he has got the labor the same as I pay the men, as he told me he wanted no commission on the work at the United States Hotel.

By Plaintiff's Counsel.

Q He got the commissions by deductions on his wife's bill?

A Yes, sir.

By Defendant's Counsel:-

Q Who made up this bill of particulars? A Mrs. Gam-

bling.

V Q Where was that made up from? A From the ledger;
she took the books. I ~~gave~~^{sent} the books to her, also, and
she made it up. It is in her handwriting.

Q Does the ledger show that that account was charged to
Anna E. Macgregor? A That I don't know. You asked
me the same question before.

Q By whose instructions did she put Anna E. Macgregor on
that bill? A It might have come through the advise
of my attorney.

V V Q And it did not come from any ~~other~~ statement ^{that} ~~as~~ appear-
ed upon the ledger that you know of? A That I know
of, no, sir. Of course I had legal advise on the mat-
ter, this being a suit.

By Plaintiff's Counsel:

Q You followed legal advise in the matter? A Yes,
sir.

By Defendant's Counsel.

Q The only knowledge you have of this work being done is
from the transactions that appear upon this bill now?

A Not by any means.

Q I mean as to the details.

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A I was in the house and saw the water running through the faucets and in the bath-tubs and in the water closet.

Q You would not be able to give us item by item from your head--you would have to depend on your books? A I depend upon my books.

Q This is a transcript from your books? A Yes, sir.

Q This bill of particulars is a transcript from your ledger? A Yes, sir.

Defendant's Counsel:- I move to strike out all his evidence in regard to the work on the ground that it is not the best evidence.

Motion denied. Defendant excepts.

R E - D I R E C T.

Q The counsel asked you whether you ever made any demand upon Mrs. Macgregor, in regard to this bill, and you said yes, and wanted to state the details, but counsel would not let you. Now state the whole thing.

A I went to Mrs. Macgergor's house one morning, rang the bell, and his youngest dauter came to the door. I asked if Mrs. Macgregor was in; she said "no, sir". There is the hall-door, there is the door leading into

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the dining-room. With that the door opened, and there was her mother standing there. I said "What? There is your mother. If that is what you are brought ^{up} to, I will bid you good morning", and left the house.

Q Was Mrs. Macgregor there in the hall? A Yes, sir.

Q Could she have heard you from the tone of voice you used? A Yes.

Q Was that the last time you saw her? A No; the last conversation I went to the house about half past six in the morning, knocked on the basement door, Mrs. Macgregor came to the dining-room or front basement, wanted to know who that was. I told her I wanted to speak with her. She raised the window up, and then I demanded the money for that bill, told her I had a great deal of sickness in my family, my wife she had an operation performed on her, and she told me she could not do anything unless ^{she} sold some of her property down in New Jersey, and they had a chance ^{of} selling that, and then I would receive every dollar of my money, I would not have any trouble if she sold that property.

Interest stated to be \$29.52, making the

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total amount claimed \$265.68.

PLAINTIFF RESTS.

D E F E N C E.

J A M E S M. M A C G R E G O R, called as a witness on behalf of the defendant, being duly sworn, testified as follows:-

Q You are the husband of the defendant in this case, are you not? A I am.

Q You have heard the testimony of the plaintiff as to what took place between yourself and your wife and him in the latter part of April, as he alleges, or the first part of May? A I have.

Q Was there any such interview as that ever took place as between him, you and your wife? A Never.

Q Please state the circumstances under which you employed Mr. Price and what took place at the first interview.

A I was in the habit of seeing Mr. Price daily, and at the first interview when we bought that house, it was a new house---

Plaintiff's Counsel:- When we bought it?

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The Witness:- When my wife bought the house--she bought the house--I told him about it, and he was doing work with me, and he said he would come up and look at it to see what alterations we were about to make. There was no plans drawn for it at all. He met me there on a Sunday morning, it was unoccupied, we went through it, I told him what we were going to do, and finally I asked him what the approximate cost would be. Well, I think he said it would cost about \$250. Well, I told him I would not spend as much money as that, that I could furnish some of the material myself, and that as my wife was going away and knew nothing about it, that what I would want to do I would allow him a hundred dollars. "Well," he said, "you have been a good friend of mine and can throw a good deal of work in my way; I will do it for a hundred dollars." When he sent the stuff there he never came to superintend it or anything else, and I saw that he got the hundred dollars. Well, when he came to make the bill out in my name, I asked him how he came to do it, and he said he wanted to square up his books and so on. My wife was never at the house; she went to Shrewsbury on the ~~Wed-~~

~~and~~ the middle of April; never was at the house from that time until after the house was finished in June.

Q Are you positive when your wife left New York, about the date? A I think it was about the 12th day of April; I got a memorandum home; it was the fore part of April.

Q Where did she go to on the 12th day of April?

A Down to Shrewsbury, New Jersey.

Q And how long did she remain there? A Nearly the middle of June.

Q During that time was she ever in the City of New York?

A Never left the place; never was here. In fact, she never saw the ^{house}~~place~~ until she came up in it.

Q Never saw the house till June? A Never saw the house; never saw Mr. Price.

Q Who gave Mr. Price that hundred dollars? A I told my son to give Mr. Price a hundred dollars.

Q Did you get a receipt for that? A I did not; I had nothing to do with it as far as that is concerned.

CROSS - EXAMINED.

Q Prior to March, April and May, 1883, were you not in-

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involved pecuniary? A Yes, sir.

Q Were there not judgments unsatisfied of record against you at the time when this arrangement was made with Mr. Price? A Yes, sir.

Q One in favor of Howells Saxton.

A Yes, sir.

Q One in favor of Frederick W. Kelsey? A Yes, sir.

Q They are unsatisfied to-day, are they not? A Yes, sir.

Q You say Mr. Price said he would do it for \$250.?

A He said it would cost about that.

Q And you said it was too much, and he said he would do it for a hundred? A I told him that was all I would give, a hundred dollars, to do that work ~~work~~ under the circumstances.

Q Don't you recollect that he sent up to the house for yourself and wife to examine, a written estimate of about \$400.? A No, sir; never sent no written estimate; there never was none made out.

Q You mean you never saw it? A Well, my wife never knew anything about it.

Q How do you know she did not see it? A Because she

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was not here to see it.

Q At no time from March till June? A We did not buy
the house ^{until} ~~in~~ March.

Q At no time from March was she in town? A I think
she was in town in March, but that was before we bought
the house.

Q And she was in town in April, too? A The fore part
of April.

Q She might have got that estimate and you not have seen
it? A Well, if she had got it she would have spok-
en to me about it, because she knew nothing about what
was going to be done.

Q That is your calculation? A That is my calculation.

Q May it not have been that Mr. Price was a little in er-
ror as to the time this conversation took place exactly,
and that the conversation did take place before your
wife went away? A No, sir.

Q Could not that have occurred? A No, sir, because
she knew nothing about it.

Q How do you know she did not? A Because she did not
have any idea of the house; never went there and looked
at it.

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Q But the house was bought in her name? A Yes.

Q The house was bought by her? A Certainly.

Q And do I understand you to say she never saw the house before she bought it? A Never in the world.

Q Paid for with her money? A She paid for it with her money, and she left it to the girls, her son and myself; if we were satisfied, she was.

By a Juror.

Q You bought the house for her? A No; I went and examined it.

Q You are a competent judge? A Well, that I had nothing to do with; if it suited the girls and suited the son I was satisfied.

By Plaintiff's Counsel.

Q You acted as her agent to make the examination?

A I never acted as her agent.

Q You examined the house and reported back to her?

A I examined several houses and some I liked better than that one, but the girls liked ~~it~~ ^{that} best.

Q Your wife acted on your report? A I don't think she acted on my report.

Q Did you furnish any of the material charged for in this

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bill of particulars? A No, sir, not in that bill,
but the material I furnished was water-closets and
things.

A L B E R T S . M A C G R E G O R , called as a witness
on behalf of the defendant, being duly sworn, testified
as follows:-

V Q You are ^{the} son of the defendant, are you not? A I
am, sir.

K Q Do you know ^{when} what has been referred to as 1012 Lexington
avenue was purchased? A I think the title was
passed the latter part of March.

Q What time did your family move to the house? A
about the first week in June; somewhere between the 1st
and the 8th.

Q What time did your mother leave the City of New York?

A I think she left on the first day of April and re-
turned during the first week in June.

Q You say you think. Could you state with any certainty?

A About the first of April, and we returned about the
first of June.

Q Was it any where before the 10th of April that you left

the City? A Long before the 10th; I think it was the 1st.

Q And your mother was where from the 1st of April?

A At Fair Haven, New Jersey, a country place.

Q At any time from the first of April till June, when you moved in the City, in this house, was your mother in the City? A No, sir.

Q You are positive of that? A I am positive; she did not know the repairs were going on at the house.

Q How do you know she did not know the repairs were going on at the house? A Well, I understood---

Plaintiff's Counsel objects.

The Witness:- Well, I know from having been in New York she did not know that this plumbing work was going on.

By Plaintiff's Counsel.

Q Because she was not here you claimed that? A She was not here and did not know.

By Defendant's Counsel.

Q State if there was any conversation between your father and mother as to repairs of any kind in this new house, that you heard.

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A After my mother bought the house father and mother and myself talked over about making some interior repairs; it was a new house and my mother was very much opposed to having ^{any} repairs done; she thought it would cost a great deal of money and she did not care to invest so much money in this house, and she was very much opposed to doing anything in the house at all. Then my father said that Mr. Price was doing some work for him, and he would attend to some plumbing work, altering the wash-trays, or something of the kind, and mother says, as I always act as her agent and have for a number of years, "Well, I don't care to have anything to do with repairs; I won't have any repairs done in my name; I don't want any repairs; the house is amply good enough for us." And father said to me afterwards: "Mr. Price will do these repairs for a hundred dollars." And father says: "I can afford to give him a hundred dollars for that," which he paid afterwards, and my mother never knew anything about the alterations of the house and this plumbing work until after ~~until after~~ she returned from the country, and she was very much surprised they had been so very extensive, and father says: "This is a

matter between Mr. Price and myself; he has agreed to do it for me for a hundred dollars", which my father had told me before the bill was rendered. He said the bill had been made out at large figures, but Mr. Macgregor was very kind; and he said to me: "Don't bother about that; you give me a hundred dollars and I will make that all right." I think two bills came in to my father. Then when the summons was served on my mother, as she consulted me in all these matters, I said to her "You have nothing to do with that; that is a matter of father's; the man has made a mistake." I knew Mrs. Macgregor at that time was curtailing her household expenses and never would have sanctioned or authorized any such repairs as those.

Q Were you present when that bill was presented? (Paper shown witness.) A I recollect its coming to the house; I don't know that I was present.

Q Was that bill ever under discussion between your father and Mr. Price? A Yes.

Q This particular bill? A Yes.

Bill referred to dated July 31, 1884,
James M. Macgregor to H. C. Price, for \$317.05.

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X
put in evidence and marked Defendant's Exhibit
1.

Also detailed bill, dated January 21,
1883, put in evidence and marked Defendant's
Exhibit 2.

Q Please tell the jury what took place when this bill,
(Exhibit 1.) was discussed. A Mr. Price and my fa-
ther talked the matter over, and father said it was a
very large bill; he seemed to be very much dissatisfied
with it and said it was not according to their under-
standing, and he said: "Mr. Price, you agreed to do
that work for me for a hundred dollars, in consideration
of certain other favors and so on, and I told you this
was a matter of mine, and I did not want to go into any
such expense as this; I could not afford it; now you
present me with a bill of \$317." Mr. Price said: "That
is a little large amount, but in order to make my books
come out and all I put that in there, but there will be
a great deal come off of it." Father says: "I don't
understand that way of doing business." He said: "That
is all right; you pay me." And I think it was after-
wards we did pay him ^{the} hundred dollars that father

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agreed to pay him. Then I showed the bill to my mother some time afterwards; in fact, Mr. Price had called there and mother told him she did not know anything about the bill, that she had never authorized it.

Plaintiff's Counsel:- Did you hear your mother tell him that?

The Witness:- Yes. He called at the house 15 or 20 times. He called as early as six o'clock in the morning. At that time I don't think any lady is home. That is what is meant by not at home. She did not care to see him at that hour; and at one of these interviews my mother told him she had nothing to do with this bill, never authorized the work and she did not ^{even} know that we had paid Mr. Price a hundred dollars. I told Mr. Price this was a very large bill, and he said: "That is all right; that is between your father and myself."

Q At this time that this discussion took place between your father and Mr. Price, was this bill presented?

(Exhibit 1.) A I think it was after the bill had been presented.

Q But it had reference to this bill? A It had reference to that amount.

Q You paid Mr. Price a hundred dollars? A Yes; father told me to give him a hundred dollars for him.

Q Did he give a receipt at the time? A I don't know whether he did or not; I ^{thought} ~~think~~ likely the check was enough receipt. I did not ask him for a receipt.

C R O S S - E X A M I N E D .

Q You have ^{tried} to recollect and state to the jury when it was your mother left New York City, and you fix the date as the 1st of April. A Yes, sir, about the first of April.

Q You are pretty sure of that? A Yes, sir; I am pretty certain from several facts.

Q You say she returned on the first of June? A I can tell you in a minute. (Referring to book.)

Q Please shut your book up and give us your recollection.

A It was about the first of June; the first week in June, I think.

Q On the direct did you not say she returned on the first day of June? A I say about the first of June; the first two or three days; some time in the first week; it was after the first of June.

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Q You heard your father's testimony hear? A Yes, sir.

Q He testified your mother left the 12th of April and returned the middle of June. Are you right, or he?

A I can't give you the exact date unless I had my accounts from the house, or other memorandums that I have.

Q You have stated on the direct and on my examination that she left about the first of April, and returned the first of June. If that is correct your father is wrong?

A It is my impression she left about the first of April and returned about the first of June.

Q Are you testifying from your own knowledge? A If I am allowed to consult memoranda I can state. We left some where the first of April and got back ^{about} the first of June.

Q Then it would not have been the middle of April when you left and the 15th of June when you returned?

A No, ^{but} ~~if~~ we returned ^{after} ~~by~~ the first of June.

Q Did you come to New York at all while you were there?

A Yes, sir.

Q Could not your mother have come up here without your knowledge? A No, sir.

Q You speak of your father having an interview with Mr.

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Price after the bill was rendered. Where was that?

A It was at 1012 Lexington avenue, in the front parlor

Q Are you certain of that? A Yes, sir.

Q Where was it that you say your mother was talking with Mr. Price and said she did not know anything about the bill?

A My mother never had any conversation with him, as regards 1012 Lexington avenue, previous to the rendering of those bills.

Q After the bill was rendered you speak of an interview between Mr. Price and your mother. Where was that?

A That was at 1012 Lexington avenue.

Q What time was it, in the morning or afternoon?

A There were one or two interviews; I know one took place early in the morning and one in the evening. I think I was present at both interviews.

Q Don't think. A Well, I was.

Q How do you recollect that? A I attend to all my mother's banking affairs, and she refers all her affairs to me.

R E - D I R E C T.

Q Have you any memorandum about you by which you can tell to a certainty when your mother left New York and when

she came back? A Not to the day.

Q Within two or three days? A Yes, sir; I can refer to her bank account, a check I deposited for her.

QX Please refresh your mind. A I received a check for her country place, about--it was on a bank outside of the State of New York, but the bank gives me credit June 11th, so that that made it about the first week in June that we left the country.

DEFENDANT RESTS.

R E B U T T A L.

H E N R Y C. P R I C E, the plaintiff, recalled and further testifies as follows:-

Q You have heard the testimony of Mr. James M. Macgregor, the husband of this defendant, in which he says he had an interview with you after this bill of \$317. was rendered, in which he said certain things to you and you to him. Did that interview ever take place? A No, sir.

Q You have heard the testimony of young Mr. Macgregor. Did you ever know him as agent for his mother?

A No, sir.

Q Was he ever present to your knowledge or within your view at any interview you had with his mother at Lexington avenue? A Once.

Q Where was that? A That was the first interview I had with her. The second one was through the bars of the basement window.

By the Court.

Q Did you ever agree to do this work for a hundred dollars? A Never, sir.

Q Did you get a hundred dollars? A I got a hundred dollars.

By Plaintiff's Counsel.

Q That is the hundred dollars credited on this bill?

A Yes, sir.

J O H N F Y F E, called as witness on behalf of the plaintiff, being duly sworn, testified as follows:-

Q What is your business? A Carpenter.

Q And particularly inside work? A Well, anything; do outside work and inside work.

Q But you are competent on the inside, nice work?

A Yes, sir.

Q Did you do any work in that house, 1012 Lexington avenue?
A Yes, sir.

Q Between what dates? A Between March and May; I was finished in May.

Q Did you see Mrs. Macgregor in that house during that time?

Defendant's Counsel objects as collateral.

Admitted. Defendant excepts.

A I did.

CROSS - EXAMINED.

Q Where did you ever see Mrs. Macgregor before that?

A I never saw her before.

Q That was the first time you ever saw her? A Yes, sir.

Q How did you know she was Mrs. Macgregor? A Mr. Macgregor told me it was his wife.

Q What time of day was this? A That is a thing I can't recollect exactly. I have seen her two or three times up there.

Q Where? A At 1012 Lexington avenue.

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Q What year? A 1883.

Q When you were doing this work? A Yes, sir.

Q XWas this plaintiff doing work there at the same time?

A His men were there.

Q Was he there at the time you saw this lady? A Not
that I know of.

TESTIMONY CLOSED.

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*Price
vs.
McGregor*

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The Court charged the Jury as follows:-

Gentlemen: I will not rehearse the facts, which are familiar to you, nor will I go over the evidence given by the different witnesses. I will content myself by submitting to you the propositions on which you are to find. If you find as matter of fact that there was a contract to do this entire work for a hundred dollars you may find for the defendant, because that hundred dollars has been paid, and that ends the case. If you find that the credit was given to Mr. McGregor, not to the wife who is a party to this suit, find for the defendant, because he must pay his own bills, leaving Mrs. McGregor to pay her's. If, on the other hand, you find that there was no contract fixing the amount at a hundred dollars and you find that credit was given, not to Mr. McGregor, but to his wife, then it will be your duty to find a verdict in favor of the plaintiff for such fair and reasonable amount as you may fix by your verdict, not to exceed \$265.68, which is the amount claimed with interest.

Defendant's Counsel:- I ask your Honor to charge

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that if it be a fact that this plaintiff charged this bill upon his books to James M. McGregor, that is evidence that the contract was made with James M. McGregor.

