

0637

BOX:

16

FOLDER:

204

DESCRIPTION:

Fisch, Joseph

DATE:

07/02/80



204

0638

111
Day of Trial,

Counsel,

Filed 2 day of July 1850

Pleads

THE PEOPLE

vs.

Joseph Rich.

Obtaining money by
false pretenses

BENJ. K. PHELPS,

District Attorney.

A True Bill

Wm. H. H. H. H.

Foreman.

0639

May 24 1880. \$19.24 \$ 4
 Less by said Trisch advanced 3.11 making 16.13 }

May 24th 1880 \$19.57 \$ 4
 Less by said Trisch advanced 3.57 making 16.00.
 Total 69.99.

That annexed hereto are copies of the aforesaid re-
 quisitions sent by said Trisch to said Company
 whereby and whereon the said company was induced to
 and did make the aforesaid payments as above stated.
 These are marked Exhibits A, B, C, and D respectively.
 That said requisitions are false and are based
 upon false statements copies of which are also
 attached hereto marked Exhibits A, 1, B, 1, C, 1, D, 1,
 respectively.

That the figures in colored ink therein represent
 the accounts as they should have been and point
 out where errors or omissions occur.

That the agents Isaacson and Pollitzer
 mentioned in said accounts collected
 as premiums as deponents has learned
 from said agents themselves only the
 following sums of money to wit:

Isaacson	for all commissions	11/80	\$1.75
"	"	24/80	1.15
Pollitzer	"	1/80	1.20
"	"	24/80	1.80

whereas the said annexed statements show entries for a much larger amount which were made up by said Tisch himself as aforesaid with intent to obtain unlawfully the several sums of money above stated.

That said Tisch has the privilege of drawing the requisitions for special salary on the company in the names of the several agents, from whom he gets also a power of attorney to endorse the checks sent upon the requisitions aforesaid which checks are made payable to the agent in whose name the requisition is made out.

That according to the rules of the said company commissions are paid agents according to a regularly adopted plan upon new business (premiums) and also upon weekly debits.

That annexed hereto named Exhibit "E" is a schedule showing the plan and rates of commissions paid.

That in the cases in question had the statements shown only the premiums actually paid by the insured

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

Joseph B. Jones being duly sworn deposes and says that he is one of the Superintendents of the Metropolitan Life Insurance Company a corporation duly organized and existing under and by virtue of the Laws of the State of New York.

That ^{and at the time hereinafter mentioned} heretofore one Joseph Tirsch was an assistant Superintendent of Agents of the Industrial Branch of said Company, located at the corner of Third Avenue and Seventh Street in the City of New York.

That said Tirsch unlawfully and knowingly did as and at the times hereinafter stated, falsely pretend to the said Company that he the said Tirsch through himself or the Agents under him had procured a certain number of persons who had insured in said Company under their industrial plan or system and

that said insured persons had all paid their regular premiums as they became due, and that the policies issued to said persons had not lapsed by reason of non payment of premium when in fact a large number of said premiums had not been paid by the insured but had in reality been paid by said Tisch himself to the said Company out of his own pocket contrary to the rules and regulations and instructions of said company so that he said Tisch might obtain certain sums of money from said company which would and did largely exceed the premiums by him advanced as aforesaid on said lapsed policies as well as by certain false entries in books and by false accounts and false representations on said company led to on the following day obtain in the manner aforesaid the several sums of money below stated to wit:

{ May 18 th 1880	\$16.54	\$.4
{ Less by said Tisch advanced \$1.10 making		15.44 }
{ May 19 th 1880	\$25.65	
{ Less by said Tisch advanced \$ 3.23 making		22.42 }

the said accounts and statements would have shown a large balance due to company which would have been apparent by a mere inspection thereof and the same would have shown the true character of the business.

That by paying or advancing these premiums himself he the said Tisch made out accounts apparently correct on its face thereof which showed a prosperous state of business when in fact a large number of the claims were bogus.

Exponent charges to fact to be that said Tisch did the aforesaid acts and made the aforesaid false pretences and entries, knowingly willfully and fraudulently against the Statute in such case made and provided and with intent to deceive the said company and thereby wrongfully obtain money from it the said company.

That said company was deceived thereby did rely upon the same believing them to be true and thereby was induced to and did make the aforesaid payments to said Tisch who knowingly accomplished the same.

0644

by Calvin B. the future Tokens, preten-
cer and writings above and -
Subscribed and sworn to before
me this 9 day of August 1880. } Joseph B. Jones
J. B. Jones
Calvin B. Jones

0645

Agents' Requisition for Special Salary.

Form 38-A.

TO THE COMPANY:

Please send me Credit Note, or Bank Check, for the sum of \$16.54¹⁰⁰ being Special Salary due me under Clause B of my Agreement as printed on the back hereof. *Hebert A*

Dated at *New York*
the 18th day of *May* 1880

J. Isaacson Agent
Address, *Corner of 7th St & 3 Avenue*

STATEMENT OF SPECIAL SALARY

For week commencing 17th day of *May* 1880

Collectible Debit on above date, \$ 2.45-

3 Times the first premium on 2 dollars 45 cents of NEW business,
6 Times 2 dollars 45 cents, being the net increase in WEEKLY DEBIT.

\$ 7-	35-
14-	70-
22-	05-
5-	57-
16-	54-

NOTE.—The amount will not be sent unless this Form be properly filled in.

En'd,

Approved,

En'd,

Credit Note Sent

Cash Sent

Less Reserved,

Net amount due Agent,

INDUSTRIAL BRANCH.

Metropolitan Life Insurance Company.

Agents' Requisition for Special Salary.

Form 38-A.

TO THE COMPANY:

Please send me Credit Note, or Bank Check, for the sum of \$19.57¹⁰⁰ being Special Salary due me under Clause B of my Agreement as printed on the back hereof. *Hebert B*

Dated at *New York*
the 24th day of *May* 1880

J. Isaacson Agent
Address, *Corner of 7th St & 3 Avenue*

STATEMENT OF SPECIAL SALARY

For week commencing 24th day of *May* 1880

Collectible Debit on above date, \$ 5.35-

3 Times the first premium on 2 dollars 90 cents of NEW business,
6 Times 2 dollars 90 cents, being the net increase in WEEKLY DEBIT.

\$ 8-	70-
17-	40-
26-	10-
6-	57-
19-	57-

NOTE.—The amount will not be sent unless this Form be properly filled in.

En'd,

Approved,

En'd,

Credit Note Sent

Cash Sent

Less Reserved,

Net amount due Agent,

INDUSTRIAL BRANCH.

Metropolitan Life Insurance Company.

0647

Agents' Requisition for Special Salary.

FORM 38-A.

TO THE COMPANY:

Please send me Credit Note, or Bank Check, for the sum of \$25⁶⁵/₁₀₀ being Special Salary due me under Clause B of my Agreement as printed on the back hereof.

Dated at New York
the 15 day of May 1880

S. Pollitzer Agent
Address, Corner of 7 St & 3 Avenue

STATEMENT OF SPECIAL SALARY

(Over)

For week commencing 17 day of May 1880

Collectible Debit on above date, \$ 3-80

3 Times the first premium on 3 dollars 80 cents of NEW business, \$ 11-40
6 Times 3 dollars 80 cents, being the net increase in WEEKLY DEBIT, 22-80

Total,

\$ 11.	40
22.	80
34.	20

Less $\frac{1}{2}$ Reserved,

8	55
---	----

Net amount due Agent,

25.	65
-----	----

NOTE—The amount will not be sent unless this Form be properly filled in.

Ex'd,

Approved,

Ent'd,

Credit Note Sent

Cash Sent

The above salaries cover all remuneration for the Agent's services, for Agent is in the active employ of the Company. Reserve will be optional with the Company; that at the time it falls due the balance due the Company be beyond the proper limit the payment of this should the Agent's accounts be in arrears, or be frequently incorrect, or the Company for thirteen weeks, as security for the character of the Agent's business. One fourth of the special salary, each week, will be reserved by the Company for the next day. (except Saturdays). If received after 12 o'clock they will be over until the day.

Agents' Requisition for Special Salary.

FORM 38-A.

TO THE COMPANY:

Please send me Credit Note, or Bank Check, for the sum of \$19²⁴/₁₀₀ being Special Salary due me under Clause B of my Agreement as printed on the back hereof.

Dated at New York
the 14 day of May 1880

S. Pollitzer Agent
Address, Cor. of 7 St & 3 Avenue

STATEMENT OF SPECIAL SALARY

(Over)

For week commencing 24 day of May 1880

Collectible Debit on above date, \$

3 Times the first premium on 2 dollars 85 cents of NEW business, \$ 8-55
6 Times 2 dollars 85 cents, being the net increase in WEEKLY DEBIT, 12-10

Total,

\$ 8.	55
12.	10
20.	65

Less $\frac{1}{2}$ Reserved,

6.	41
----	----

Net amount due Agent,

19.	24
-----	----

NOTE—The amount will not be sent unless this Form be properly filled in.