The Court:- That is a circumstance which the jury have a right to consider as confirmatory of the defendant's theory.

Plaintiff's Counsel:- With the explanations given.

The Court:- Certainly. I don't say it is conclusive; I say they have a right to consider it as confirmatory.

Plaintiff's Counsel:- I ask you to charge the jury that in order to charge the separate estate of a married woman with a debt, it is not necessary that there be a specific agreement to that effect, the intent *may* *be* inferred from the surrounding circumstances.

The Court:- The same as between two men.

A Juror:- Is it not the law that a man is liable for the woman's debts, if he acts as agent?

The Court:- A husband is not liable for his wife's debts if he acts as her agent and that fact is known.

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An agent for a wife is just like an agent for any one else. If I do not disclose my agency, I am individually liable. If I tell you in advance I am acting for John Smith, and not for myself, John Smith is liable and I am not.

Plaintiff's Counsel:- I ask your Honor to charge that as a matter of law the jury have a right to and should take into consideration, in coming to a decision here, the fact that the work done was a benefit to the defendant's separate estate.

The Court:- I decline to charge that.

The Jury rendered a verdict in favor of the plaintiff for \$265.68.

Defendant's Counsel moves for a new trial on all the grounds stated in the Code.

Thirty days stay of execution after notice of entry of judgment.

Thirty days to make a case.

TORN PAGE

POOR QUALITY
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Before

Hon. David Mc Adams, C.J.
and a jury

Anna

New York, *February 13,* 188*8*

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<i>Albert S. Macgregor</i>	<i>34.</i>	<i>40.</i>
<i>John Tyfe</i>	<i>44.</i>	<i>45.</i>

Law Telegraph 369.

FRED'K J. WARBURTON,
Stenographer and Law Reporter,
35 WALL STREET, (Mills Building),
Fifth Floor, Room 22, NEW YORK.

Count

TRANSCRIPT OF

Stenographer's Minutes.

New York, 188*8*

TESTIMONY OF

Henry C Price

Adjourned to

FRED'K J. WARBURTON,

Law Stenographer,

35 WALL STREET,
(MILLS BUILDING.)

Fifth Floor, Room 22.

NEW YORK.

LAW TELEGRAPH, 369.

Fol.1

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

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3

James M. Macgregor, being duly sworn, deposes and says: That he resides at No. 1012 Lexington Avenue in the City and County of New York: that on or about the 18th day of February, 1886, instant, at the City Court of New York, in the said City of New York, a certain action, in which Henry C. Price was plaintiff and Anna E. Macgregor was defendant, was at the Court House of the City Court of New York in the City of New York, tried before Hon. David McAdam, Chief Justice of said Court and a jury and that upon the trial of the said action, the said Henry C. Price appeared as a witness in his own behalf as plaintiff, and was then and there duly and regularly sworn by the Clerk of said Court as such witness in his own behalf; that the evidence he should give relating to the matter and difference between said parties should be the truth the whole truth and nothing but the truth; and upon the hearing and trial of the said action it then became material to inquire whether the said Anna E. Macgregor, in the presence and hearing of her husband this deponent and the said Henry C. Price at No. 1012 Lexington Avenue, in the City of New York at any time during the months of March, April and May, 1883, during the commencement and progress of certain plumbing work upon the said premises done and

4 performed by the said Henry C. Price or his agents ordered
said work to be done, and whether the said Anna E. Mac-
gregor had knowledge that the said work was done for her
benefit by the said Henry C. Price, and whether the said
Anna E. Macgregor ordered the said Henry C. Price to do
any of said plumbing work upon the said premises No. 1012
Lexington Avenue, of which said premises the said Anna E.
Macgregor is the absolute owner in fee, and that thereupon
the said Henry C. Price being so sworn as a witness in his
own behalf then and there on the trial and hearing of the
said action falsely, wilfully and corruptly swore and tes-
5 tified among other things that,

"Some time in March or April, 1883, I received a note or
"notice left at my store to call at 1012 Lexington Avenue
"in reference to some plumbing work. I went there and
"met Mr. and Mrs. Macgregor and a couple more members of
"the family: went over the plans that he had there and
"laid the work out. He wanted a figure on the work
"which I gave him. x x x x I went back to the
"house again and met Mr. and Mrs. Macgregor and asked
6 "Mr. Macgregor who owned the house. He told me his wife
"owned it; he said why? I said I wanted to know where
"my money was coming from as there are judgments against
"you: He said, my wife owns the house and I pay all her
"bills for her and I continued the work after that x
"x x She was present, he said he was her agent
"and attended to the payment of her bills and that she

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7 "was the owner of the house x x . While I was
"at work in these premises I saw Anna E. Macgregor there:
"She was throughout the whole house, in fact all over and
"gave me directions to some of the work to be done in
"the house. She gave me directions in reference to the
"servant's water closet in the basement--she said she
"was going to have that changed so as to make more room
"there and wanted to know whether it would cost much more
"to put a wash basin in her son's room and if not to have
"it put in--I gave the probable cost of it and was or -
"dered to put the basin in, or to that effect."

8

W H E R E A S in truth and fact the said Henry C.
Price never did meet this deponent in company with his wife
the said Anna Macgregor and a couple more members of the
family at 1012 Lexington Avenue and then went over the
plans and laid out the work, and that the said Henry C.
Price did not meet deponent with his wife at No. 1012
Lexington Avenue and did not then ask deponent in the pres-
ence of his wife who owned the house and deponent did not
inform Henry C. Price in presence of his wife that she
9 owned the premises, and further states that he never did
tell the said Henry C. Price in presence of his wife Anna
E. Macgregor that he was the agent of his wife and attended
to the payment of her bills; deponent further says that at
no time including the making of the contract for plumbing
down to the completion thereof by the said Henry C. Price
was the said Anna E. Macgregor present in company with this

deponent at said 1012 Lexington Avenue in the City of New York.

10

Deponent further says that the said Anna E. Macgregor was continuously absent from the City of New York from the 14th day of April, 1883, down to the afternoon of June 5th, 1883, and during her said absence the said Anna E. Macgregor resided in Fairhaven, Monmouth County, New Jersey, and at no time during the months of March, April and May, 1883, was the said Anna E. Macgregor present in company with deponent at the said premises No. 1012 Lexington Avenue, New York City.

11

W H E R E B Y the said Henry C. Price did there and then wilfully and corruptly commit perjury.

12

And deponent further says that the true account of the said transaction is as follows: During the winter of 1883, deponent was doing a large job upon the premises known as the United States Hotel, in this city, and procured the said Price to be employed to do the necessary plumbing work on said job; and afterwards, in discussing the said work, Price expressed to deponent his gratitude for having been invited to do the said job, and asked deponent how much he, Price, should give deponent. Deponent replied that he did not do business in that way, and declined to receive any percentage. Later on, after the house number 1012 Lexington Avenue had been bought, deponent asked Price to make an estimate upon some plumbing

work which was necessary to be done in said house; and, as a result of such estimate and negotiations, Price agreed to do such plumbing for the sum of \$100, saying that he felt very grateful to deponent for past favors; and that he would be glad to do for deponent the job at 1012 Lexington Avenue, at the lowest possible figure.

Afterwards, when the work was done, Price presented a bill to the deponent, of which a copy is annexed hereto, marked "Schedule Number One". Deponent thereupon complained to the said Price that the bill, which called for \$370.65, was not according to the agreement; whereupon Price explained that that was all right; that he had made out the bill as it appeared upon his books at regular prices, such as he would charge to any customer, and that he did not want his books to show that he was doing work so cheaply; and he said that he was prepared, of course, to stand by his agreement.

Thereupon deponent requested his son Albert to make out a check for the said Price, for \$100, which was accordingly, done; and said check was delivered to the said Price; and it was then perfectly understood that the account was then fully discharged. A copy of the said check with the indorsement thereon, is annexed hereto marked "Schedule No. 2". Later, however, deponent received a statement of account from the said Price of which a copy is hereto annexed, marked "Schedule No. 3"; and about two weeks after that there was sent to the house, No. 1012 Lexington Avenue, a statement of account of which a copy is

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hereto annexed marked "Schedule No. 4". Schedule No. 4 contains the first reference to deponent's wife that had occurred in the transaction. All the business had been transacted with deponent, and all the bills and statements, up to Schedule No. 4, had been made out to deponent.

My family consists of my wife, my daughters Rachel, Mary, Martha and Clara, and my son Albert.

Sworn to before me this :

3^d day of Sept. 1886:

James M. Macgregor

John A. Breen

Notary Public, (189)

N. Y. Co.

17

City and County of New York, ss:

Anna E. Macgregor, being first duly sworn, deposes and says: I am the wife of James M. Macgregor; I never met Henry C. Price at any time during April, May or June, 1883, at No. 1012 Lexington Avenue or at any other place. I never had any conversation with him in the presence of my husband and a couple more of the members of my family, when any plans or estimate were considered for plumbing work on the said premises, 1012 Lex-

18

ington Avenue; no such conversation ever occurred either there or anywhere else.

The conversation that Mr. Price swears to, where he asked my husband who owned a house, and where my husband replied that I owned it, never occurred.

19

I was not at the house at any time between the 28th of March, 1883 and the 5th day of June, 1883; I never gave any directions to the said Price or to any one concerning any of the work to be done in the house. I gave him no directions concerning any water closets nor any basins or of the cost of putting a wash basin in my son's room, nor did I order it to be put in.

The testimony which the said Henry C. Price gave concerning the above matters, on or about the 18th day of February, 1886, at the City Court of New York, was wilful and corrupt perjury.

20

The alterations and additions that were made to the house were an entire surprise to me, and were made by direction of my husband, without consulting me, during my absence from New York. I was out of the City, at Fairhaven, New Jersey, from the 14th of April, 1885, until June 5th, and I did not once go to New York during that time. My family consists of my husband and myself; my daughters Rachel, Mary, Martha and Clara, and my son Albert.

21

Sworn to before me this:
3^d day of Sept. 1886:

Anna E. Macgregor

Jas A. Breen

Notary Public, N.Y. Co.

City and County of New York, ss:

Rachel Macgregor, being first duly sworn, deposes and says: I am one of the daughters of James and Anna Macgregor. I was never present at any conversation at any time, between my father and mother and Henry C. Price, at No. 1012 Lexington Avenue or elsewhere.

I went down with my mother to Fairhaven, New Jersey, on the 14th of April, 1883, and came up to town with her on the 5th day of June, 1883; to my own knowledge my mother did not leave Fairhaven, New Jersey, between said 14th day of April and said 5th day of June.

Sworn to before me this :

5 - day of June, 1883.

Jas A. Breen

(189) Notary Public,
N. Y. Co.

Rachel Macgregor

7

9

City and County of New York, ss:

23

Mary K. Macgregor, being first
duly sworn, deposes and says: I am one of the daughters
of James and Anna Macgregor. I was never present at any
conversation at any time, between my father and mother and
Henry C. Price, at No. 1012 Lexington Avenue or elsewhere.

24

I left town with my mother on the 14th day of April,
1883, and remained with her at Fairhaven, New Jersey, till
the 4th day of June, 1883; during that time my mother
did not once leave the town of Fairhaven, New Jersey; I
returned to New York on the 4th day of June, 1883 and went
to the house No. 1012 Lexington Avenue to help get it ready
for occupation. Up to that time no one had been living in
the house and no one had occupied it except the various
workmen, carpenters and others who were engaged in altering
and repairing it. *I believe my father slept there when in the city*
On the 5th day of June, 1883, my mother
returned from Fairhaven, New Jersey, and came to live in
the house on Lexington Avenue.

Sworn to before me this:

3rd day of Sept 1886:

Mary K. Macgregor

J. A. Breen

25

Notary Public,

N. Y. Co.

10

City and County of New York, ss:

Martha Macgregor, being first
duly sworn, deposes and says: I am one of the daughters
of James and Anna Macgregor. I was never present at any
conversation at any time, between my father and mother and
Henry C. Price, at No. 1012 Lexington Avenue, or elsewhere.

I have read the foregoing affidavits of my mother
and sisters; the facts therein stated are true to my own
knowledge.

26

Sworn to before me this :

3^d day of Sept. 1886.:

Martha A. Macgregor

Jas. A. Brown

Notary Public,

N. Y. Co.

City and County of New York; ss:

Clara Macgregor, being first
duly sworn, deposes and says:

27 I am one of the daughters of James and Anna Mac -
gregor. I was never present at any conversation at any
time between my father and mother and Henry C. Price, at
No. 1012 Lexington Avenue or elsewhere.

I went down with my mother to Fairhaven, New Jer -
sey, on the 14th day of April, 1883, and came up to town
~~with her~~ on the ^{4th} day of June, 1883. My mother did
not leave Fairhaven between the said 14th day of April
and the said 5th day of June.

Sworn to before me this :
3rd day of Sep^r 1886. :

Clara Macgregor

28 Jas. A. Breen

Notary Public,

N. Y. Co.

**POOR QUALITY
ORIGINAL**

0257

12

City and County of New York, ss:

Albert S. Macgregor, being duly sworn, deposes and says: I am the son of James and Anna Macgregor. I was never present at any conversations at any time, between my father and mother and Henry C. Price, at No. 1012 Lexington Avenue or elsewhere.

Sworn to before me this:

29

3rd day of Sept 1886:

A. S. Macgregor

Jas A. Breen

Notary Public,

N. Y. Co.

POOR QUALITY
ORIGINAL

0258

30

SCHEDULE NO. 1.

N.Y., June 21, 1883.

Mr. James M. Mc Gregor,
To
H. C. Price, Dr.,
112 E. 14th St.

1882			
	Oct. 7	Repairs to water closet	1.00
	Mch. 10	To grinding 5 cocks, solder and	
31		cement	2.90
	"	1 days P. & H.	5.50
	12	" " "	5.50
	"	25 lbs. pipe	2.50
	13	1 day P. & H.	5.50
	"	31 lbs. pipe 3.10, 5 lbs. solder 1.25	4.35
	30	34 day P. & H.	4.12
	Apl. 9	Time and solder	31.37
			<u>1.50</u>
			<u>32.87</u>
	May 11	345 lbs. pipe	24.15
32		30 feet 5 pipe:	
		35 " 2 " : 90 feet	15.00
		24 " 4 " :	7.20
		2 " 5 X 2 T:	9.00
		4 " 5 1/2 bends:	2.40
		1-5 D Hub :	4.00
		2-5 X 2 Ts :18	.75
		2- 2 1/2 bends :	2.40
33		1- 5 X 4 y :	.80
		1-4 offset " :	1.60
		5-4 bends :	1.40
			<u>2.60</u>
			<u>47.15</u>
		40 off on 47.15	18.86
	12	1 Barnes C. cooler	28.29
		8 lbs. putty	.75
		107 " caulk lead	.32
		Cartage	4.81
34		32 lbs. solder	2.00
		1 day P. & H.	5.12
		1-4 X 4 y	4.18
		3- 4 1/2 bends	1.20
		5 feet 4 pipe	1.95
		1 day P. & H.	1.80
14		1- 4 X 4 y	3.69
		1-4 brass ferrule	4.18
		1-4 Trap	<u>1.20</u>
35			<u>6.15</u>
			.75
			<u>2.65</u>
			<u>113.76</u>

POOR QUALITY
ORIGINAL

0259

2

	Amount brought forward,	113.76
May 15	To 2 days' P. & H.	
	" 1 bath	8.36
	" 1 y branch	24.82
	" 1-2 band .60	
	" 2-2 hooks .40	
	" 1-2 brass ferrule	.16
	" 2-2 bends	.50
36	" 1-2 S.L. Trap 1.30	1.38
	" 2-2 1/2 bends	1.30
	" 12 Pr. Tacks and screws	.80
	" 25 lbs. solder	1.44
	" Cartage	4.00
16	2 days P. & H.	2.00
	Charcoal 50 200 lbs. pipe 14.00	8.36
	Cartage	14.50
	2 butler's pantry cock	1.50
37	358 stop cocks 2.10, 1-1 1/2 trap .80	3.66
	57 lbs. S. lead 3.99, 116 lbs. 1 & 1 1/2 pipe 7.56	2.90
	1 4 X 4 T .65, 1-4 1/2 Bend. 65 1.30	11.50
	40 off 1.30	.52
17	2 days P. & H. 8.36, 2-4 B. Ferrules 1.50	.78
	2-4 1/2 trap 5.30	
38	1-4 Galvanic Cop. .50, 36 lbs. pipe 2.34	15.16
	Charcoal .75	3.59
	1-4 offset 10 75 (18") 2 days P. & H. 8.36	9.11
19	12 N.P. Bason cocks 18.00, 2 5/8 T. & T.	
	H.B. lbs. 2.75	20.75
	658 N.T. cocks 7.25, 5 ft. D.H. Pipe 1.30	8.51
	30 lbs. shot lead 2.10, 4 1/2 trap .80, 1 trap screw .50	3.40
	1 N.P. Plug .50, 16 feet 3/4 D 2.08, 2 D. P. & H. 8.36	10.90
39	21 To 2 days P. & H. 8.36, Charcoal 1.50, C.B. Cock, 5.20	15.06
	6 P. tacks and screws .60, 12 feet P. chain 1.50, 6 lbs. putty .24	2.34
	6-2 cones strains 1.20, 1 service box, 1.25	
	Cartage 1.25	8.70
	10 feet 5 pipe 5.00, 5 feet 5 D. hub 2.80, 40 off, 7.80	
	3.16	4.64
40	22 50 lbs. shot lead 3.50, 24 lbs. 3/4 pipe 1.56	5.06
	2 days P. & H. 8.36 10 ft. 2 pipe 2.40 1-4 X 4 yr. 1.20 : 13.81	
	1-5 X 2 T 1.20, 1-4 1/2 Bend .65 1.85 : 2.18	11.63
	40 off 5.45	
	2.18	315.57

POOR QUALITY
ORIGINAL

0260

3

May 23	2 days P. & H. 8.36, 16 lbs. solder		10.92
	2.56		
41	1-4 ¹ / ₂ bend .65, 1-5 Bend .90, 5 Hooks	1.70	
	.15		
	1-2 offset .60 5 feet 4 D.Hub.Pipe	2.70	
	2.10	4.40	
		1.76	2.64
24	2 days P. & H. 8.36, 37 lbs. pipe	2.41	10.77
24	12 Pair tacks and screws 1.20, 2 X 4		
	bends, .78		1.98
42	25 2 days P. & H. 8.36 cool .70 C. Stays	2.00	12.41
	4 plugs & ring 1.35		
	Brass screws and putty .18, 2 dys. P. & H.		8.54
	8.36		7.68
28	1 day P. & H. 4.18, Copper Connectors	3.50	
29	6 lbs. pipe 1-2 trap, 3 lbs. solder 1 day		9.48
	P. & H.		7.76
30	1 day P. & H. 4.38, 1-2 T .45, stop cock 1.00:		
	1 stop cock .90, 19 lbs. pipe 1.23		4.18
43	31 1 day P. & H. 4.18		
June 1	1 " " " 4.18, Cartage .75, 20 ft.		5.23
	wire .30,		1.72
4	Grinding faucets 1.00 and 5 X 4 T .72		2.60
	Boy's fare		\$401.48
	Rebate on wages Mch. 10-12-30	4.12	
	By Mdz. returned and Old Stock	26.71	30.73
44			\$370.65

POOR QUALITY
ORIGINAL

0261

SCHEDULE No. 2

New York, July 7, 1883.