Ex'd,

Approved,

Ent'd,

Credit Note Sent

Cash Sent

INDUSTRIAL BRANCH.
Metropolitan Life Insurance Company.INDUSTRIAL BRANCH.
Metropolitan Life Insurance Company.

~~The People vs~~
 Ex Rel. Metropolitan
 State Life Ins. Co.

apn

Joseph Trach

Appointed Exhibit

Obtaining Money
 on
 false pretenses.

9⁰⁰ Dec 12
 1500 bail

0651

Police Court—First District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Joseph Tisch*

Question. How old are you?

Answer. *Thirty three years*

Question. Where were you born?

Answer. *Germany*

Question. Where do you live?

Answer. *208 East 104 Street*

Question. What is your occupation?

Answer. *an Agent of Metropolitan Life Insurance Co*

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

Answer. *I am not guilty*

Joseph Tisch

Police Justice

Received by me June 1886

0652

COURT FOR COMPLAINANT.

Police Court—First District.

Name.

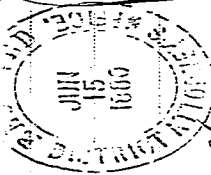
Address.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Joseph B. Jones
2nd Av. St. York

Joseph B. Jones
2nd Av. St. York



discharged

Dated

1880

Magistrate.

Clerk.

COURT FOR DEFENDANT.

Name.

Address.

Witnesses

113 Eldridge St
Sigmund Pollitzer

113 Eldridge St
du Willets Park Place Church

J. B. Jones 3 Avenue 77 St

to answer

General Sessions

Received in Dist. Atty's Office,

City and County } ss.
of New York.

The jurors of the people
of the State of New York, in and for the
body of the City and County of New York
upon their Oath, present:

That on the twenty-fourth day of May
in the year of our Lord one thousand
eight hundred and eighty, Joseph Fisch
late of the First Ward of the City of
New York in the County of New York
aforesaid, was an Assistant Superintendent
of The Metropolitan Life Insurance Company
a corporation organized and incorporated
under the laws of the State of New York
and of a certain branch and department
of the business thereof prosecuted and
carried on by the said The Metropolitan
Life Insurance Company under what
is known and designated as the industrial
system and plan of Life Insurance and
that he the said Joseph Fisch as such
Assistant Superintendent, as aforesaid was
then and there authorized and empowered
to receive, collect and obtain for and in
behalf of the said The Metropolitan Life
Insurance Company from one Sigmund
Pollitzer who was then and there an agent
of the said The Metropolitan Life Insurance

0654

Company acting under the control and superintendency of the said Joseph Fisch as such Assistant Superintendent as aforesaid. moneys actually and in good faith collected by him the said Sigmund Pollitzer as such agent as aforesaid for and on account of premiums of insurance from such persons as had been then and there^{and} were actually and in good faith insured in said The Metropolitan Life Insurance Company and from such persons as he the said Sigmund Pollitzer had actually and in good faith procured to be^{and} actually and in good faith then and there were insured in the said The Metropolitan Life Insurance Company under and in pursuance of said system and plan or otherwise and that upon and by reason of said moneys as should and would be so received, collected and obtained as aforesaid by him the said Joseph Fisch as such Assistant Superintendent as aforesaid from him the said Sigmund Pollitzer as such agent as aforesaid as and for such moneys as should and would be so received and collected as aforesaid by him the said Sigmund Pollitzer as such agent as aforesaid for such premiums as aforesaid he the said Joseph Fisch as such Assistant Superintendent

as aforesaid would and should become and be entitled to receive, have and obtain from the said The Metropolitan Life Insurance Company weekly a certain sum of money to be ascertained and determined by and with reference to the amount of such money that would and should be so received collected and obtained as aforesaid weekly by him the said Joseph Fisch as such Assistant Superintendent as aforesaid from him the said Sigmund Pollitzer as such agent as aforesaid by way of remuneration, compensation and commission for such services as aforesaid of them the said Joseph Fisch as such Assistant Superintendent as aforesaid and the said Sigmund Pollitzer as such agent as aforesaid.