MECHANICS' NATIONAL BANK.

33 Wall Street.

Pay to H. C. Price

or Order

One hundred ⁰⁰/₁₀₀

Dollars

Stamp \$100 ⁰⁰/₁₀₀

A. S. Macgregor.

Endorsed,

45

Luchon & Weber,

H. C. Price,

Correct

A. S. Macgregor.

**POOR QUALITY
ORIGINAL**

0262

SCHEDULE No. 3

New York, July 31, 1884.

Mr. James M. Macgregor,
Lexington Ave.

To H. C. Price, Dr.

46 112 E. 14 St., N. Y.

To balance of Acct. rendered \$317.05.

POOR QUALITY
ORIGINAL

0263

SCHEDULE No. 4.

New York, August 13th, 1884.

Mrs. Anna E. Mc Gregor,

To H. C. Price,

112 East 14th St., N. Y.

To work done in house No. 1,012 Lexington Avenue,

May & June, 1883.

47

\$394.58.

1883

Dr.

June 30

By merchandise (Bath Tub)

Nov. 30

" Cash

5.00

100

105.

\$209.58.

POOR QUALITY
ORIGINAL

0264

The People on the Complaint of
James M. Macgregor

— against —

Henry C. Price

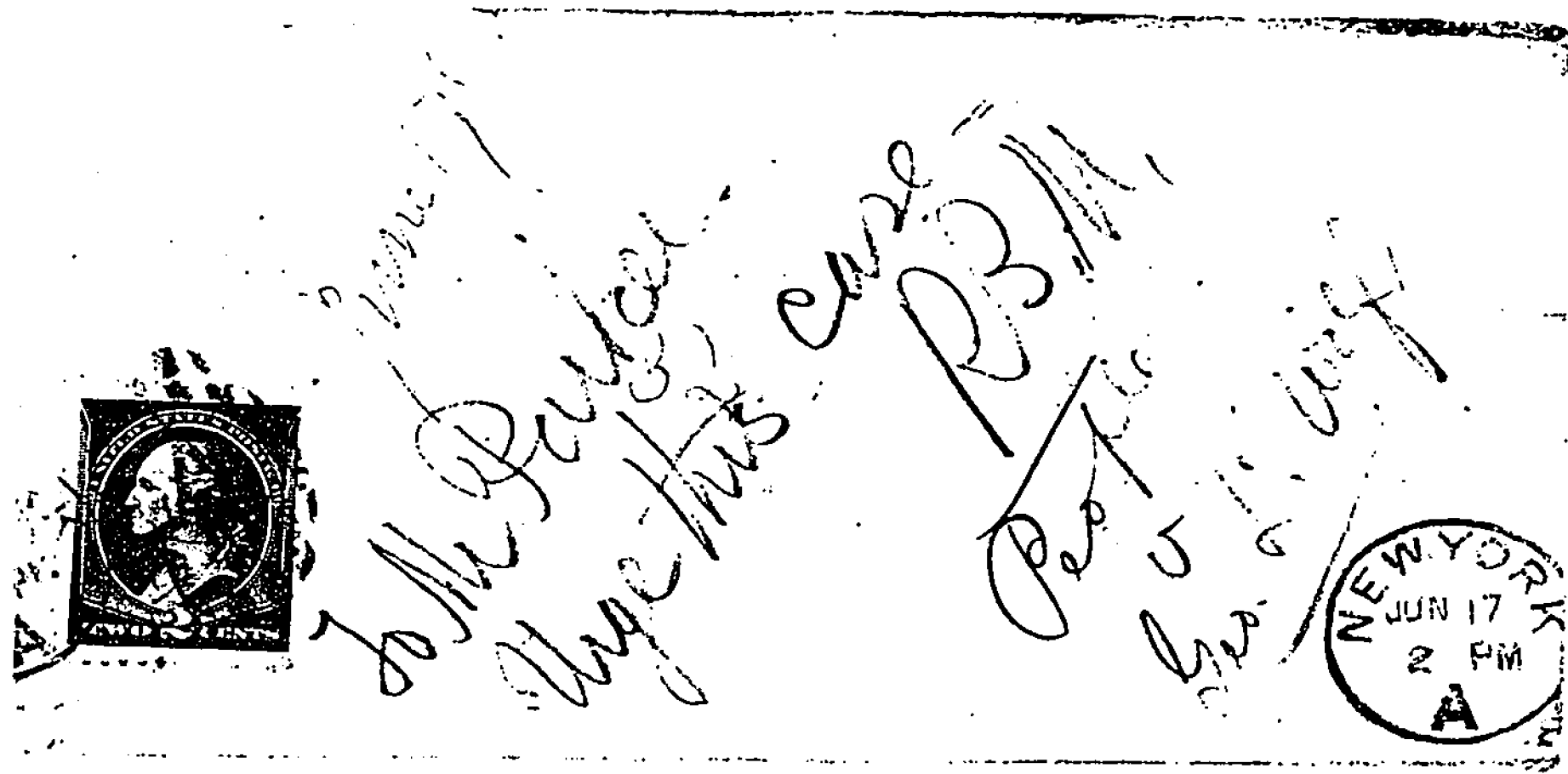
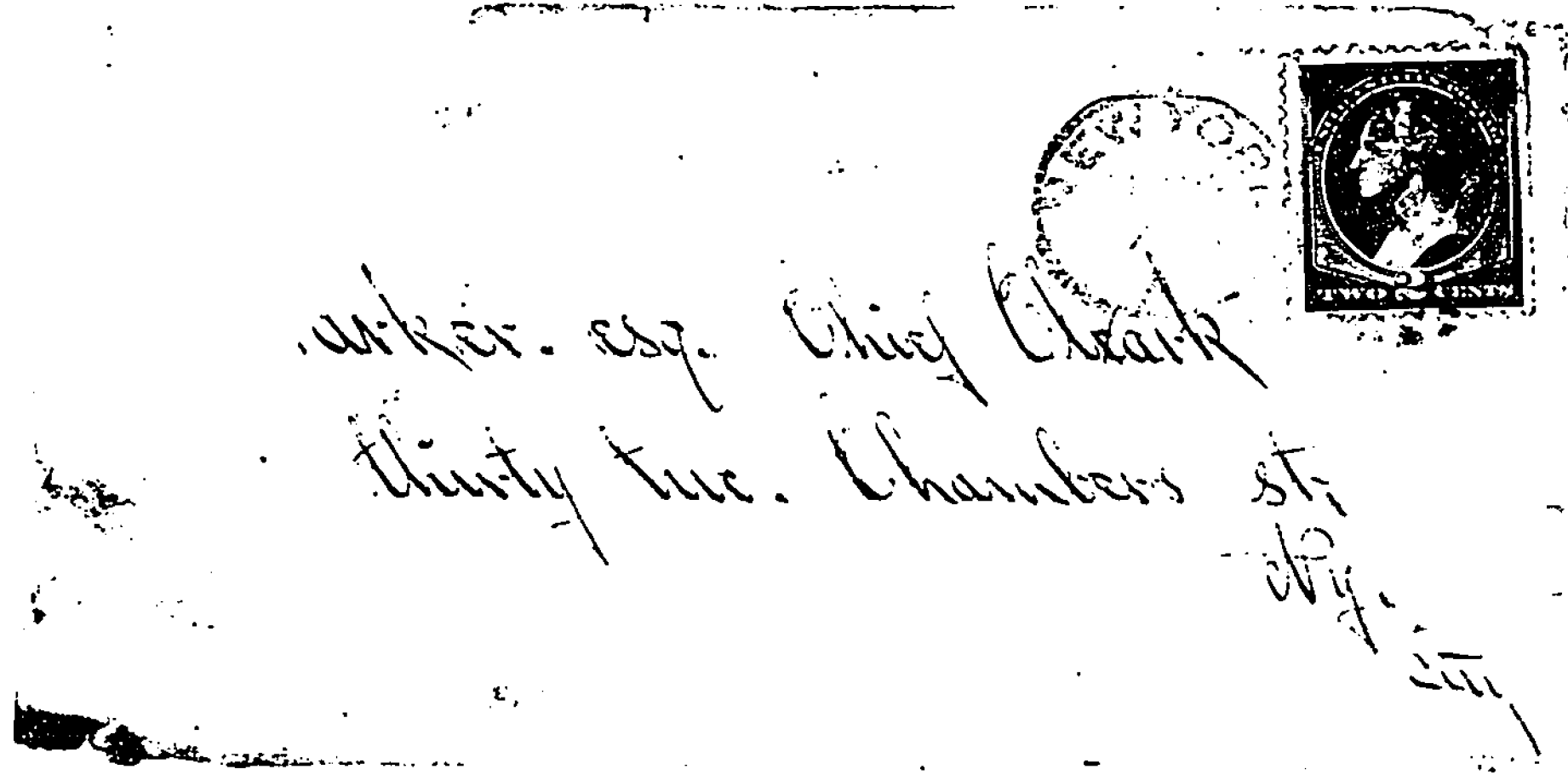
Coy
Affidavits etc., as to the perjury
alleged to have been committed by
defendant.

NOTE: On May 31, 1886, the defend-
ent was arrested on a warrant issu-
ed by Police Justice O'Reilly and
the papers were sent to the Dis-
trict Attorney. The Grand Jury how-
ever dismissed the complaint. The
within affidavits are much fuller
than those used originally; and
there are a greater number of af-
fiants. Attention is particularly
requested to the affidavit of Mrs.
Anna Macgregor, she did not appear
before the former Grand Jury nor
did she make any affidavit before
Judge O'Reilly, he thought it was
unnecessary. It is earnestly re-
quested that she now be subpoenaed
and given an opportunity to testify
before the September Grand Jury.

No 277

POOR QUALITY
ORIGINAL

0265



Fol.1

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

2

3

James M. Macgregor, being duly sworn,
deposes and says: That he resides at No. 1012 Lexington
Avenue in the City and County of New York: that on or
about the 18th day of February, 1886, instant at the City
Court of New York, in the said City of New York, a certain
action, in which Henry C. Price was plaintiff and Anna E.
Macgregor was defendant, was at the Court House of the City
Court of New York in the City of New York, tried before
Hon. David Mc Adam, Chief Justice of said Court and a jury
and that upon the trial of the said action, the said Henry
C. Price appeared as a witness in his own behalf as plain-
tiff, and was then and there duly and regularly sworn by
the Clerk of said Court as such witness in his own behalf;
that the evidence he should give relating to the matter
and difference between said parties should be the truth,
the whole truth and nothing but the truth; and upon the
hearing and trial of the said action it then became mater-
ial to inquire whether the said Anna E. Macgregor, in the
presence and hearing of her husband this deponent and the
said Henry C. Price at No. 1012 Lexington Avenue, in the
City of New York at any time during the months of March,
April and May, 1883, during the commencement and progress
of certain plumbing work upon the said premises done and

performed by the said Henry C. Price or his agents ordered
said work to be done, and whether the said Anna E. Mac-
gregor had knowledge that the said work was done for her
benefit by the said Henry C. Price, and whether the said
Anna E. Macgregor ordered the said Henry C. Price to do
any of said plumbing work upon the said premises No. 1012
Lexington Avenue, of which said premises the said Anna E.
Macgregor is the absolute owner in fee, and that thereupon
the said Henry C. Price being so sworn as a witness in his
own behalf then and there on the trial and hearing of the
said action falsely, wilfully and corruptly swore and tes-
tified among other things that,

"Some time in March or April, 1883, I received a note or
"notice left at my store to call at 1012 Lexington Avenue
"in reference to some plumbing work. I went there and
"met Mr. and Mrs. Macgregor and a couple more members of
"the family: went over the plans that he had there and
"laid the work out. He wanted a figure on the work
"which I gave him. x x x x I went back to the
"house again and met Mr. and Mrs. Macgregor and asked
"Mr. Macgregor who owned the house. He told me his wife
"owned it; he said why? I said I wanted to know where
"my money was coming from as there are judgments against
"you: He said, my wife owns the house and I pay all her
"bills for her and I continued the work after that x
"x x She was present, he said he was her agent
"and attended to the payment of her bills and that she

3

7

"was the owner of the house x x . While I was
"at work in these premises I saw Anna E. Macgregor there:
"She was throughout the whole house, in fact all over and
"gave me directions to some of the work to be done in
"the house. She gave me directions in reference to the
"servant's water closet in the basement--she said she
"was going to have that changed so as to make more room
"there and wanted to know whether it would cost much more
"to put a wash basin in her son's room and if not to have
"it put in--I gave the probable cost of it and was or -
"dered to put the basin in, or to that effect."

8

W H E R E A S in truth and fact the said Henry C.
Price never did meet this deponent in company with his wife
the said Anna Macgregor and a couple more members of the
family at 1012 Lexington Avenue and then went over the
plans and laid out the work, and that the said Henry C.
Price did not meet deponent with his wife at No. 1012
Lexington Avenue and did not then ask deponent in the pres-
ence of his wife who owned the house and deponent did not
inform Henry C. Price in presence of his wife that she
owned the premises, and further states that he never did
tell the said Henry C. Price in presence of his wife Anna
E. Macgregor that he was the agent of his wife and attended
to the payment of her bills; deponent further says that at
no time including the making of the contract for plumbing
down to the completion thereof by the said Henry C. Price
was the said Anna E. Macgregor present in company with this

9

deponent at said 1012 Lexington Avenue in the City of New York.

10

Deponent further says that the said Anna E. Macgregor was continuously absent from the City of New York from the 14th day of April, 1883, down to the afternoon of June 5th, 1883, and during her said absence the said Anna E. Macgregor resided in Fairhaven, Monmouth County, New Jersey, and at no time during the months of March, April and May, 1883, was the said Anna E. Macgregor present in company with deponent at the said premises No. 1012 Lexington Avenue, New York City.

11

W H E R E B Y the said Henry C. Price did there and then wilfully and corruptly commit perjury.

12

And deponent further says that the true account of the said transaction is as follows: During the winter of 1883, deponent was doing a large job upon the premises known as the United States Hotel, in this city, and procured the said Price to be employed to do the necessary plumbing work on said job; and afterwards, in discussing the said work, Price expressed to deponent his gratitude for having been invited to do the said job, and asked deponent how much he, Price, should give deponent. Deponent replied that he did not do business in that way, and declined to receive any percentage. Later on, after the house number 1012 Lexington Avenue had been bought, deponent asked Price to make an estimate upon some plumbing

13

work which was necessary to be done in said house; and, as a result of such estimate and negotiations, Price agreed to do such plumbing for the sum of \$100, saying that he felt very grateful to deponent for past favors; and that he would be glad to do for deponent the job at 1012 Lexington Avenue, at the lowest possible figure.

14

Afterwards, when the work was done, Price presented a bill to the deponent, of which a copy is annexed hereto, marked "Schedule Number One". Deponent thereupon complained to the said Price that the bill, which called for \$370.65, was not according to the agreement; whereupon Price explained that that was all right; that he had made out the bill as it appeared upon his books at regular prices, such as he would charge to any customer, and that he did not want his books to show that he was doing work so cheaply; and he said that he was prepared, of course, to stand by his agreement.

15

Thereupon deponent requested his son Albert to make out a check for the said Price, for \$100, which was accordingly, done; and said check was delivered to the said Price; and it was then perfectly understood that the account was then fully discharged. A copy of the said check with the indorsement thereon, is annexed hereto marked "Schedule No. 2". Later, however, deponent received a statement of account from the said Price of which a copy is hereto annexed, marked "Schedule No. 3"; and about two weeks after that there was sent to the house, No. 1012 Lexington Avenue, a statement of account of which a copy is

16

hereto annexed marked "Schedule No. 4". Schedule No. 4 contains the first reference to deponent's wife that had occurred in the transaction. All the business had been transacted with deponent, and all the bills and statements, up to Schedule No. 4, had been made out to deponent.

My family consists of my wife, my daughters Rachel, Mary, Martha and Clara, and my son Albert.

Sworn to before me this :

3rd day of Sept. 1886:

Jas. A. Breen

Notary Public, (1886)

N. Y. Co.

17

City and County of New York, ss:

Anna E. Macgregor, being first duly sworn, deposes and says: I am the wife of James M. Macgregor; I never met Henry C. Price at any time during April, May or June, 1883, at No. 1012 Lexington Avenue or at any other place. I never had any conversation with him in the presence of my husband and a couple more of the members of my family, when any plans or estimate were considered for plumbing work on the said premises, 1012 Lex-

18 ington Avenue; no such conversation ever occurred either
there or anywhere else.

The conversation that Mr. Price swears to, where he
asked my husband who owned a house, and where my husband
replied that I owned it, never occurred.

19 I was not at the house at any time between the 28th
of March, 1883 and the 5th day of June, 1883; I never gave
any directions to the said Price or to any one concerning
any of the work to be done in the house. I gave him no
directions concerning any water closets nor any basins or
of the cost of putting a wash basin in my son's room, nor
did I order it to be put in.

The testimony which the said Henry C. Price gave
concerning the above matters, on or about the 18th day of
February, 1886, at the City Court of New York, was wilful
and corrupt perjury.

20 The alterations and additions that were made to
the house were an entire surprise to me, and were made by
direction of my husband, without consulting me, during my
absence from New York. I was out of the City, at Fair-
haven, New Jersey, from the 14th of April, 1883, until
June 5th, and I did not once go to New York during that
time. My family consists of my husband and myself; my
daughters Rachel, Mary, Martha and Clara, and my son Al-
bert.

Sworn to before me this:
3rd day of Sept. 1886:

21

Anna E. Macgregor
Geo. A. Breen
(189) Notary Public, N.Y. Co.

City and County of New York, ss:

Rachel Macgregor, being first
duly sworn, deposes and says: I am one of the daughters
of James and Anna Macgregor. I was never present at any
conversation at any time, between my father and mother and
Henry C. Price, at No. 1012 Lexington Avenue or elsewhere.

22

I went down with my mother to Fairhaven, New Jer-
sey, on the 14th of April, 1883, and came up to town with
her on the 5th day of June, 1883; to my own knowledge
my mother did not leave Fairhaven, New Jersey, between
said 14th day of April and said 5th day of June.

Sworn to before me this :

3rd day of Sept. 1886:

Rachel Macgregor

Jas. A. Breen
(189) Notary Public,

N. Y. Co.

City and County of New York, ss:

23

Mary K. Macgregor, being first duly sworn, deposes and says: I am one of the daughters of James and Anna Macgregor. I was never present at any conversation at any time, between my father and mother and Henry C. Price, at No. 1012 Lexington Avenue or elsewhere.

24

I left town with my mother on the 14th day of April, 1883, and remained with her at Fairhaven, New Jersey, till the 4th day of June, 1883; during that time my mother did not once leave the town of Fairhaven, New Jersey; I returned to New York on the 4th day of June, 1883 and went to the house No. 1012 Lexington Avenue to help get it ready for occupation. Up to that time no one had been living in the house and no one had occupied it except the various workmen, carpenters and others who were engaged in altering and repairing it; *I believe my father did not then live in the city* On the 5th day of June, 1883, my mother returned from Fairhaven, New Jersey, and came to live in the house on Lexington Avenue.

25

Sworn to before me this: *Mary K. Macgregor*
3rd, day of *Sept.* 1886:

Jas. A. Green

(189) Notary Public,

N. Y. Co.

10

City and County of New York, ss:

Martha Macgregor, being first
duly sworn, deposes and says: I am one of the daughters
of James and Anna Macgregor. I was never present at any
conversation at any time, between my father and mother and
Henry C. Price, at No. 1012 Lexington Avenue, or elsewhere.

I have read the foregoing affidavits of my mother
and sisters; the facts therein stated are true to my own
knowledge.

26

Sworn to before me this : *Martha A. Macgregor*
3rd day of *Sept* 1886.:

Geo. A. Breen
(189) Notary Public,

N. Y. Co.

11

City and County of New York; ss:

Clara Macgregor, being first
duly sworn, deposes and says:

I am one of the daughters of James and Anna Mac -
gregor. I was never present at any conversation at any
time between my father and mother and Henry C. Price, at
No. 1012 Lexington Avenue or elsewhere.

I went down with my mother to Fairhaven, New Jer -
sey, on the 14th day of April, 1883, and came up to town
with her on the ~~8th~~^{4th} day of June, 1883. My mother did
not leave Fairhaven between the said 14th day of April
and the said 5th day of June.

Sworn to before me this :
3rd day of Sept. 1886. :

Clara Macgregor

Jas. A. Price

(189) Notary Public,

N. Y. Co.

27

*alterations on
10th line of 11th
page made
before execution
Jas. A. Price*

28

POOR QUALITY
ORIGINAL

0277

12

City and County of New York, ss:

Albert S. Macgregor, being duly sworn, deposes and says: I am the son of James and Anna Macgregor. I was never present at any conversations at any time, between my father and mother and Henry C. Price, at No. 1012 Lexington Avenue or elsewhere.

Sworn to before me this:

29

3rd day of Sept. 1836:

AS Macgregor
J. A. Breen

Jas. A. Breen
Notary Public, (189)

N. Y. Co.

POOR QUALITY
ORIGINAL

0278

30

SCHEDULE NO. 1.

N.Y., June 21, 1883.

Mr. James M. Mc Gregor,
To
H. C. Price, Dr.,
112 E. 14th St.

1882

Oct. 7	Repairs to water closet	1.00	
Mch. 10	To grinding 5 cocks, solder and		
31	cement	2.90	
"	1 days P. & H.	5.50	
12	" " "	5.50	
"	25 lbs. pipe	2.50	
13	1 day P. & H.	5.50	
"	31 lbs. pipe 3.10, 5 lbs. solder 1.25	4.35	
30	34 day P. & H.	4.12	31.37
Apr. 9	Time and solder		1.50
			<u>32.87</u>
May 11	345 lbs. pipe		24.15
32	30 feet 5 pipe:	15.00	
	35 " 2 " : 90 feet	7.20	
	24 " 4 " :	9.00	
	2 " 5 X 2 T:	2.40	
	4 " 5 1/4 bends:	4.00	
	1-5 D Hub :	.75	
	2-5 X 2 Ts :18	2.40	
	2- 2 1/4 bends :	.80	
33	1- 5 X 4 y :	1.60	
	1-4 offset " :	1.40	
	5-4 bends :	2.60	
		<u>47.15</u>	
		18.86	28.29
	40 off on 47.15		.75
12	1 Barnes C. cooler		.32
	8 lbs. putty		4.81
	107 " caulk lead		2.00
	Cartage		5.12
34	32 lbs. solder		4.18
	1 day P. & H.		
	1-4 X 4 y	1.20	
	3- 4 1/4 bends	1.95	
	5 feet 4 pipe	1.80	3.69
	1 day P. & H.		4.18
14	1- 4 X 4 y	1.20	
	1-4 brass ferrule	6.15	
	1-4 Trap		.75
35			<u>2.65</u>
			113.76

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	Amount brought forward,	113.76
May 15	To 2 days' P. & H.	8.36
	" 1 bath	24.82
	" 1 y branch .60	
	" 1-2 band .40	
	" 2-2 hooks	.16
	" 1-2 brass ferrule	.50
	" 2-2 bends 1.30	1.38
36	" 1-2 S.L.Trap	1.30
	" 2-2 1/2 bends	.80
	" 12 Pr.Tacks and screws	1.44
	" 25 lbs. solder	4.00
	" Cartage	2.00
16	2 days P. & H.	8.36
	Charcoal 50 200 lbs. pipe 14.00	14.50
	Cartage	1.50
	2 butler's pantry cock	3.66
37	3 5/8 stop cocks 2.10, 1-1 1/2 trap .80	2.90
	57 lbs. S.lead 3.99, 116 lbs. 1 & 1 1/2 pipe 7.56	11.50
	1 4 X 4 T .65, 1-4 1/2 Bend. 65 1.30	
		.52
	40 off 1.30	.78
17	2 days P. & H. 8.36, 2-4 B.Ferrules 1.50	
	2-4 Hy. Trap 5.30	.78
	1-4 Galvanic Cop. .50, 36 lbs. pipe 2.34	15.16
38	Charcoal .75	
	1-4 offset 10 7/5 (18") 2 days P. & H. 8.36	3.59
19	12 N.P. Basom cocks 18.00, 2 5/8 T. & T.	9.11
	H.B.lbs. 2.75	
	6 5/8 N.T. cocks 7.25, 5 ft. D.H.Pipe 1.30	20.75
	30 lbs. shot lead 2.10, 4 1/2 trap .80, 1 trap screw .50	8.51
	1 N.P.Plug .50, 16 feet 3/4 D 2.08, 2 D. P. & H. 8.36	3.40
39	21 To 2 days P. & H. 8.36, Charcoal 1.50, C.B. Cock, 5.20	10.90
	6 P. tacks and screws .60, 12 feet P. chain 1.50, 6 lbs. putty .24	15.06
	6-2 cones strains 1.20, 1 service box, 1.25	2.34
	Cartage 1.25	
	10 feet 5 pipe 5.00, 5 feet 5 D. hub 2.80, 40 off, 7.80	8.70
		3.16
40	22 50 lbs. shot lead 3.50, 24 lbs. 3/4 pipe 1.56	4.64
	2 days P. & H. 8.36 10 ft. 2 pipe 2.40 1- 4 X 4 yr. 1.20 : 13.81	5.06
	1-5 X 2 T 1.20, 1-4 1/2 Bend .65 1.85 : 2.18	
	40 off 5.45	11.63
	2.18	315.57

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May 23	2 days P. & H. 8.36, 16 lbs. solder		
	2.56		10.92
41	1-4 ¹ 8 bend .65, 1-5 Bend .90, 5 Hooks		
	.15	1.70	
	1-2 offset .60 5 feet 4 D.Hub.Pipe		
	2.10	<u>2.70</u>	
		4.40	
		<u>1.76</u>	2.64
24	2 days P. & H. 8.36, 37 lbs. pipe 2.41		10.77
24	12 Pair tacks and screws 1.20, 2 X 4		
	bends, .78		1.98
42	25 2 days P. & H. 8.36 cool .70 C. Stays 2.00		
	4 plugs & ring 1.55		12.41
	Brass screws and putty .18, 2 dys. P. & H.		
	8.36		8.54
28	1 day P. & H. 4.18, Copper Connectors 3.50		7.68
29	6 lbs. pipe 1-2 trap, 3 lbs. solder 1 day		
	P. & H.		9.48
	30 1 day P. & H. 4.38, 1-2 T .45, stop cock 1.00:		7.76
	1 stop cock .90, 19 lbs. pipe 1.23		
43	31 1 day P. & H. 4.18		4.18
June 1	1 " " " 4.18, Cartage .75, 20 ft.		
	wire .30,		5.23
	4 Grinding faucets 1.00 and 5 X 4 T .72		1.72
	Boy's fare		<u>2.00</u>
			\$401.48
	Rebate on wages Mch. 10-12-30	4.12	
	By Mdz. returned and Cld.Stock	<u>26.71</u>	30.73
44			\$370.65

38

POOR QUALITY
ORIGINAL

0281

SCHEDULE No. 2

New York, July 7, 1883.

MECHANICS' NATIONAL BANK.

33 Wall Street.

Pay to H. C. Price

or Order

One hundred $\frac{00}{100}$

Dollars

Stamp \$100 $\frac{00}{100}$

A. S. Macgregor.

Endorsed,

45

Luchon & Weber,

H. C. Price,

Correct

A. S. Macgregor.

**POOR QUALITY
ORIGINAL**

0282

SCHEDULE No. 3

New York, July 31, 1884.

Mr. James M. Macgregor,
Lexington Ave.

To H. C. Price, Dr.
112 E. 14 St., N. Y.

46

To balance of Acct. rendered \$317.05.

POOR QUALITY
ORIGINAL

0283

SCHEDULE No. 4.

New York, August 13th, 1884.

Mrs. Anna E. Mc Gregor,

To H. C. Price,

112 East 14th St., N. Y.

To work done in house No. 1,012 Lexington Avenue,
May & June, 1883.

47

\$394.58.

1883

Dr.

June 30

By merchandise (Bath Tub)

Nov. 30

" Cash

5.00

100

105.

\$289.58.

POOR QUALITY
ORIGINAL

0284

*Offs sent
Dec 27 1886*

The People on the Complaint of

James M. Macgregor

— against —

Henry C. Price

original
Affidavits etc., as to the perjury
alleged to have been committed by
defendant.

NOTE: On May 31, 1886, the defendant was arrested on a warrant issued by Police Justice O'Reilly and the papers were sent to the District Attorney. The Grand Jury however dismissed the complaint. The within affidavits are much fuller than those used originally; and there are a greater number of affiants. Attention is particularly requested to the affidavit of Mrs. Anna Macgregor; she did not appear before the former Grand Jury nor did she make any affidavit before Judge O'Reilly;—he thought it was unnecessary. It is earnestly requested that she now be subpoenaed and given an opportunity to testify before the September Grand Jury.

**POOR QUALITY
ORIGINAL**

0285

H--A--.

S T A T E O F N E W Y O R K S S.:
City and County of New York,

JAMES M. McGregor being first duly sworn deposes and says, that he resides at 1012 Lexington Avenue, in the City of New York. That on or about the 18th day of February 1886, at the City Court of New York, a certain action, in which Henry C. Price was plaintiff and Anna E. McGregor was defendant, was brought before Hon. David McAdam and a jury, and that upon a trial of said action the said Henry C. Price appeared as a witness in his own behalf as plaintiff, and was then and there duly and regularly sworn by the Clerk of the said City Court that the evidence he should give relating to the matter and difference between said parties in the said suit, should be the truth, the whole truth and nothing but the truth, and upon the hearing and the trial of the said action, it then became material to inquire whether the said Anna E. McGregor, the defendant in the case, and a married woman, in the presence and hearing of her husband, this deponent, and the said Henry C. Price, at 1012 Lexington Avenue, at any time during the months of March, April and May 1883, during the commencement and progress of certain plumbing work to be performed by the said Price, order^{ed} said work to be done, and whether the said Anna McGregor had knowledge that the said work was done for her behalf by the said Henry C. Price, and whether the said

POOR QUALITY
ORIGINAL

0285

2

Anna McGregor ordered the said Henry C. Price to do any of said plumbing work upon the said premises, of which premises the said Anna E. McGregor is the absolute owner in fee, and that thereupon the said Henry C. Price, being sworn as a witness then and there on the trial and hearing of said action, falsely, wilfully and corruptly swore and testified to the affirmative of these statements.

The deponent further states that the said Anna E. McGregor, was continually absent from the city of New York, from the 14th day of April 1883, down to the afternoon of June 5th 1883, and during her said absence the said Anna E. McGregor resided in Fairhaven, Monmouth County, New Jersey, and that during no time during the months of March, April and May 1883, ^{was} the said Anna E. McGregor present at the said premises No. 1012 Lexington Avenue, New York City, and furthermore that the said Anna E. McGregor up to June 5th 1883, or until the completion of the said work, had no knowledge whatsoever that any work was being done by anyone on the *and that he has five witnesses at hand to support these allegations,* premises No. 1012 Lexington Avenue, ^{whereby} the said Henry C. Price did thereby wilfully and corruptly commit perjury.

And deponent further says that sometime in May last, deponent brought these facts to the attention of Mr. Justice Riley, Police Justice of the City of New York, who upon hearing the facts and reading the affidavits in the case, caused a warrant to issue for the arrest of the said Henry C. Price.

And deponent further says that sometime during the month of June ^{or July} last past, the case was brought by the

District Attorney to the notice of the grand jury then sitting, but at the time of the hearing before the grand jury the principal witnesses of the perjury, namely, Anna E. McGregor, the wife of deponent, was not subpoenaed, and was at the time was confined to her house by sickness making it impossible for her to attend Court and therefore did not testify before the grand jury and that furthermore, Michael Irwin an important witness against the said Henry C. Price, and Jeremiah Crowley, and Albert S. McGregor and Mary K. McGregor, all of whom were subpoenaed to testify before the grand jury in June last, for some reason unknown to deponent, were not called into the jury room, the only witnesses testifying before the grand jury being this deponent and his daughter Rachel.

Wherefore your deponent respectfully petitions that the grand jury may have opportunity of hearing the aforesaid witnesses who were absent at the former hearing, and that the case may be sent back to the grand jury now in session for this purpose, the said Anna E. McGregor being now in the city and in a Physical condition to testify.

Sworn to before me this 20th day of

September 1886.

W. C. Hubbell
Notary Public,
N.Y. Co.

James S. McGregor

**POOR QUALITY
ORIGINAL**

0288

*Apparatus of
Jas. M. McGregg*

POOR QUALITY
ORIGINAL

0289

District Attorney's Office.

PEOPLE

vs.

Kenny C. Price
Perjury

This case is
to be tried in Part
2 on 12th inst.

Peremptorily

Dec 5/87 R.B.M.

Notify counsel
at once.

To Mr. Parker
John Scharf

**POOR QUALITY
ORIGINAL**

0290

COUNTY OF NEW YORK, SS.

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING:

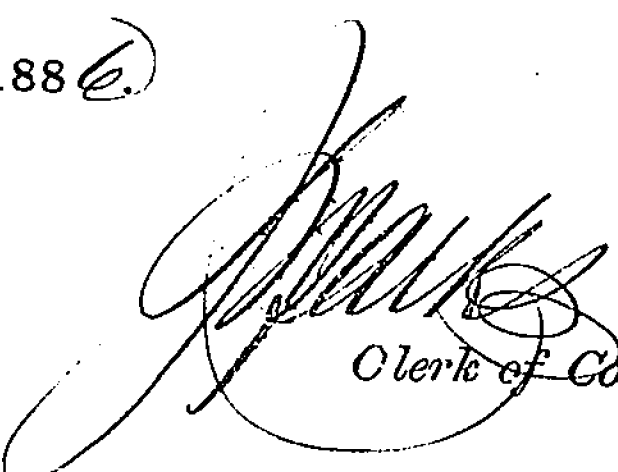
An indictment having been found on the 30 day of Sept
1886, in the Court of General Sessions of the Peace, of the County of
New York, charging Mary E Price

with the crime of Perjury

You are therefore Commanded forthwith to arrest the above named Mary E Price
and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York,

New York City, the 30 day of Sept 1886

By order of the Court,


Clerk of Court.

POOR QUALITY
ORIGINAL

0291

N. Y. General Sessions of the Peace

THE PEOPLE
OF THE STATE OF NEW YORK,

against

Henry C. Price

Bench Warrant for Felony.

Issued

Sept 30 188 *6*

1012 Lexington Ave

The officer executing this process will make his
return to the Court forthwith.

By virtue of this Written
Warrant I have
arrested the within
named defendant and
now have him before
the Judge of the Court
of General Sessions
by Whome this Warrant
Was issued
Rully and Remond

POOR QUALITY
ORIGINAL

0292

District Attorney's Office.

PEOPLE

vs.