And the jurors aforesaid upon their oath aforesaid, do further present:

That he the said Joseph Fisch at the Ward, City and County aforesaid with force and arms on the day and year last aforesaid with intent feloniously to cheat and defraud the said The Metropolitan Life Insurance Company did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend and represent and in and by the voucher, paper account and statement of account hereinafter

referred to did so pretend and represent to the said The Metropolitan Life Insurance Company that a certain voucher, paper in account and statement of account which he the said Joseph Fisch then and there exhibited and delivered to the said The Metropolitan Life Insurance Company purporting to be an account and statement of an account of business and transactions between him the said Joseph Fisch as such Assistant Superintendent as aforesaid and the said Sigmund Pollitzer as such agent as aforesaid for the week beginning Monday the twenty-fourth day of May in the year of our Lord one thousand eight hundred and eighty was a just, true and fair voucher, paper, account, and statement of account, that the statements and representations therein made and contained were true and correct and represented and stated transactions actually and in good faith made on and in behalf of said The Metropolitan Life Insurance Company and that the money shown therein and shown and stated therein to be received by him the said Joseph Fisch as such Assistant Superintendent as aforesaid and the said Sigmund Pollitzer as such agent as aforesaid were actually and in

good faith received by him the said Joseph Fisch as such Assistant Superintendent as aforesaid and the said Sigmund Pallitzer as such agent as aforesaid and which voucher, paper and account is in substance and to the effect following that is to say:

INSURANCE BRANCH. *WEEKLY ACCOUNT* for week commencing *Monday* *24* day of *May* 188*0*

S. Pollitzer Agent at *N.Y.* under Superintendency of *J. Tisch*

In Account with **THE METROPOLITAN LIFE INSURANCE CO.** Office, corner Park Place and Church St., N. Y.

FORM 34.

1880

TO BE FILLED IN BY AGENT.

Total of Premiums entered in Life Policy Register on above date.					Entries only to be made in these Registers from the Lists made out at the Office.
6. 65					

Total of Premiums entered in Lapsed Policy Register on above date.					This amount to be obtained by deducting the Total of Lapsed Policy Register from the Total of Life Policy Register.
6. 65					

Premiums Collectible.					This amount to be obtained by deducting the Total of Lapsed Policy Register from the Total of Life Policy Register.
(Weekly Debit.) 6. 65					

Examined at Home Office and entered.

DEBIT.	This column must be filled in by Agent.	\$	c.	CREDIT.	This column must be filled in by Agent.	\$	c.
To Premiums collectible as per preceding column		6	65	By Remittance, as follows, viz :			
" Balance due to Company from last account		3	60	" Check.....\$			
" Error Debit Note.....No.				" Banker's Draft.....\$			
" Lost Policy Debit Note..No.				" Post-Office Order.....\$			
" Receipt Book Debit Note.No.				" Registered Letter.....\$			
" Revival Debit Note.....No.				" Postage Stamps (not exceeding \$2) or Currency.....\$		4	65
" Transfer Debit Note.....No.				" Salary (15 per cent. of collections).....\$			81
" Advanced Payments.....				" Special Salary Credit Note.No.			
" Premium Debit Note.....No.				" Reserve Credit Note.....No.			
" New Business Fee returnable as per official lapsed list for the above date.....		6	65	" Error Credit Note.....No.			
				" Premium Credit Note.....No.			
				" Lapsed Credit Note.....No.			
				" Balance due to Company		1	20
		\$	10. 25			\$	6. 65

* This includes Postage, cost of transmitting money, and all other items of expense.

Unless the SUMMARY on the back hereof be filled in by the Agent this account will be sent back by the Home Office, and the Special Salary of the Agent withheld until the Account is returned complete.

(meaning by said vouchers, paper and account and the figures ⁴⁻⁶⁴ \$1 shown and contained therein that the sum of Four dollars and sixty-four cents and ^{the sum of} eighty-one cents in money had been actually and in good faith remitted to and received, collected and obtained by the said Joseph Frick as such Assistant Superintendent as aforesaid for him the said Sigmund Pollitzer as such

agent as aforesaid for and on account of moneys which were actually and in good faith collected for and during the week beginning Monday the twenty-fourth day of May in the year of our Lord, one thousand eight hundred and eighty by him the said Sigmund Pollitzer as such agent as aforesaid for and account of premiums of insurance from persons then and there actually and in good faith insured in and by the said The Metropolitan Life Insurance Company and from persons whom he the said Sigmund Pollitzer as such agent as aforesaid had actually and in good faith procured to be insured in and who then and there were actually and in good faith insured in said The Metropolitan Life Insurance Company).

That he the said Joseph Frisch as such Assistant Superintendent as aforesaid had actually and in good faith received, obtained and collected on account of said The Metropolitan Life Insurance Company from him the said Sigmund Pollitzer as such agent as aforesaid the sum of Four dollars and sixty-four cents and the sum of eighty-one cents in money as and for moneys actually and in good faith remitted to, collected and received by him

the said Sigmund Pollitzer as such agent as aforesaid for premiums of insurance actually and in good faith paid to him the said Sigmund Pollitzer in and for the week beginning Monday the twenty-fourth day of May in the year of our Lord one thousand eight hundred and eighty by persons then and there actually and in good faith insured in said The Metropolitan Life Insurance Company.