Henry C. Price
Peying

Let this case
be tried on
2d Monday of
April - P.B.M.
Apr 14/87
To Mr Parker

- 9 - 11

POOR QUALITY
ORIGINAL

0293

House of Detention

New York June 11th 1897
Mr. Matthews

Dear Sir
I write these few lines to you
in regards to my case I have
been detained here since about
the 11th as a witness against
George Go. who is held on
a charge of murder which was
committed on March 20th 1897 in
West 39th St. now I wish you
would consider the length of
time I have been detained
here and ask your own consci-
ence if it just to detain a
man so long I am losing time
and money by being detained
here and I am expending for
clothes and shoes at the same
time and as I have neither

POOR QUALITY
ORIGINAL

0294

friends or relations to help
the way I will be in total
isolate by this time. I am
released, hoping this will
meet with your kind
consideration. Sincerely,
Yours Respectfully
John Bennett

POOR QUALITY
ORIGINAL

0295

Sept. 22nd /87

House of Detention

Mr Parker

Dear Sir

I was called upon to appear before the Grand Jury last Monday which I did and when I arrived there I was asked to make a charge against George L. Wolf which I was unable to do as I was not stabbed nor assaulted but a young man by the name of John Staudt whose address I do not know was stabbed in company with my self. However the Jury then informed me that I was held here by mistake in place of John Staudt. Mr. Kelly was told the same and spoke to Mr. Martine about it but Mr. Martine made the

POOR QUALITY
ORIGINAL

0296

remark that he was to hurry
then but would see about it
by and by. but I have not heard
anything about it since ^{now} ~~not~~ will
you be kind enough to speak to
Mr. Martine about it, and get my
discharge paper sent up to the house
as I have been detained here since
April the 11th very near six months
and believe me every day seems to
be a year. I am a witness against
George D. Wolf. on a charge of
murder but none of the witness

are held here excepting myself
and I do not understand why
I am held hoping to hear from
you in return I remain

yours Respectfully
John Lombard

POOR QUALITY
ORIGINAL

0297

New York, July 30th 1884
Mr. James M. Macgregor Lexington Ave.
To H. C. PRICE, Jr.

→ PLUMBING, GAS AND STEAM FITTING ←

112 EAST 14th STREET, BET. 3rd AND 4th AVENUES.

To Balance of acct. rendered \$317 05

FRED. J. WARBURTON,
55 WALL ST. STENOGRAPHER.

0298

Sept. 21/16 F23

No. 1, by

Residence

No. 2, by -

Residence

3, by -

Residence

NO. 4, by

Residence _____

Alexander L. McHenry

Adelgren

Rev. Dr. Brewster
87 Baxter St. N.Y.C.

Chas. Bennett

487
 12/27/1861
 Police Court
 1861
 487
 12/27/1861
 Police Court
 1861
 487
 12/27/1861
 Police Court
 1861

THE PEOPLE, &
ON THE COMPLAINT OF

James H. Carpenter
1012 W. Superior Ave.

Henry C. Wood

100

2000

Dated 12/13/20

James C. O'Leary
~~Secretary~~

Robert
747 St. James

Witnesses Mary O. Morgan
10/18/87

No. 1172 by case
Child - 8 Maccon

No. 1012 day care

NO. 1012 of 1896

15710 to answer by
Gina C. Monaghan

Jan 18 116
Basted Mouth 11
1872

~~Memo~~ Martin
M 97 349-2

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

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

Dated Mch 31 188 6 Sam J O'Kelly Police Justice.

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

Dated Mch. 31 188 6 James C. Bell Police Justice

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

Dated _____ 188 _____ *Police Justice*

POOR QUALITY
ORIGINAL

0299

Sec. 151.

Police Court 1 District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by James M Macgregor of No. 1012 Lexington Ave Street, that on the 18 day of February 1886 at the City of New York, in the County of New York,

against Henry C Price of No 112 E 14th Street did then and there wilfully and corruptly swear falsely in the proceeding against Anna E Macgregor Complainant's wife

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

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

Dated at the City of New York, this 30 day of March, 1886
Samuel C. Bailey POLICE JUSTICE.

POLICE COURT. DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James M Macgregor
vs.

Henry C Price

Warrant-General.

Dated

March 30 1886

Samuel C. Bailey Magistrate

Samuel C. Bailey Officer.

The Defendant Henry C Price taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Samuel C. Bailey Officer.

Dated March 31 1886

This Warrant may be executed on Sunday or at night.

Samuel C. Bailey Police Justice.

REMARKS.

Time of Arrest, 10:30 AM.

Native of Ill

Age, 42

Sex

Complexion,

Color Br

Profession, Illustrator

Married Yes

Single

Read, Yes

Write, Yes

243 E. 86th Street

POOR QUALITY
ORIGINAL

0300

Sec. 108-200.

First

District Police Court.

CITY AND COUNTY
OF NEW YORK, { ss

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

Question What is your name?

Answer

Henry C Price

Question. How old are you?

Answer

42 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

243 E 86th St 2 years

Question What is your business or profession?

Answer

Plumber & Gas Fitter

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

Answer.

I am not guilty of the charge

Henry C Price

Taken before me this

31

day of *March*

1886

Samuel J. Smith Police Justice.

POOR QUALITY
ORIGINAL

0301

CITY AND COUNTY }
OF NEW YORK, } ss.

Albert S. Macgregor
aged 31 years, occupation Architect of No.
1012 Lexington Avenue Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Rachel A. Macgregor
and that the facts stated therein ~~on information of deponent~~ are true of deponents' own
knowledge.

Sworn to before me, this 30
day of March 1886 } AS Macgregor

Samuel C. Bull
Police Justice.

CITY AND COUNTY }
OF NEW YORK, } ss.

Mary SC Macgregor
aged 26 years, ~~occupation~~ of No.
1012 Lexington Avenue Street, being duly sworn deposes and
says, that She has heard read the foregoing affidavit of Rachel A. Macgregor
and that the facts stated therein ~~on information of deponent~~ are true of deponents' own
knowledge.

Sworn to before me, this 30th
day of March 1886 } Mary SC Macgregor

Samuel C. Bull
Police Justice.

POOR QUALITY
ORIGINAL

0302

City Court of New York

Henry C. Price

against

Anna E Macgregor

City and County of New York ss:-

Rachel A. Macgregor being duly sworn says:-

I am a daughter of the defendant above named.

My mother the defendant in this case, left the
City of New York for Fairhaven New Jersey, on the

14th day of April 1883, and that she did not
~~return to the City of New York until the 5th. day of~~
June 1883; that from said 14th day of April, til
said 5th. day of June, she never left Fairhaven.

Sworn to before me this

30

23th. day of March 1886.

Charles T. ...
Honary ...
H. V. G.
H

Rachel A. Macgregor
Samuel C. Kelly
Police Justice

CITY COURT OF NEW YORK

Henry C. Price

against

Anna E. Macgregor

City and County of New York ss:-

MICHAEL J. Irwin being duly sworn,
deposes and says:-

That on the 2nd. day of April 1883, this de-
ponent, went to work as a carpenter at No. 1012 Lexing-
ton Avenue, in this City and continued from said time
to work at said house until the 7th. day of July 1883,;

That this deponent was the first man in said house in
the morning and the last man to leave in the evening
and that during all of said period he was at said house
every day, with the exception of Sundays; that this
deponent had charge of the repairs and alterations
which were being made in said house.

Deponent further says, that he is acquainted
with Mrs. Macgregor, the defendant above named; that
from the said 2nd. day of April 1883, until the 7th. day
of June of said year, Mrs. Macgregor, said defendant
was not in said house; that on the 7th. day of June
the said defendant ~~was in said house with her family~~
~~with her family~~ came into said house to reside; that
this deponent makes the statement, that Mrs. Macgregor
was not in said house, for the reason that he never saw

POOR QUALITY
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0304

her there, and this deponent avers, that during all the time he was working in said house as sforessaid, he was going throught the house generally, looking over the carpenter work, seeing that it was being properly done. Andxxx And deponent avers that he does not think it was possible for Mrs. Macgregor to have been in said house, without this deponent seeing her

Sworn to before me this

30

25th. day of March 1886.

Michael J. Quinn
Leo S. Ferrary *Samuel C. Kelly*
Notary Public *Police Justice*
Atty. Co.

POOR QUALITY
ORIGINAL

0305

Ex 1
State of New York, Police Court / *37* District.
City and County of New York, S. S.

in
James Macgregor being duly sworn deposes and says;
That he resides at No. 1012 Lexington Avenue in the City
and County of New York: that on or about the 18th day of
February 1886, instant at the City Court of New York, in
the said City of New York a certain action in which Henry
C. Price was plaintiff and Anna E. Macgregor was defendant,
~~was~~ at the Court House of the City Court of New York in the
City of New York, tried before Hon. David Mc Adam, chief
Justice of said Court and a Jury and that upon the trial of
said action, the said Henry C. Price appeared as a witness
in his own behalf as plaintiff, and was then and there duly
and regularly sworn by the Clerk of said Court as such wit-
ness in his own behalf; that the evidence he should give
relating to the matter and difference between said parties
should be the truth the whole truth and nothing but the
truth: and upon the hearing and trial of the said action
it then became material to inquire whether the said Anna E.
Macgregor in the presence and hearing of her husband this
deponent and the said Henry C. Price at No. 1012 Lexington
Avenue in the City of New York at any time during the
months of March April and May 1883 during the commencement
and progress of certain plumbing work upon the said prem-
ises done and performed by the said Henry C. Price or his
agents, ordered said work to be done, and whether the said

Anna E. Macgregor had knowledge that the said work was done for her benefit by the said Henry C. Price, and whether the said Anna E. Macgregor ordered the said Henry C. Price to do any of said plumbing work, and whether she authorized her husband this deponent or any other person to employ in her behalf the said Henry C. Price or any one else to do the said plumbing work upon the said premises, No. 1012 Lexington Avenue, of which said premises the said Anna E. Macgregor is the absolute owner in fee, and that thereupon the said Henry C. Price being so sworn as a witness in his own behalf then and there on the trial and hearing of the said action falsely, wilfully and corruptly swore and testified among other things, that,

"Some time in March or April 1883 I received a note or notice left at my store to call at 1012 Lexington Avenue, in reference to some plumbing work. I went there and met Mr. and Mrs. Macgregor and a couple ^{more} ~~new~~ members of the family: went over the plans that he had there and laid the work out. He wanted ^a ~~to~~ figure on the work which I gave him xxxxx x x x x. I went back to the house again and met Mr. and Mrs. Macgregor and asked Mr. Macgregor who owned the house. He told me his wife owned it he said

"why? I said I wanted to know where my money was coming from as there are judgments against you: he said my wife owns the house and I pay all her bills for her and I continued the work after that x x x x x. ^{She was} ~~Mrs. Macgregor~~ was present ~~at the interview and~~, he said he was her agent and attended to the payment of her bills and that she was the owner of the house x x x x x.

"While I was at work in these premises I saw Anna E. Macgregor there: she was throughout the whole house in fact all over and gave me directions to some of the work to be done in the house. She gave me directions in reference to the servants water closet in the basement --she said she was going to have that changed so as to make more room there and wanted to know whether it would cost much more to put a wash basin in her sons room and if not to have it put in - I gave the probable cost of it and was ordered to put the basin in. *or ~~was to have effect~~*
He said Henry C. Price.
"w h e r e a s in truth and fact ^{he} never did meet this deponent in company with his wife the said Anna E. Macgregor and a couple more members of the family at 1012 Lexington Avenue and then ~~he~~ went over the plans and laid out the work and that the said Henry C. Price did not meet deponent with his wife at No. 1012 Lexington Avenue and did not then ask deponent in the presence of his wife who owned the house and deponent did not inform Henry C. Price in the presence of his wife that she owned the premises - and further states that ~~he~~ never did tell the said Henry C. Price in the presence of his wife Anna E. Macgregor that he was the agent of his wife and attended to the payment of her bills. deponent further says that at no time including the making of the contract for plumbing down to the completion thereof by the said Henry C. Price was the said Anna E. Macgregor present in company with this deponent at said No. 1012 Lexington Avenue in the City of New York.

6
Deponent further says that the said Anna E. Macgregor was

**POOR QUALITY
ORIGINAL**

0308

continuously absent from the City of New York from the 14th day of April 1883 down to ~~and including~~ the afternoon of June 5th, 1883. ^{her} June 5th 1883 - and during said absence the said Anna E.

Macgregor resided in Fairhaven , Monmouth County, New Jersey and at no time during the months of March April and May 1883 was the said Anna E. Macgregor present in company with deponent at the said premises No. 1012 Lexington Avenue, New York City.

W h e r e b y the said Henry C. Price did then and there-
wilfully and corruptly commit perjury. /

Subscribed and sworn to before me
this 30 day of March 1886.

886. *James C. Beall*
Police Justice

John B. Isham, M.D.

1055 Lexington Avenue,
corner 75th Street.

New York April 25 1887

This is to certify
that for the past
two months there
has been almost
continuous sickness
among Mrs. Macgregor's
daughters.
at present I am
treating one of
the family for

post-diphtheritic
symptoms.

I do not consider
any of the ladies
of the family
are in suitable
physical or mental
health as account
of sickness and
watching to give
evidence in Court

Respectfully Submitted
John B. Isham

POOR QUALITY
ORIGINAL

0310

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

J. B. Deane being
duly sworn, deposes and
says he is a practicing
Physician in this City
and that the foregoing
certificate and statements
are true

John B. Deane
Sworn to before me this
26th day of April 1857

W. D.

August W. W. W.
Notary Public
N. Y. C.

POOR QUALITY
ORIGINAL

0311

District Attorney's Office.

Part 2

PEOPLE

vs.

Henry B. Price

Dec 14

all served

Dec 10

Bail & Counsel

Grand Jury Room.

PEOPLE

vs.

Price
Perryman

Indicted
a few days
ago.

Send me
the papers.
W. E. G. P. B. A.

POOR QUALITY
ORIGINAL

0312

Grand Jury Room.

PEOPLE

vs.

Price
Perry -

Indicted
a few days
since.

Send me
the papers.
Weg/BB.A.

**POOR QUALITY
ORIGINAL**

0313

The indictment
has not yet been
drawn

J. D. R.

POOR QUALITY
ORIGINAL

0314

The People DISTRICT ATTORNEY'S OFFICE,
New York, *Rejmy* 188
vs
Henry C. Price

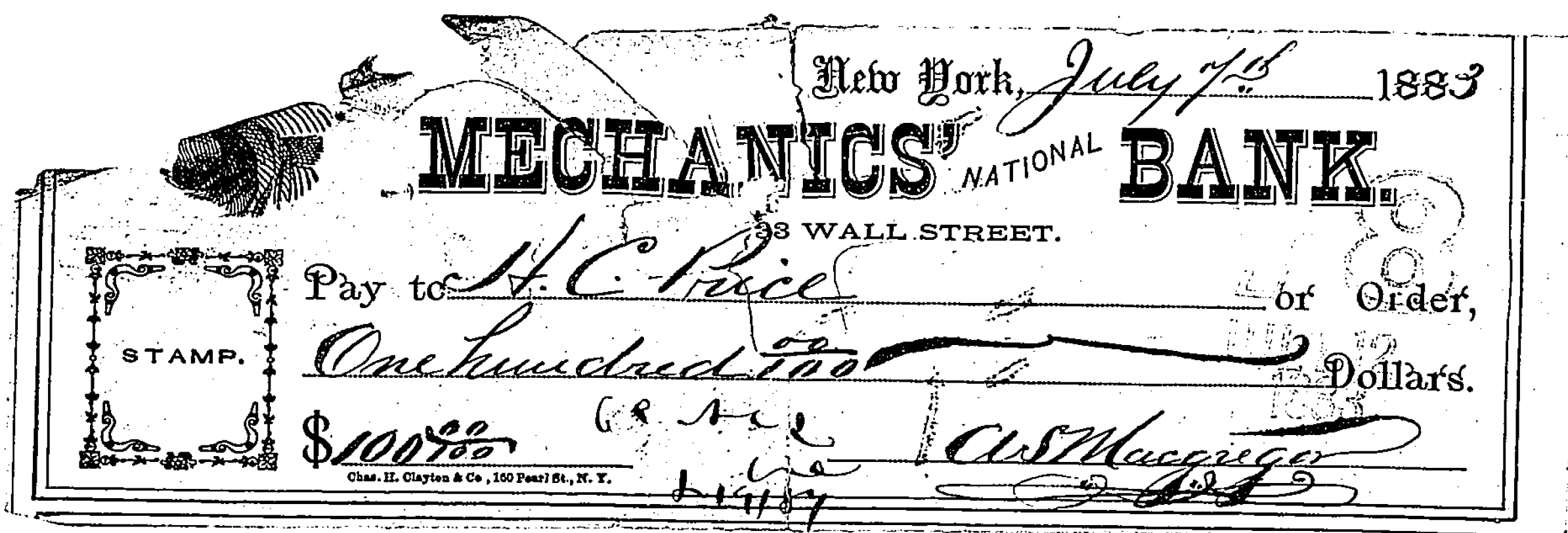
In consequence of
serious illness in
family of Compt - let
this stand over until
26th inst.
Apr 7/87 R.B.M.