That he the said Sigmund Pollitzer had stated and represented to him the said Joseph Fisch as such Assistant Superintendent as aforesaid that he the said Sigmund Pollitzer had as such agent as aforesaid actually and in good faith received and collected the sum of Four dollars and sixty-four cents ^{in money}, and the sum of eighty-one cents in money as and for moneys actually and in good faith paid to him the said Sigmund Pollitzer for premiums of the said Sigmund Pollitzer as such agent as aforesaid ^{for premiums} in and for the week beginning Monday the twenty-fourth day of May in the year of our Lord one thousand eight hundred and eighty by persons then and there actually and in good faith insured in the said The Metropolitan Life Insurance Company.

0660

And the said *The Metropolitan Life Insurance Company* then and there believing the said false pretences and representations so made as aforesaid by the said *Joseph Fisch*

and being deceived thereby, was induced, by reason of the false pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said *Joseph Fisch* the sum of nineteen dollars and twenty-four cents.

of the proper moneys, valuable things, goods, chattels, personal property and effects of the said *The Metropolitan Life Insurance Company* and the said *Joseph Fisch* did then and there designedly receive and obtain the said sum of nineteen dollars and twenty-four cents

of the said *The Metropolitan Life Insurance Company* of the proper moneys, valuable things, goods, chattels, personal property and effects of the said *The Metropolitan Life Insurance Company* by means of the false pretences and representations aforesaid, and with intent feloniously to cheat and defraud the said *The Metropolitan Life Insurance Company* of the same.

Whereas in truth and in fact the said certain voucher, paper, account and statement of account which he the said Joseph Fisch as such Assistant Superintendent as aforesaid so exhibited and delivered to the said The Metropolitan Life Insurance Company was not a just, true or fair voucher, paper, or account or statement of account nor were the representations and statements therein made or contained or any of them true or correct, but the said voucher, paper, account and statement of account and the said representations and statements and each ^{of them} were unjust, untrue, incorrect and unfair in that the amount of four dollars and sixty-four cents shown and made on the credit side thereof should have been, as he the said Joseph Fisch then and there well knew, the sum of one dollar and fifty-three cents instead of four dollars and sixty-four cents and in that the amount of ~~eighty-one~~ ^{eighty-one} cents also shown on the credit side ^{thereof} should have been as he the said Joseph Fisch then and there well knew twenty-seven cents instead of eighty-one cents and in that the amount of one dollar and twenty cents shown

and designated on the credit side thereof as balance due to the said The Metropolitan Life Insurance Company should have been as he the said Joseph Fisch then and there well knew three dollars and sixty cents instead of one dollar and twenty cents and in that the said voucher, paper, account and statement of account and the said statements and representations were and are false and untrue, incorrect and unjust in all particulars as he the said Joseph Fisch then and there well knew.

Whereas in truth and in fact the statements and representations in said voucher, paper, account and statement of account made and contained did not represent or state actual transactions, actually and in good faith made on and in behalf of said The Metropolitan Life Insurance Company but were unreal and fictitious as he the said Joseph Fisch very well knew especially the amounts of Four dollars and sixty-four cents and eighty one cents shown on the credit ^{side} of said voucher, paper, account and statement of account, ^{and} therein stated pretended and represented to be a remittance of that amount made by the said Sigmund Pollitzer as such agent as aforesaid as no such amount or amounts or remittance

or remittances was made by him the said Sigmund Pollitzer as such agent as aforesaid for the week commencing Monday the twenty-fourth day of May in the year of our Lord one thousand eight hundred and eighty as he the said Joseph Fisch then and there well knew.

Whereas in truth and in fact the sum of four dollars and sixty-four cents and eighty-one cents in money had not nor had either of them as he the said Joseph Fisch then and there well knew been actually and in good faith remitted to, received, collected nor obtained by the said Joseph Fisch as such Assistant Superintendent as aforesaid from him the said Sigmund Pollitzer as such agent as aforesaid for or on account of any moneys which were actually and in good faith collected for and during the week commencing Monday the twenty-fourth day of May in the year of our Lord one thousand eight hundred and eighty by him the said Sigmund Pollitzer as such agent as aforesaid for or on account of premiums of insurance from any person or persons then and there actually and in good faith insured in or by the said The Metropolitan Life Insurance Company or from any person or

persons whom he the said Sigmund Pollitzer as such agent as aforesaid had actually and in good faith procured to be insured in and who then and there were actually and in good faith insured in said The Metropolitan Life Insurance Company.