State of New York } ss:
City and County of New York }

James M. Macgregor
being duly sworn, deposes and says: That
he resides in the City of New York at No. 1012
Lexington Avenue, that on the day of
February, 1886, instant, at the City Court
of the City of New York in the County of New
York, a certain action in which Henry
C. Price was plaintiff and Anna E. Macgregor
was defendant was tried before the Hon.
David M. Adams C.J. and a jury, and
that upon the trial of said action Henry
C. Price appeared as a witness for and
on behalf of the said Henry C. Price
(plaintiff) and was there and there duly
and regularly sworn by said Court
as such witness; that the evidence
he should give relating to the matter
in difference between the said parties
should be the truth, the whole truth and
nothing but the truth; and upon the trial
of the said action it then and there
became material to enquire whether

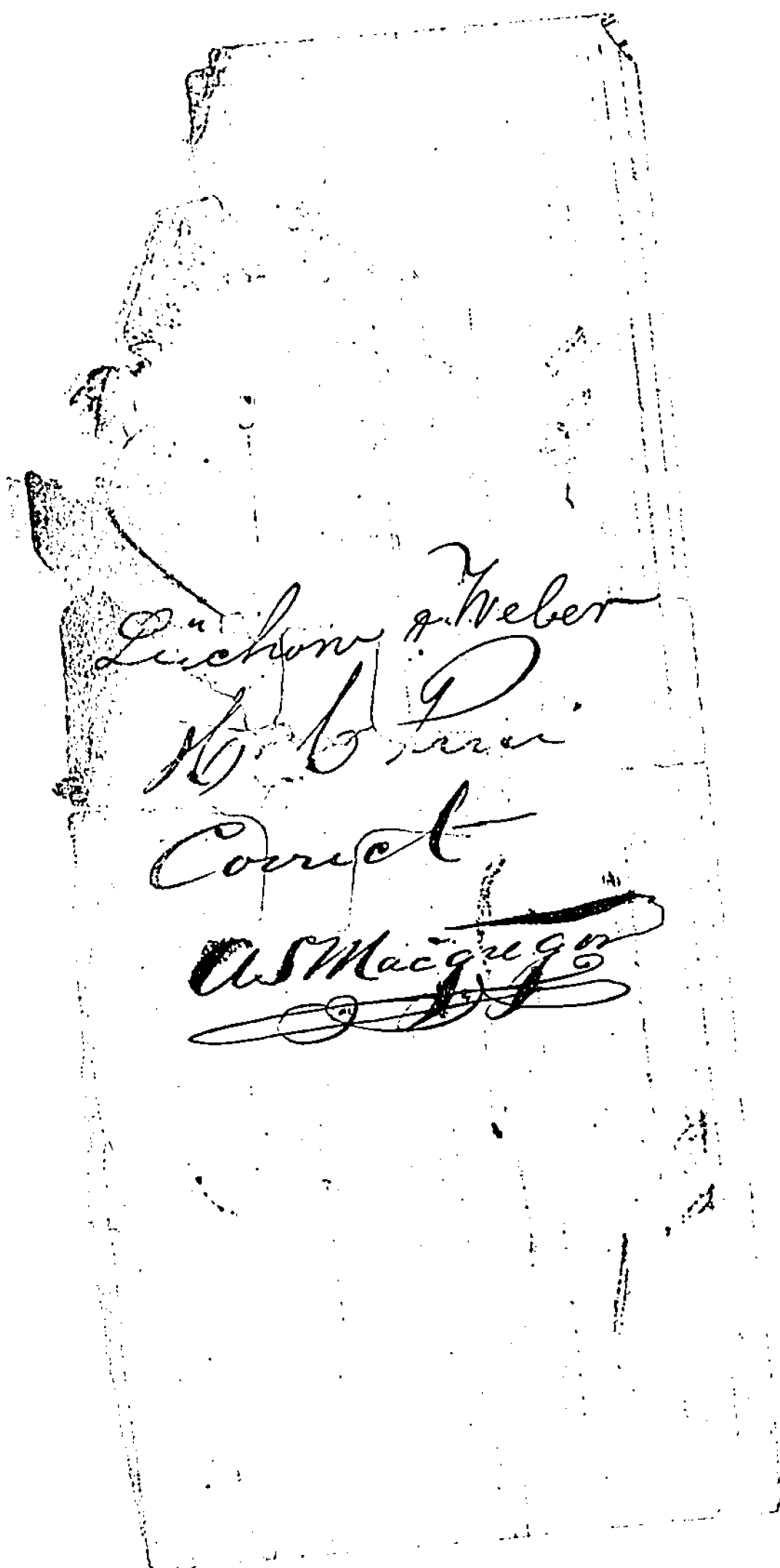
POOR QUALITY
ORIGINAL

03 16



POOR QUALITY
ORIGINAL

03 17



0318

New York, August 13th 1884

PLUMBING, GAS AND STEAM FITTING

112 EAST 14th STREET, BET. 3rd AND 4th AVENUES.

~~394.58~~

By Merchandise Cash Paid
" Cash

$$\begin{array}{r} 500 \\ 10000 \overline{) 10500} \\ \underline{10000} \\ 500 \end{array}$$

**POOR QUALITY
ORIGINAL**

0319

gee
happy
he

POOR QUALITY
ORIGINAL

0320

Grand Jury Room.

PEOPLE

vs.

Henry C. Price

Perjury

~ 677 0 4 1 9 1 2 1 1 2
J ° 10 x

POOR QUALITY
ORIGINAL

0321

Goffe,

v.

Succ.

The jury, who tried the case,
having disagreed, the
bail may be reduced

\$1000⁰⁰

Dec^r 27. 1887 Fdz

POOR QUALITY
ORIGINAL

0322

District Attorney's Office.

PEOPLE

vs.

Henry C. Prier
Requing -

This case is set
for 12th inst.
I want it adjourned
to 14th inst. then
positively to be tried.

Notify counsel
Resubpoena with
process.

Dec 10/17 R B M
To Mr. Parker

and that upon the said Henry C. Price
being so sworn as a witness as aforesaid
did then and there on the trial of the
said action falsely, wilfully and
corruptly depose, swear and testify
among other things, that

whereas, in truth and in fact the

whereby the said Henry C. Price did then and
there wilfully and corruptly swear
falsely and commit wilful and
corrupt perjury.

Taken, subscribed and sworn to
before me the day of 1886 }

POOR QUALITY
ORIGINAL

0324

NEW YORK GENERAL SESSIONS.

THE PEOPLE

against

HENRY L. PRICE.

Indictment
for
Perjury.

Hon. John W. *Goff* ~~Fellows~~,

Acting District Attorney.

Dear Sir:-

In relation to the above entitled action,
submitted to me for examination, I report as follows:

The indictment in this case, was found on the
30th of September, 1886, and charges the defendant with
the crime of perjury, alleged to have been committed as
a witness in an action in which the defendant was plain-
tiff, and one Mrs. MacGregor was defendant, tried in
the City Court, before Chief Justice McAdam and a jury.
The action was brought by Price against Mrs. MacGregor,
to recover for services performed by said Price as a
plumber in her house on Lexington Avenue in this city.
It would seem that upon the trial of this action, the
main question that was contested was as to whether the
work had been performed for Mrs. MacGregor or for her
husband. The plaintiff Price testified that her hus-
band, at the time this work was performed, was substan-
tially insolvent, that there were judgments outstanding
against him, and that for this reason he declined to do

the work unless Mrs. MacGregor would pay therefore, she being the owner of the house and she acceded to this proposition and the work was done. It will be noticed that Mrs. MacGregor never appeared in this trial in the City Court to contradict the plaintiff's testimony, but the complainant in this case her husband did appear and testified in terms contradicting the plaintiff. His testimony was also supported to some extent by that of his son. The question, however, as to the liability of Mrs. MacGregor for this work was fairly and squarely determined before the jury in that case and a verdict rendered for the plaintiff (Price), and I understand that the judgment in that case, although it was appealed from, was eventually affirmed and paid by Mrs. MacGregor. After the trial of this case, the complainant Mr. MacGregor procured the arrest of Price upon the ground of perjury, in swearing in the City Court that Mrs. MacGregor had agreed to pay for the work done in her house when in truth the agreement had been made with him. I understand that after defendant was held the matter was several times before the Grand Jury, that on one occasion it was dismissed by them, and that it was resubmitted to them by Recorder Smyth, and as a result an indictment was found against Price upon this charge. The case was brought before Recorder Smyth on the 21st of December, 1887, was tried and the jury disagreed, standing eight for conviction and four for acquittal. A number of witnesses testified upon behalf of the People

People that Mrs. MacGregor at the time that Price alleges that he made the contract or agreement with her for this work, was not in New York and had not been for several months prior thereto. These witnesses consisted principally of Mrs. MacGregor, her husband and other members of her family, and whilst their testimony might be perfectly true, still it would be open to suspicion on the part of a jury, that Mrs. MacGregor and her family were naturally inclined to side with Mr. MacGregor in his desire to have the defendant convicted. This suspicion might naturally engender a doubt in the minds of reasonable and fair men as to the guilt of the defendant. To this fact must be added the additional circumstance that it is not at all improbable that Price should have made a contract of this nature with Mrs. MacGregor, if he knew at the time that MacGregor himself was practically insolvent. He however, swears positively that the contract was made with Mrs. MacGregor, and he was to some extent corroborated by a witness who swore that he had seen Mrs. MacGregor in her house during or about the time the contract was alleged to have been made. It strikes me also as being very peculiar, after looking over the whole case and would so impress any reasonable man that Mrs. MacGregor should have allowed an action to be brought against her involving her liability for this work, and that she should have failed to go upon the stand as a witness and refute the story told by Price, and that finally she should have failed to complain

**POOR QUALITY
ORIGINAL**

0327

4

against Price but allow her husband to do so.

In view of all the circumstances, and of the fact that the case was once carefully tried before the Recorder and the jury failed to agree, I believe that it would be very difficult to secure a conviction upon a further trial and I would recommend that the indictment be dismissed.

Dated July 3, 1889.

Benjamin D. Johnson
Attorney

**POOR QUALITY
ORIGINAL**

0328

THE PEOPLE OF THE STATE OF
NEW YORK,

against

Henry E. Price

Replevin

JOHN R. FELLOWS,

DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,
NEW YORK CITY.

POOR QUALITY
ORIGINAL

0329

District Attorney's Office.

PEOPLE

vs.

For

Mr. Giff
from

Mr. Anderson

At a Special Term of the Supreme Court of the
State of New York held at Chambers thereof
in the County Court House City & County of
New York on the 11 day of December 1886.

PRESENT

HON. GEORGE C. BARRETT,

JUSTICE.

A N N A E. M A C G R E G O R . "

V S

HENRY C. PRICE, HUGH J. GRANT AS
SHERIFF OF THE COUNTY OF NEW YORK
AND JOHN LAVERY AS DEPUTY SHERIFF
OF SAID COUNTY.

ORDER DENYING MOTION
" TO CONTINUE TEMPORARY
" INJUNCTION AND VACAT
" ING THE SAME WITH COSTS

The motion herein on order to show cause of November 27th
1886 with stay restraining the defendants from enforcing under
execution the two certain judgments heretofore obtained in the
City Court of New York by the defendant Henry C. Price as
plaintiff therein against the plaintiff Anna E. Macgregor as
defendant in said action having come on duly to be heard upon
adjournments regularly made to this date; Now on reading and
filing the said order to show cause the summons herein together
with the complaint verified November 26th, 1886 Schedule "A"
and indictment against the defendant Price the affidavit of
James M. Macgregor verified November 26th, 1886 Anna E. Macgre-
gor, Woolsey Carmalt, plaintiffs attorney, verified the same
date, Schedule "X" copy affidavit A. C. McKenzie verified
April 23, 1886 the affidavit of said McKenzie verified in this
action November 26th, 1886 of William Henry McKenzie verified
November 27, 1886 and William Mackey and John Martin and
Michael J. Irwin each verified November 26, 1886 and the affi-

davit of Thomas P. Wickes verified December 11th, 1886 annexed to and submitted with said order to show cause and the affidavits of J. Homer Hildreth, verified respectively December 8, and December 11th, 1886 together with the final order of November 20, 1886 made by the said City Court in the action of Price against Macgregor with the moving and opposing papers and proofs therein recited and submitted to this Court in opposition to the present motion as a record of the proceedings in the said City Court; together with the demurrer interposed to the complaint herein and after hearing Thomas P. Wickes Esq of counsel for the plaintiff in support of said motion to continue temporary injunction granted herein as aforesaid and J. Homer Hildreth Esq. attorney of record for the principal defendant Henry C. Price and of counsel for the defense on this motion in opposition thereto,

I T I S O R D E R E D & A D J U D G E D due deliberation having been had, that the said motion to continue the said temporary injunction granted with said order ~~to continue the said temporary injunction granted with said order~~ to show cause of November 27th, 1886 pendente lite or for any purpose, be and the same hereby is denied in all things; and the temporary injunction or stay granted with the aforesaid order to show cause is hereby vacated and set aside with Ten (\$10) dollars costs to the defendant Henry C. Price.

A Copy

James A. Flack,

W.E.H. (Seal)

Clerk.

0332

Poste a. Judgment perfected April 1887.
in favor of defendant
Price

Jas. A. Hlack Clerk.

J. Homer Hildreth
Attorney for defendant Henry C. Price.

At a Special Term of the City Court of New York
held at Chambers thereof, N. Y. City on
the 31st day of December A. D. 1896.

PRESENT

HON. S. MURDOCK HYATT,

JUSTICE.

HENRY S. PRICE .

VS

ANNA E. HACCORSON

Order denying motion on

order to show cause of De-

cember 17th, 1896.

The motion herein on the behalf of the defendant on order
to show cause of date December 17th, 1896 why all proceedings
on the part of this plaintiff and on the part of the Sheriff
of the County of New York to enforce the executions heretofore
issued in this action, should not be stayed until ten days
after the trial of the indictment against the plaintiff, and
why the defendant should not have such other and further re-
lief in the premises as may be just, having come on duly to be
heard upon adjournment had this day; Now on reading and filing
the said order to show cause with the affidavit of Francis L.
Wellman verified December 17th, 1896 and upon the papers used
before the Honorable Charles J. Mehrbas by the defendant on
the argument of the motion for a stay of proceedings in this
action until after the trial of the indictment against the
plaintiff including the affidavit of the said plaintiff used
in opposition upon the said motion before Judge Mehrbas which
was argued and denied November 30th, 1896; and upon all the
papers and proceedings in this action; and likewise upon the

affidavit of plaintiffs attorney verified December 21st 1896
together with the proceedings, judgments and orders herein in
said affidavit referred to and made part thereof, which have
been submitted in opposition to this motion; and after hearing
Thomas P. Wicken Esq. in support of said motion and J. Venter
Hildreth Esq. in opposition thereto; and due deliberation and
consideration having been had,

I T I S O R D E R E D that the relief asked in and
by said order to show cause of December 17th, 1896 be and the
same hereby is in all things denied; and the stay heretofore
granted therewith is absolutely vacated and set aside.

A. copy
John Reid
Clerk

POOR QUALITY
ORIGINAL

0335

The timely service
of a certified copy
of an order of which
the within is a copy
is hereby admitted
December 2, 1976
Served " " "
at 1:45 PM by
Attorney for Defendant

At a Special Term of the City Court of New
York held at Chambers thereof in the
City Hall, New York City on the 20th,
da day of November 1886.

PRESENT

HON. CHARLES J. NEHRBAS

JUSTICE.

HENRY G. PRICE .

V S

ANNA E. MACGREGOR .

ORDER DENYING MOTION ON OR-
DER TO SHOW CAUSE NOVEMBER
12th, 1886 ON BEHALF OF DE
FENDANT.

The motion herein on behalf of the defendant on order to
show cause with temporary stay dated November 12 1886, why
all proceedings on the part of the plaintiff and of the Sher-
iff in and about the sale of the house and premises No.
1012 Lexington Avenue in this City, should not be stayed until ten
days after the conclusion of the trial of the plaintiff upon
the said indictment against him for alleged perjury; and why
the defendant should not then be allowed to renew her motion
for a new trial herein, or have such other and further relief
as in the premises may be just, having come on duly to be
heard, Now on reading and filing the said order to show cause
on behalf of the defendant with the following affidavits
annexed thereto, VIZ: James M. Macgregor, verified November 11
1886 and the indictment and summons marked "Schedules "A" & "B"
therein referred to, that of Anna E. Macgregor the defendant

verified November 13, 1886 Thomas P. Wickes verified November 13, 1886 those of Alexander C. McKenzie verified April 23, 1886 ("Schedule C") and November 1, 1886; William Henry McKenzie verified November 3, 1886; William Mackey verified November 8, 1886; and John Martin verified November 10th, 1886 and as well upon all the papers and proceedings in this action including the printed case on appeal to the General Term of this Court read, relied on and submitted by the defendant, and the affidavits of the plaintiff, Henry C. Price verified November 16, 1886 and the certificate of indictments against James M. Macgregor referred to therein as "Exhibit A" of J. Homer Hildreth verified November 20, 1886 and John Fyfe verified November 19, 1886 together with the records and proceedings therein relied upon for the plaintiff and upon the certificates presented by defendant showing the disposition of the said indictments Ex. A. And after Hearing Thomas P. Wickes Esq. of counsel for the defendant in support of said motion on order to show cause, and J. Homer Hildreth Esq. of Counsel for the plaintiff opposed thereto, and due deliberation having been had,

O R D E R E D That said motion on behalf of the defendant on order to show cause of date November 12, 1886 be and the same is hereby in all things denied, and the stay granted pending the hearing thereof absolutely vacated and set aside, with Ten (\$10.) Dollars costs to be paid by defendant to the plaintiff.

A. Gofy
John Reid
Clerk

POOR QUALITY
ORIGINAL

0330

J. V. City School

Price

to

Macgregor

per Order

Order

One timely service of
a certified copy of an
order of which this order
is a true copy as hereby
admitted
J. V. November 23^d 1888

Wm. B. Vickers
Atty for City

2

At a General Term of the City Court of New York
held at the City Hall in said City on the 27th
day of September 1886.

Present Hon. David McAdam C. J.

HON. Charles J. Mehrbas J. J.

Hon. S. Burdett Hyatt, J. J.

Henry C. Price. "

V S "

Anna E. Macgregor. "

Order denying application for leave
to go to the Court of Appeals.

A stay having been granted by the giving of the undertak-
ing provided for by the order entered herein of date July 21st
1886 for the purpose of enabling the defendant to apply to the
next (September) General Term of this Court under subdivision
3 section 191 Code of Civil Procedure for leave to prosecute
an appeal from the original judgment and judgment of affirmance
entered herein in favor of plaintiff to the Court of Appeals
of the State of New York; and the defendant having failed to
appear before or apply to the said General Term as in said
order permitted and the plaintiffs attorney having appeared
in opposition and noted the defendants said default; Now on
motion of J. Homer Hildreth Attorney for plaintiff herein and
upon all the papers and proceedings in this action IT IS ORDER
~~ED~~ ~~AND~~ ~~ADJUDGED~~ ~~that leave~~ ~~to~~ ~~prosecute~~ ~~an appeal herein to the~~

Court of Appeals be and the same is hereby refused to the de-
fendant and her attempt to prosecute such an appeal without
leave is hereby declared illegal and void. And it is further
ordered that the stay obtained pursuant to the order of July
21, 1886 and the undertaking given for that purpose in pursu-

**POOR QUALITY
ORIGINAL**

0340

2

ance thereof be and the same is hereby set aside in all things
and declared inoperative and of no further force or effect in
this action against plaintiffs rights to proceed on his execut
ions heretofore issued to the Sheriff of New York County.

A Copy

John Reid.

Clerk%

3

At a General Term of the City Court of New York
held at the City Court Rooms in the City Hall
New York City on the 3rd day of June 1886.

Present Hon.

Ernest Hall P. J.

Edward Browne and

Simon M. Ehrlich JJ.

Henry C. Price. "

Plff.& Respdt

V S

Anna E. Macgregor. "

Deft.& Applt

Order of affirmance.

The appeal from the judgment entered in this action at Trial
Term on the verdict of a jury for the sum of \$373.84. on the 20th
day of February 1886, and the order denying motion for a new trial
on the minutes, having come on duly to be heard at the General Term
It is now on motion of J. Homer Hildreth Esq. for Respondent after
hearing Henry Morrison Esq. for the Appellant, and due considerat-
ion and deliberation being given thereto, ORDERED and ADJUDGED,
that the said judgment and order so appealed from as aforesaid be
and the same is hereby in all things affirmed with costs to the
Respondent to be taxed.

A Copy

John Reid.

Clerk.

**POOR QUALITY
ORIGINAL**

0342

City Court of New York."