And whereas ^{in truth and in fact} he the said Joseph Fisch as such Assistant Superintendent as aforesaid had not actually and in good faith so received collected or obtained as aforesaid from him the said Sigmund Pollitzer as such agent as aforesaid for the week commencing Monday the twenty-fourth day of May in the year of our Lord one thousand eight hundred and eighty any moneys so paid as aforesaid for such premiums as aforesaid in excess of ^{the amount} one dollar and eighty cents.

And whereas in truth and in fact he the said Joseph Fisch as such Assistant Superintendent as aforesaid had not actually and in good faith received, obtained or collected on account of the said The Metropolitan Life Insurance Company from him the said Sigmund Pollitzer as such agent as aforesaid the sum of four dollars and sixty-four cents and eighty-one cents in money or either of them as for money actually and in good faith remitted to,

collected or received by him the said Sigmund Pollitzer as such agent as aforesaid for premiums of insurance actually and in good faith paid to him the said Sigmund Pollitzer in and for the week commencing Monday the twenty-fourth day of May in the year of our Lord one thousand eight hundred and eighty by any person or persons then and there actually and in good faith insured in said The Metropolitan Life Insurance Company as he the said Joseph Fisch then and there well knew.

And Whereas in truth and in fact he the said Sigmund Pollitzer had not stated nor represented to him the said Joseph Fisch as such Assistant Superintendent as aforesaid or at all as he the said Joseph Fisch then and there well knew that he the said Sigmund Pollitzer had as such agent as aforesaid actually and in good faith or at all received or collected the sum of four dollars and sixty-four cents and eighty-one cents in money or either of them as or for moneys actually and in good faith or at all paid to him the said Sigmund Pollitzer as such agent as aforesaid for premiums of insurance ⁱⁿ and for the week beginning Monday the twenty-fourth

day of May in the year of our Lord one thousand eight hundred and eighty by any other person or persons then and there actually and in good faith insured in the said The Metropolitan Life Insurance Company.

And Whereas, in truth and in fact, the pretences and representations so made as aforesaid, by the said *Joseph Frisch* to the said *The Metropolitan Life Insurance Company* was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said *Joseph Frisch* well knew the said pretences and representations so by *him* made as aforesaid to the said *The Metropolitan Life Insurance Company* to be utterly false and untrue at the time of making the same.

And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said *Joseph Frisch* by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did receive and obtain from the said *The Metropolitan Life Insurance Company* the said sum of nineteen dollars and twenty-four cents.

of the proper moneys, valuable things, goods, chattels, personal property, and effects of the said *The Metropolitan Life Insurance Company*

with intent feloniously to cheat and defraud *The Metropolitan Life Insurance Company* the said *Company*, of the same, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

0667

BOX:

16

FOLDER:

204

DESCRIPTION:

Foster, Charles

DATE:

07/09/80



204

0668

Done for T. W. L. July
Selling C. Springs, 201 W. 24

Counsel,
Filed 9 day of July 1880
Pleads
W. L. L. L.

Larceny, and Receiving Stolen Goods.

THE PEOPLE

vs.

Chas. Foster

July 22nd

BENJ. K. PHELPS,

District Attorney.

A True Bill.

W. L. L. L.
Foreman.

20. Aug. C. P.

July 23rd P. P.

X 26 cents per line
from cutting

0669

Form 112.

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

Police Court—First District.

of No. George Bartlett Street, being duly sworn, deposesand says, that on the 23 day of June 1880at the City of New York, in the County of New York, was feloniously taken, stolen, and carried away from the possession of deponent, and from a boatthe following property, viz: One pair of oars

of the value of

the property of

Dollars,

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 Charles FosterNow here, from the fact that said property was found in his possession as deponent is informed and believes and deponent has engaged the above named property and identified it as his.City and County of New YorkFrancis Kelly
of the 2nd Precinct being sworn says
that he arrested the prisoner in a boat
in the North River and at the time of
such arrest he had the aforesaid property
in his possessionRoundman Francis Kelly24th Precinct

0670

Police Court—First District.

CITY AND COUNTY }
OF NEW YORK. } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

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

Answer.

Taken before me, this _____

day of _____

18

Police Justice.

0671

Police Court—First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George Bartlett
60 West 41st St
vs.
Charles Foster

BAILED

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

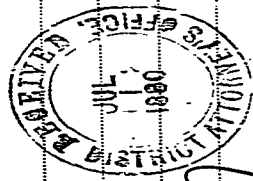
Residence,

No. 5, by

Residence,

No. 6, by

Residence,



Affidavit—Larceny.