Henry C. Price. "

Plff. & Respdt. "

v S. "

ANNA E. MACGREGOR? "

Deft. & Applt. "

Postea. Judgment perfected on affirm-

ance June 30th, 1886.

The appeal from the judgment entered in this action at a Trial Term on the verdict of a jury for the sum of \$372.84 on the 20th, day of February 1886 and the order denying motion for a new trial on the minutes, having come on and duly affirmed, after a hearing pro and con at General Term; and the costs of Respondent having been duly taxed at \$109.69 pursuant to the order of affirmance and notice duly given therefor, Now on motion of J. Homer Hildreth Esq. Attorney for Plaintiff and Respondent it is ADJUDGED that the said Plaintiff and Respondent Henry C. Price have and recover judgment against the said defendant and appellant Anna E. Macgregor for the amount of said costs on affirmance to-wit on \$109.69 and that judgment pass accordingly with execution in his favor pursuant to statute.

J. Homer Hildreth.

John Reid.

Attorney for Respondent.

Clerk.

291 Broadway, N. Y.

POOR QUALITY
ORIGINAL

0343

City
of New York Court.

Henry G. Price
Respect & Plaintiff
against

Anna G. Macgregor
Applicant Defendant

*Postea. Judgment perfected
on affirmance June 30th
1886.*

J. HOMER HILDRETH,

Attorney for *Def. & Resp. Dr.*

291 Broadway,
NEW YORK CITY.

To *Marrison & Kennedy Esq. 20*

Attorneys for *Def. & Appl. & B. Way*

Due and timely service of a copy of within
Postea. Fines *entry proper*
is hereby admitted.

Dated, 1886

Attorney for *Def. & Appl.*

Surety by Mrs. Price 30th 86
C. B. Meyer, Printer, 218 Fulton St., N. Y.

4

At a Special Term of the City Court of New York
held at the Chambers thereof at City Hall,
N.Y. City on the 6th day of May 1886.

Present

HON. DAVID McAdam C. J.

Henry C. Price. *
Plff. & Respd
v S
Anna E. Macgregor *
Def. & Applt

Order denying motion for new trial on
the ground of surprise.

The motion herein on behalf of the defendant and appell-
ant above named for an order granting a new trial herein upon
the alleged ground of surprise to the defendant at Trial Term
having come on duly to be heard upon regular adjournments to
this date; Now on reading and filing said notice of motion
dated April 21, 1886 the affidavits of Anna E. Macgregor and
Rachel A. Macgregor verified March 18, 1886 together with the
affidavit of Michael J. Irwin verified March 18, 1886 and a
second affidavit of Anna E. Macgregor verified April 21, 1886
with the verified certificate of John B. Isham M. D. dated
February 18 and sworn to April 21, 1886 for the motion and the
affidavit of plaintiffs attorney verified April 26, 1886 and
the affidavits of John Fyfe and Alexander C. McKenzie verified
respectively April 24, and 23, 1886 in opposition and upon an
inspection and consideration of the pleadings and stenograph-
ers minutes of testimony in this action and after hearing L.J.
Morrison Esq. in support of the motion and J. Homer Hildreth
Esq. in opposition thereto and due deliberation having been had

**POOR QUALITY
ORIGINAL**

0345

ORDERED : - That the said motion be and the same is
hereby denied in all things with \$10. costs to the plaintiff
to abide the event.

A Copy.

John Reid.

Clerk.

5-

City Court of New York.

-----X	
Henry C. Price,	:
Plaintiff.:	Postea Judgment perfected
VS	:
Anna E. Macgregor.	:
Defendant.:	February 20th, 1886.
-----X	

The issues in this action having come on duly for trial before Hon. David Mc Adam, Chief Justice and a jury in Part I of the abovenamed Court, on the 18th day of February, 1886 and the same having been tried, and thereupon the jury having rendered a verdict for the Plaintiff, for the full amount claimed with interest, amounting to \$265.68.

And the costs of Plaintiff having been taxed at \$107.16 on notice. Now on motion of J. Homer Hildreth Esq., Attorney for Plaintiff, it is ordered and adjudged that the said Plaintiff Henry C. Price recover from the said Defendant Anna E. Macgregor the sum of \$372.84 being the aggregate of said verdict, and costs aforesaid; as his damages and costs in this action. Let judgment pass accordingly and execution in favor of Plaintiff herein.

J. Homer Hildreth

Plff's Att'y. 291 Broadway, N.Y.

John Reid.

Clerk.

Gentlemen
 Please take
 notice that the within
 is a copy of the judg-
 ment entered in this
 action in favor of the
 Plaintiff against
 the Defendant for the
 sum of \$372.84 in
 the Office of the Clerk
 of the City Court of N.Y.
 on the 20th day of
 July 1886.

Dated N.Y. July 24th/86
 Yours So.
 J. Homer Hildreth
 Atty for Plff.
 291 B'way

To Morrison & Kennedy
 Attys for Def.
 21 Nassau St

City
 of New York
 Court.

Henry & Price
 Plaintiff
 against
 Anna C. Macgregor.

Defendant
 Judgment Roll
 Recovery 265.68
 Costs 107.16
 Total 372.84

J. HOMER HILDRETH,
 Attorney for Plaintiff.
 291 Broadway,
 NEW YORK CITY.

To Morrison & Kennedy Esq.
 Attorney for Def. 21 Nassau St

Due and timely service of a copy of within judgment
 + notice of entry is hereby admitted.
 Dated, N.Y. July 24th 1886
 Sured by Wm. Hilly 24/86.

Attorney for

POOR QUALITY
 ORIGINAL

0347

1886.12.29
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POOR QUALITY
ORIGINAL

0348

PART I

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To Warburton
of No. Part I City Court Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the 16th day of December instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Harry C. Rice

in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH. Recorder of our said City, at the City Hall in our said City, the first Monday of December in the year of our Lord 1887

RANDOLPH B. MARTINE, *District Attorney.*

0349

No. 150

FROM THE

NATIONAL PRESS
26
Church Street,
New York City
P.O. Box
2747
INTELLIGENCE

You can change your order at will by adding to or taking from the original directions as to topics, thus enabling you to regulate the character of the service to you.

From the

Date, _____

[illegible]

1. **Einleitung**
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POOR QUALITY
ORIGINAL

0350

10 YEAR OF SUCCESS.

No. 150

FROM THE
NATIONAL PRESS
26
Church Street,
New York City
P.O. Box
2747
INTELLIGENCE

Additional copies of the paper from which the attached article was taken may be had through this agency. Name paper and its date, and number required.

You can change your order at will by adding to or taking from the original directions as to topics, thus enabling you to regulate the character of the service to you.

From the

Date

Die Messerhelden Byrnes und Wolf. — Des Ersteren Proceß dem Ende nahe. — Was Hilfs. Der Staatsanwalt Burdy über Wolf sagt. Die Verhandlungen im Byrnes'schen Mordproceß, welcher gestern in Abtheilung II. des Generalassisen vor Richter Cowing fortgesetzt wurde, hatten abermals eine zahlreiche Schaar von Zuhörern angezogen, die den Zeugnisaussagen mit großem Interesse lauschten. Anwalt House eröffnete die Vertheidigung mit der Erklärung, er werde beweisen, daß Whalen nicht der Stichwunde erlegen, sondern an den Folgen der Trunkucht und Pneumonia, welche letztere er sich durch Erkältung zuzog, weil man in dem Krankenzimmer, dicht neben dem Bette des Patienten, ein Fenster offen gehalten hatte, gestorben sei. Weiter erklärte er, Byrnes habe in Selbstvertheidigung gehandelt und sei von James Whalen, dem Bruder des Verstorbenen, mit einem Revolver bedroht worden. — Dr. Fabius J. Kane war der erste Entlastungszeuge und beschwor, Timothy Whalen vor der Stichaffaire, als derselbe an Bright'scher Nierenkrankheit und an Delirium tremens litt, behandelt zu haben. Die Stichwunde, welche Whalen erhalten, habe er ebenfalls und zwar antiseptisch behandelt. Im weiteren Verhör erklärte Jerges, er sei bei der Autopsie zugegen gewesen und der festen Meinung, daß Whalen nicht an den Folgen der Wunde, sondern an Pneumonia starb, die er sich nach der Stichaffaire zugezogen. — Dr. Chas. E. Lewis, der nächste Zeuge, bezeugte ebenfalls, Whalen sei an Pneumonia gestorben, die eine indirekte Folge der Stichwunde gewesen sei. Der Angeklagte betrat dann selbst den Zeugenstand, wo er angab, 26 Jahre alt zu sein und wegen Einbruchs sechs Monate Haft verbüßt zu haben, sowie vorher einen Termin wegen Diebstahls. Günstiglich der Stichaffaire sagte er aus, er sei bei Timothy Whalen angegriffen worden, dieser habe seinem Bruder zugerufen, ihn Byrnes zu ergreifen und da er geglaubt, sein Leben sei in Gefahr, so habe er sein Messer gezogen und seinem Angreifer einen Stich verleiht. Nachdem der Angeklagte abgetreten war, frug Richter Cowing, warum Clara Allen, die Freundin von Byrnes, welche Augenzeugin der Stichaffaire gewesen, nicht als Zeugin aufgerufen würde; es stellte sich heraus, daß weder die Anklage noch die Vertheidigung die Betreffende aufzurufen wünschte. Ein derartiger Fall ist mit noch nicht vorgekommen, äußerte der Richter. Anwalt House hielt nun das Schlussplaidoyer für die Vertheidigung und als er während desselben ausrief, der Zeuge James Whalen habe keinen Revolver gehabt, als er beschwor, keinen Revolver gehabt zu haben, ertönte plötzlich ein lautes Schrei durch das Gerichtszimmer, und James Whalen stürzte, von Krämpfen befallen, zu Boden. Er wurde in den Korridor gebracht, wo er sich bald darauf wieder erhob. Nachdem Herr House geendet, hielt der Staatsanwalt das Schlussplaidoyer für die Anklage und Richter Cowing verurtheilte dann die Sache bis zum Montag. — George E. Wolf, welcher vorgestern Abend in Abtheilung I. der Generalassisen des Angriffes im zweiten Grade schuldig befunden wurde, wird am kommenden Donnerstag dem Recorder Smyth vorgeführt werden, um sein Urtheil zu empfangen. Staatsanwalt Burdy sagte gestern, wenn er im Bureau des Staatsanwaltes verbleiben würde, so würde er darauf sehen, daß Wolf des Mordes im ersten Grade angeklagt werde. Meinung nach des Zeugen

Proceß Wolf dem jüngsten Ueberlegur

**POOR QUALITY
ORIGINAL**

0351

District Attorney's Office.

Part One

PEOPLE

vs.

Dec. 19

Calendar

POOR QUALITY
ORIGINAL

0352

New York, *April 14th* 1880

MECHANICS' NATIONAL BANK.
88 WALL STREET.

Pay to *Charles Kefellstrom* or Order,
Twenty four 00/100 Dollars.

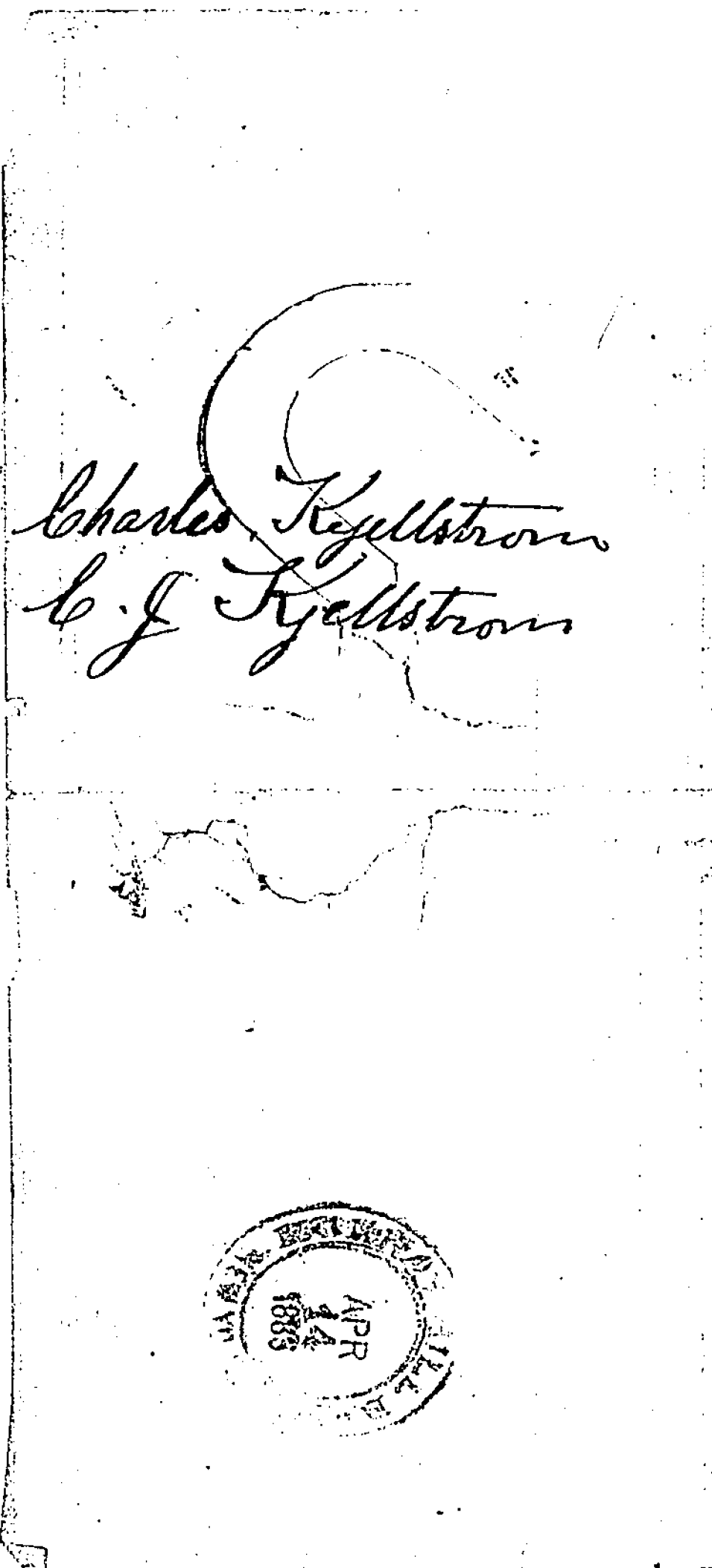
\$ *24.00*

A. S. Macgregor

Chas. H. Clayton & Co., 100 Pearl St., N. Y.

**POOR QUALITY
ORIGINAL**

0353



POOR QUALITY
ORIGINAL

0354

DISTRICT ATTORNEY'S OFFICE,

New York,

March 8 1887

The People
vs
Henry C. Price

Let this case be
tried at an early
day -

Notify E. P. Wilder - atty
for deft. R B M

POOR QUALITY
ORIGINAL

0355

Summons.—814.

John Polhemus, Printer and Mfg Stationer, 102 Nassau St., N. Y.

City Court of New York
Henry C. Price

against

Summons.

Anna E. Macgreggor.

To the above named Defendant

You are hereby Summone~~d~~^d to answer the complaint in this action, and to serve a copy of your answer on the Plaintiffs Attorney within ²⁰~~twenty~~ days after the service of this summons, exclusive of the day of service; and in case of your failure to appear, or answer, judgment will be taken against you by default, for the relief demanded in the complaint.

Dated N.Y. Aug 13th 1884

Office and Post Office Address,

No.

Home Hildreth
291 Broadway
N.Y.C.

Plaintiff's Attorney

Street,

POOR QUALITY
ORIGINAL

0356

City Court of New York
Henry O. Price

against

Anna E. Macgreggor

copy Summons.

J. Homer Hildreth

Plaintiff's Attorney

To the Defendant

291 Broadway

Notice is hereby given to you that, upon
your default to appear, or answer the within
summons, judgment will be taken against you
for the sum of \$ 289.58 ~~7~~, with
interest from the 1st day
of July 1883, and with the
costs of this action.

J. Homer Hildreth

Plaintiff's Attorney

291 Broadway N.Y.

Served 13 ~~th~~ August 1883

POOR QUALITY
ORIGINAL

0357

District Attorney's Office

PEOPLE

vs.

Kenny C. Price
Perjury

To be tried
among early bail
cases. P.B.M.,
Nov 15/87

To Mr Parker

Mr. Day, let this out of
this among bundle.
ADP

POOR QUALITY
ORIGINAL

0358

People ex rel
J.M. Macgregor
v
Henry C. Price.

J. Homer Childreth
291 Broadway,

New York, November 14th, 1887.

HON. Randolph B. Martine.

No. 32 Chambers Street.

My Dear Sir:-

By bringing the above entitled cause to trial
before the close of your term as District Attorney
you will greatly oblige, my client and

Yours Truly,

J. Homer Childreth

Attorney for H. C. Price.

P. S. Please have me advised of the day fixed by you
for trial.

POOR QUALITY
ORIGINAL

0359

LITIGATIONS.

PATENTS.

TITLES TO REALTY

LAW OFFICE

People ex rel

J.M. Macgregor

v

Henry C. Price.

J. Homer Childress

291 Broadway,

New York, November 14th, 1887.

HON. Randolph B. Martine.

No. 32 Chambers Street.

My Dear Sir:-

By bringing the above entitled cause to trial
before the close of your term as District Attorney
you will greatly oblige, my client and

Yours Truly,

J. Homer Childress

Attorney for H. C. Price.

P. S. Please have me advised of the day fixed by you
for trial.

POOR QUALITY
ORIGINAL

0360

House of Detention

New York Sept 11th 1917
James Fitzgould. esq.

Dear Sir.

I write these few lines to you as I think you have all facilities of knowing about the coming trials would you be kind enough to give me any information you can as to when the case of George L. Wolf. Homicide will be called I have been here since April 11th just five months today and as you may well imagine I am pretty tired by so doing you will greatly oblige

Yours Respectfully

John Lambert.

**POOR QUALITY
ORIGINAL**

0361

People
v
Geo. L. Wolf,
Homicide

POOR QUALITY
ORIGINAL

0362

Chief Clerk. Parker.

Dear Sir.

Having received your reply
in September informing me
that the case of George L.
Wolf. charged with Homicide
was to be disposed of that
term. I have patiently been
waiting for it to be disposed
of ever since I am now
waiting for the case to
appear on the calendar again
when I will be brought into
court for the right time
from the House of Detention
where I have been detained
for the past eight months
living in hopes to be
released from one week to
another but all in vain

POOR QUALITY
ORIGINAL

0363

for it looks to me as
though the prisoner has it
all his own way he has
the case postponed from
one week to another.
I should think eight months
is time enough for both
sides to be ready to go on
with the case. as they
have the same evidence
they had eight months ago
hoping you will take this
into consideration and that
you will do all in your
power to have this case
drawn up for humanity
sake.

I remain
yours Respectfully
John. Gumbert.

District Attorney's Office.

PEOPLE

vs.

Henry C. Price -
Perjury -

Dismissed by G.J.
May 12.

What witnesses
were before G.J.
June 14/86 P.B.M.

James Greger
Rachel McPherson
and Henry C. Price
Sent for by Com.

Judge -
Caring says
He will
deserving the
compulsory
term if
People are
not ready

See that
witnesses are
able to attend
off prepared
G.J.
G.J.

POOR QUALITY
ORIGINAL

0365

District Attorney's Office.

Part Two

PEOPLE

vs.

Henry C. Price

April 7th
26

~~*Served by*~~
~~*Complainant*~~

~~*Apr. 7*~~

~~*Price & Bond*~~

June 20th 87

Dear Sir

I would be exceedingly thankful to you if you would Please be so kind and put me on Trial. I am confined in the Jails the last three Months I am charged for a crime which I am innocent of and would like to prove it. my Counsel say that it is you that is keeping it back if so I beg of you Please be so kind and have a little compassion on me, as I have a Wife and Child and a poor sick Mother that depend on me for support. my Father is dead now twenty three years and there is no one to look to for anything now as I am unable to do now so Please be so kind and arrange it if possible for me to get Tried this Month yet if not for my sake let it be for my Family. my health is very bad in fact I have the Doctor every now and then so I beg of you Please be so.

**POOR QUALITY
ORIGINAL**

0367

kind and tend to it.
by doing so you will earnestly and
kindly Oblige me

Very Respectfully
George L. Wolf

People
✓
Geo. L. Wolf

POOR QUALITY
ORIGINAL

0368

House of Detention

Mr. Parker.

New York. Sept. 9th 1897

Dear Sir.

I saw in today's ~~fourth~~^{Journal} an article in regards to the trial coming up in which two of the inmates of this House are concerned knowing that you have all facilities of knowing about the coming trials would you be kind enough to give me any information you can as to when the case of George L. Wolf. Homicide will be called. I have been detained here since April the 11th and as you may very well imagine I am pretty tired by so doing you will greatly oblige

Yours Respectfully
John Lombert.

POOR QUALITY
ORIGINAL

0369

Pao
v
Geo L Wolf

Homicide

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

-----X
The People of the State of New York
Against
H e n r y C. P r i c e .
-----X

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK,
by this indictment, accuse Henry C. Price of the crime of
Perjury, committed as follows:

Heretofore, to wit: on the eighteenth day of February
in the year of our Lord one thousand eight hundred and
eighty-six, at the City and County of New York, a certain
action upon contract wherein the said Henry C. Price was
plaintiff and one Anna E. Macgregor was defendant, was
duly pending in the City Court of New York; and on the
day and in the year aforesaid, before the Honorable David
McAdam, Chief Justice of the said Court, the issues before
then joined between the said Henry C. Price and Anna E.
Macgregor in the said action came on to be tried, and were
then and there in due form of law tried, before the said
the Honorable David McAdam Justice as aforesaid and by a
jury of the said County in that behalf duly summoned,
taken and sworn, between the parties aforesaid.

And upon the said trial of the said issues the said
Henry C. Price, late of the City and County of New York,

aforesaid, then and there appeared as a witness in his own behalf, and was then and there duly sworn and did take his corporal oath before the said the Honorable David McAdam, justice as aforesaid, that the evidence which he, the said Henry C. Price should give to the said Court and to the said Jury, so sworn as aforesaid, touching the matter in question between the said parties, should be the truth, the whole truth and nothing but the truth, he the said David McAdam, Justice as aforesaid, then and there having sufficient and competent authority to administer the said oath to the said Henry C. Price in that behalf.

And at and upon the said trial of the said issues, so joined between the said parties as aforesaid, to wit: on the day and in the year aforesaid, the following questions respectively became and were material thereto, that is to say:

Whether at any time in the month of March or April 1883, he the said Henry C. Price went to the house of the said Anna E. Macgregor at No. 1012 Lexington Avenue in said City, and there met the said Anna E. Macgregor and James M. Macgregor, her husband, and other members of the family of the said Anna E. Macgregor; and whether he, the said Henry C. Price then went over the plans as to certain plumbing work upon the said house to be done and performed by the said Henry C. Price, and made arrangements as to the doing of said work. And whether he, the said James M. Macgregor wanted a figure on the work, and whether

the said James M. Macgregor told the said Henry C. Price, that the said Anna E. Macgregor owned the said house; and whether, while he, the said Henry C. Price was engaged in the doing of the said plumbing work in the said house, he saw the said Anna E. Macgregor there, and whether the said Anna E. Macgregor gave him the said Henry C. Price, directions as to the said work.

And the said Henry C. Price having been so sworn as aforesaid, then and there on the said trial of the said issues, upon his oath, ~~as~~ aforesaid, feloniously, knowingly, wilfully and corruptly, before the said jurors so sworn to try the said issues as aforesaid, and before the said David McAdam, such Justice as aforesaid, did falsely swear, depose and say amongst other things in substance and to the effect following, that is to say:

That some time in March or April 1883, he, the said Henry C. Price, received a note or notice, left at his store to call at the said house of the said Anna E. Macgregor, in reference to some plumbing work; that the said Henry C. Price, went to the said house and there met the said Anna E. Macgregor and James M. Macgregor her husband, and a couple more members of the said family; that the plans in reference to the said plumbing work were then gone over and arrangements made regarding the said work; that the said James M. Macgregor wanted a figure on the said work, which he, the said Henry C. Price gave to him; that the said Henry C. Price went back to the said house again and met the said Anna E. Macgregor and James M. Macgregor

4

and asked the said James M. Macgregor who owned the said house; that the said James M. Macgregor tol him, the said Henry C. price, that the said Anna E. Macgregor owned it, and that the said James M. Macgregor paid all of the said Anna E. Macgregor's bills; and that at this time the said Anna E. Macgregor was present; that while he the said Henry C. Price was doing work in the said house he saw the said Anna E. Macgregor there; that she the said Anna E. Macgregor was throughout the whole house, in fact all over, and gave him, said Henry C. Price, directions as to some of the work to be done in the said house; that the said Anna E. Macgregor gave him the said Henry C. Price, directions in reference to the servants water closet in the basement of the said house; that she, the said Anna E. Macgregor said that she was going to have that chabged so as to make more room there, and wanted to know whether it would cost much more to put a wash basin in her son's room, and if not to have it put in; that the said Henry C. ^rrice, gave the probable cost of putting in such a wash basin and was ordered to put the same in.

ff

Whereas in truth and in fact he, the said Henry C. Price, did not at any time in March or April 1883 receive a note or notice to call at the said house in reference to some plumbing work, and did not go there, and did not me meet the said Anna E. Macgregor, James Macgregor and a couple more members of the said family, and the plans in reference to the said plumbing work were not gone over,

and arrangements were not then made regarding the said work, and the said James M. Macgregor did not want a figure on the said work, and

Whereas in truth and in fact he, the said Henry C. Price, did not go back to the said house again and did not meet the said Anna E. Macgregor and James M. Macgregor there, and did not ask the said James M. Macgregor who owned the said house; and the said James M. Macgregor did not tell the said Henry C. Price that the said Anna E. Macgregor owned the said house; and the said Anna E. Macgregor was not present at the said time; and the said James M. Macgregor did not say that he was the agent of the said Anna E. Macgregor and attended to the payment of her bills, and

Whereas in truth and in fact while he, the said Henry C. Price was at work in the said house he did not see the said Anna E. Macgregor there; and the said Anna E. Macgregor was not throughout the whole house and all over the said house, and did not give the said Henry C. Price directions as to some of the work to be done in the said house, and did not give him directions in reference to the servants water closet in the basement of said house, and did not say she was going to have that changed so as to make more room there, and did not want to know whether it would cost much more to put a wash basin in her son's room, and if not to have it put in; and the said Henry C. Price did not give the probable cost of putting such wash basin in, and was not ordered to put the same in.

And whereas in truth and in fact all the material matters so as aforesaid, by the said Henry C. Price then and there upon the said trial of the said issues sworn to, deposed and said in manner aforesaid, were then and there in all things, utterly false and untrue, as he, the said Henry C. Price then and there well knew.

And so the Grand Jury aforesaid do say that the said Henry C. Price in manner and form aforesaid, feloniously, knowingly, wilfully, corruptly and falsely did commit wilful and corrupt perjury; 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.

RANDOLPH B. MARTINE,

DISTRICT ATTORNEY.

0376

BOX:

232

FOLDER:

2267

DESCRIPTION:

Pulsky, Abraham

DATE:

09/14/86



2267

It appearing that within dept, was
tried & convicted of petit larceny in
court of final decisions on Feb 1885.
I withdraw all recommendation in this
report except direct that case be open
Sept 24, 1886.
Witnesses
Geo. Post
dist. atty.

Geo. Post

From an examination of
the papers in this case it
presents a strong case for
clemency. The murder of the
diere to the guilty and there
seems to be no good reason
for dismissing the indict-
ment. But his appeal for mercy
and clemency and his previous
character which all the cir-
cumstances being considered
I recommend that sentence
be suspended of debt, should
guilty.

Sept 12/86
Randolph B. Martine
dist. atty.

The witnesses Post &
Jennimah King gave
best best reputations. Case
should be tried. D. & L. 1886

A. Colman
3, 4 1886

Counsel,
Filed 14 day of Sept 1886
Pleads *Murder*

THE PEOPLE

vs.
Abraham Pulsley

Abraham Pulsley

vs.

Pen. Code

RANDOLPH B. MARTINE,

22 Sept 24/86 District Attorney.

A True Bill.

Maat McClellan
Sept 24/86
Foreman.

Sept 24/86
G.S.D.

Logr

I find from our
Examination that
the value of the
stolen property is
less than \$200
+ James P. French
and S. E. P. 1886

POOR QUALITY
ORIGINAL

0377

POOR QUALITY
ORIGINAL

0378

Police Court—

1st District.

Affidavit—Larceny.

City and County
of New York,

of No.

9 Reade

occupation

Drive a wagon

Street, aged

31

years,

being duly sworn

deposes and says, that on the

20th

day of

August

1886

at the City of New

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

of deponent, in the day time, the following property viz :

Four Butcher Scales together of
the value of Thirty Dollars

the property of

Landerback, Gilbert & Co in the
care and custody of deponent

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

(now here) from the fact that deponent
missed the aforesaid property from
a wagon in deponent care standing in
front of premises no 13 Cliff Street and
deponent found the aforesaid property
in defendant's possession in a Bleeker Street
rail road car in Fulton Street and
deponent identified said property as
the property taken stolen and carried
away as aforesaid

Geo Post

Sworn to before me this

day

Police Justice.

POOR QUALITY
ORIGINAL

0379

Sec. 198-200.

1 District Police Court.

CITY AND COUNTY {
OF NEW YORK, } ss

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

Question What is your name?

Answer *Abraham Pulsky*

Question. How old are you?

Answer *22 years.*

Question. Where were you born?

Answer. *Poland*

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

Answer. *304 Cherry St. 1 month.*

Question What is your business or profession?

Answer *Shin - cutter*

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

Answer. *I am not guilty -*
Abraham Pulsky
Marr

Taken before me this
day of

August 1936
Police Justice

POOR QUALITY
ORIGINAL

0380

BAILED,
No. 1, by _____
Residence _____
Street _____
No. 2, by _____
Residence _____
Street _____
No. 3, by _____
Residence _____
Street _____
No. 4, by _____
Residence _____
Street _____

1st District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George Cook
Abraham Cusack

Offence Grand Larceny

Dated August 20 1886

Justice Magistrate.

John Thompson Officer.

President.

Witnesses

No. 1 John Street.

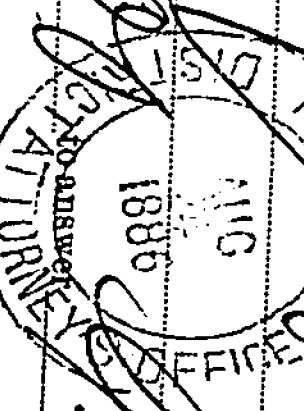
No. 2 Jerry King Street.

No. 3 J. J. Kelly Street.

No. 4 J. J. Kelly Street.

No. 5 J. J. Kelly Street.

No. 6 J. J. Kelly Street.



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

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

Dated Aug 20 188 J. J. Kelly Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0301

Thames Embury
No 122, Elm Street, City
Boston, Paiston

New York - August 31/86.

I have known Abraham Pulski since his boyhood, and often had him to work for me as Truckman and other jobs. I found him to be both honest and industrious, & of good repute. His character is generally considered as good.

~~M. Delamater~~ 139. Hester Street. -

Singer I have known - Abraham Pulski
honest and industrious working man
A. Bone -

I have known Abraham Pulski
to work for me for 7 months to be
honest and truefull Samuel Watman

208 Bleecker St
W. Polander No 3
Manhattan City

Nathan Goodman

22 Christie St

i have known him for last
8 years to be honest and
industrious

The People of the State &
on the complaint of
George Post
against
Abraham Pulsky

City and County of New York S.S.

Smith Norstrand.
being duly sworn, says, that he resides
at No 912 Green Avenue, Brooklyn, that
he is trucking boss for Londerback
Gilbert & Co, to whom the four scales
alleged to have been stolen from the
wagon in charge of George Post, belonged,
that the said George Post, who made
complaint against said Abraham
Pulsky on August 20th 1886 is an em-
ployee under his direction.

That deponent has
visited the defendant, Abraham Pulsky
at the Toub's, and finds him to be a
very young man, viz 22 years, that
he is satisfied that in committing this
indecretion he was urged on by the
desperation of his circumstances, having
been unable to obtain work for about
two months last past, and having

been recently married (about ten months) and his wife being pregnant seven or eight months with child, and without means to obtain the necessaries of life - that deponent believes this is defendants first offense, and that he was never arrested before, and that if permission is given to withdraw the charge this young man will, in deponents opinion, not be guilty of any similar offense, as he has a trade, and is well spoken of by those who know him, and is well recommended as will more fully appear in the letters hereto annexed.

The application for permission to withdraw the charge is joined in by Messrs. Louderback, Gilbert & Co., and George Post, the complainant.

Deponent further says that he has received no consideration or reward, or promise thereof, for making this affidavit and application, and that deponent has only done so upon making close inquiries into the circumstances surrounding the case, the previous good character of the prisoner, his age, the fact that he has a trade

and that if he gets work, he can support his family, and deponents conviction that the prisoners discharge will be the very greatest benefaction, not only to the prisoner, but to society, as it will save him from a possible life of crime.

Sworn to before me } Smith Nostrand
this 2^d day of Sept. 1886 } 912 Greene Ave
Lidore Brown.

Notary Public (481)
N.Y. Co.

City and County of New York S.S.

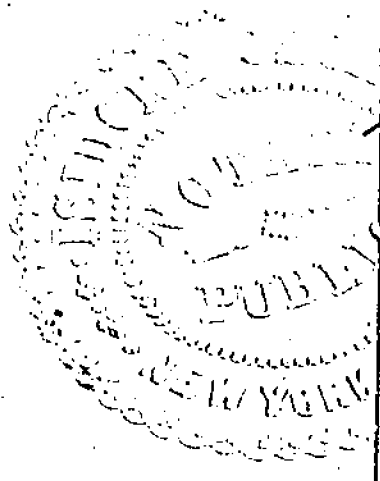
George Post, being duly sworn says that he resides at 171 South 4th Street, that he made the complaint upon which Abraham Puller was arrested and held, that is a driver for Smith Nostrand who made the foregoing affidavit and application, that he has read the same and that the facts therein recited are true to the best of deponents knowledge, information and belief, and that deponent joins in this application to withdraw the charge, without any consideration, reward or hope of reward, but simply and entirely for the reasons set forth in the foregoing affidavit of Smith Nostrand.

Sworn to before me this
2^d day of Sept. 1886

Lidore Brown (481)
Notary Public

Geo Post

171 So 4th St
Brooklyn



POOR QUALITY
ORIGINAL

0386

The People v.
Ex rel. George Post

Against

Abraham Culeky

Affidavit and
Application to with-
draw Charge and
Letters of recommendation

Joseph Cohen
Atty. for Abt. Culeky
188 Madison 319 Broadway
New York City

POOR QUALITY
ORIGINAL

0387

Sept 29th

Persons Continued

Flanders & Smith
= Lancaster

Richard Bell

Roller
for trial

District Attorney's Office.

Harry Minn
PEOPLE

vs. *Sept 27th*
Edward Bernicke
Re: g stolen goods

Mr. Minn will
testify that on Oct 1st
prisoner knowing by
& feloniously did
purchase & receive
certain window
privilege tickets of
admission to the
people's theatre, knowing
at the same time
the property was
stolen.

District Attorney's Office.

✓

PEOPLE

Window privilege
tickets are issued
to different persons
in payment for
permitting carpenters
to exhibit advertising
posters in their
several places of
business & each ticket
entitles the holder to
one admission to the
theatre during
certain performances.

Edward Bernickel

District Attorney's Office.

(3)

PEOPLE

was entrusted with
a certain number of
these tickets to deliver
to certain persons for
window privileges &
instead of doing so
he sold the tickets
to the prisoners for
\$2²⁵/₁₀₀ -

Bernickel was in
the habit of selling
these tickets to
prisoners.

POOR QUALITY
ORIGINAL

0389

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Abraham Cuddeback

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

Abraham Cuddeback

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

The said *Abraham Cuddeback*

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

four bundles of goods of the

value of eight dollars each.

of the goods, chattels and personal property of one

William S. Sanderson.

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

**POOR QUALITY
ORIGINAL**

0390

SECOND COUNT—

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

— Andrew Rutledge —

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

The said *Andrew Rutledge*

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

four indictments, each of the

value of eight dollars each,

of the goods, chattels and personal property of one

William S. Souderbach.

by ~~a certain person~~ persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

William S. Souderbach.

unlawfully and unjustly, did feloniously receive and have; the said

Andrew Rutledge.

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

RANDOLPH B. MARTINE,

District Attorney.