James Kelly
24 1/2
Magistrate.
Officer.
Clerk.

Witnesses
Call the Officer

1100 to answer
at *General Sessions*
Returned at Dist. Atty's office

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

0672

CITY AND COUNTY }
OF NEW YORK, } ss.

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

That

Charles Foster

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

*Two bars of the value of seventy
five cents each*

of the goods, chattels, and personal property of one

George Bartlett

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

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

Charles Foster

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

*Two oars of the value of seventy
 five cents each*

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

George Bartlett

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

George Bartlett

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

Charles Foster

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

BENJ. K. PHELPS, District Attorney.

06 74

BOX:

16

FOLDER:

204

DESCRIPTION:

Frawley, Patrick

DATE:

07/15/80



204

0675

Star

Counsel,
Filed 15th day of July 1880
Plends *Indictment*

Wm. W. Phelps
THE PEOPLE
vs.

Larceny, and Receiving Stolen Goods.

P

Patrick Hawley
July 19th

Wm. W. Phelps

BENJ. K. PHELPS,
District Attorney.

A True Bill.

Wm. W. Phelps
Foreman.

Ben J. Mas

X 37

0676

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } 55

FORM 89½

POLICE COURT—SECOND DISTRICT.

of No. 221 8th Street, being duly sworn, deposes
 and says, that on the First day of May 1880
 at the City of New York, in the County of New York, was feloniously taken, stolen and carried
 away, from the possession of deponent,

the following property, to wit:

A quantity of Ingrain
Carpet in all

of the value of Twenty Dollars,
 the property of deponent and Samuel
Palmer

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

Patrick Frimley
 (now here) from the season that
on the said date deponent missed
the said property and on the 6th
day of June 1880 deponent found
the same on the floor of the
room occupied by said defend
ant at No 334 West 21st street

Eliza May Palmer

Sworn to before me, this

of July 1880at 6 July

Police Justice.

0677

City and County } S.S.
of New York

Eliza McCaffrey of No 104 West 49th
Street being duly sworn says she was
present when Patrick Frawley the
within named defendant brought the
carpet ^{the within} named in ~~said~~ complaint onto
the premises 334 West 21 Street occupied
by said Defendant

Sworn to before me this } Eliza M^c Caffrey
7th day of July 1880 }
J. J. Withers
Police Justice

0678

Form 894

POLICE COURT—SECOND DISTRICT

THE PEOPLE, & C.,
ON THE COMPLAINT OF

Mary Palmer
224 8th St.
Patrick J. Frankley

Affidavit—Larceny.

DATED *July 6* 18*80*

Willmetts MAGISTRATE.

Campbell OFFICER.

WITNESS:

Charles H. [unclear]
William J. [unclear] W 49 St

G. not found July 14



Edw TO ANS.

BAILED BY

No. STREET.

0679

CITY AND COUNTY }
OF NEW YORK, } ss.

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

That

Patrick Drawley

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

*Twenty yards of carpet of the kind
called Ingrain Carpet of the value
of One dollar each yard —*

of the goods, chattels, and personal property of one

Samuel Palmer —

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

0680

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

Patrick Hawley

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

*Twenty yards of carpet (of the kind
called Ingrain Carpet) of the value
of one dollar each yard*

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

Samuel Palmer

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

Samuel Palmer

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

Patrick Hawley

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

BENJ. K. PHELPS, District Attorney.

0681

BOX:

16

FOLDER:

204

DESCRIPTION:

Frawley, Patrick

DATE:

07/15/80



204

0682

BOX:

16

FOLDER:

204

DESCRIPTION:

Frawley, Michael

DATE:

07/15/80



204

0683

James
Counsel
Filed 15 day of July 1880
Pleads *Not Guilty*

INDICTMENT
Grand Jurors of the County of ...
vs.
THE PEOPLE
Michael Hawley
Patrick Hawley

BENJ. K. PHELPS,
District Attorney

A True Bill.

Ch. Moran acting Foreman
July 15 1880
Not tried and acquitted

X 36

0684

FORM 89½

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

ss.

POLICE COURT—SECOND DISTRICT.

Patrick Sullivan
 of No. *176 5th Avenue* Street, being duly sworn, deposes
 and says, that on the *28th* day of *June* 18 *81*,
 at the City of New York, in the County of New York, was feloniously taken, stolen and carried
 away, from the possession of deponent, *and from said premises.*

the following property, to wit: *One drawer from the trunk*
in said premises. Which said drawer contained
gold and lawful Money of the United States
consisting of National Bank and National
Treasury Notes Silver Nickel and Copper
Coin all being

of the value of *Forty* Dollars,
 the property of *deponent*

and that this deponent has a probable cause to suspect (and) does suspect, that the said property
 was feloniously taken, stolen, and carried away by *Patrick Hawley*
and Michael Hawley (now here)
from the fact that deponent saw two
persons (one of whom had the drawer
in his possession) running away from
said premises. and deponent is informed
by John Ward that he also saw said
persons running away and fully identified
said Michael as Patrick (now present)
as the man in whose possession he saw
said property.

Patrick Sullivan

Sworn to before me this

day

1881

Justice

0685

Police Court—Second District.

CITY AND COUNTY)
OF NEW YORK. } ss

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

QUESTION.—What is your name?

ANSWER.—

Michael Hawley

QUESTION.—How old are you?

ANSWER.—

Twenty two years.

QUESTION.—Where were you born?

ANSWER.—

New York City

QUESTION.—Where do you live?

ANSWER.—

436 West 41st St. Street

QUESTION.—What is your occupation?

ANSWER.—

Oysterman

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

ANSWER.—

I am Not Guilty

Michael Hawley

Taken before me, this

day of

1885

Police Justice.

0686

Police Court—Second District.

CITY AND COUNTY
OF NEW YORK; ss.

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

QUESTION.—What is your name?

ANSWER.—*Patrick Hawby*

QUESTION.—How old are you?

ANSWER.—*Twenty Seven Years.*

QUESTION.—Where were you born?

ANSWER.—*New York City*

QUESTION.—Where do you live?

ANSWER.—*334 West 21st St. Street*

QUESTION.—What is your occupation?

ANSWER.—*Gas Fitter*

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

here preferred against you?

ANSWER.—*I am not Guilty*

Patrick Hawby
ma

Taken before me, this

day of July

Police Justice.

1880.

0687

Form 894.

POLICE COURT—SECOND DISTRICT

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Sullivan
176 8th Ave.

Michael Hawley

Patrick Hawley

DATED

July 4 18*98*

MAGISTRATE.

Robert

OFFICER

Carr 16

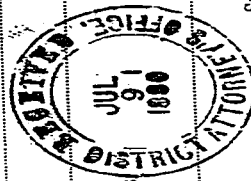
WITNESS

John Ward

216 West 18th St.

Charles Reinhardt

219 West 18th St.



BAILED BY

100 TO ANSWER

STREET.

No.

Carr

0688

FORM 10.

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

Sworn before me this

of

day

1877

Police Justice.

John Ward
of No. 246 West 18th Street, being duly sworn, deposes and says,
that on the 28th day of June 1877, at the City of
New York, in the County of New York.

He saw the persons now here Patrick
Hawley and Michael Hawley
running through West 18th Street
and that they dropped or threw away
a drawer as set forth in the foregoing
affidavit and saw them pursued by
Patrick Sullivan.
John B. Ward

0589

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

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

*One drawer of the kind called a money drawer
of the value of one dollar*

of the goods, chattels, and personal property of one

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

0640

CHIEF AND CORRECTOR

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

That the said

Michael Hawley and Patrick Hawley each

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

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

#40 1/2

One drawer of the kind called a money drawer of the value of one dollar

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

Patrick Sullivan

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

Patrick Sullivan

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

Michael Hawley and Patrick Hawley

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

BENJAMIN K. PHELPS, District Attorney.

and, inst

0041

BOX:

16

FOLDER:

204

DESCRIPTION:

Fritsch, Emile

DATE:

07/09/80



204

007C

Filed *Postponed* 9 day of *July* 1880
Pleads *Not Guilty (12)*

not THE PEOPLE
vs.
Emile Fritsch
July 22/80
Plaintiff

Felony Assault and Battery.

BENJ. K. PHELPS,
District Attorney.

A True Bill.
Wm. A. ...
Foreman.

14. Ten
**19*

4673

Form

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

POLICE COURT—FIRST DISTRICT.

of No. Mary Foster
21 Rosevelt Street, being duly sworn, deposes and says,
that on the 28th day of June 1880.
at the City of New York, in the County of New York, he was violently and feloniously assaulted and
beaten by Emile Hutsch

who struck deponent on
the head with a
slung shot then in his
hands

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

Emile Hutsch

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

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

Mary Foster.

Sworn to, before me this

day of

June

1880

Police Justice.

0077

Police Court—First District.

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

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

Question. What is your name?

Answer.

Emile Fritsch

Question. How old are you?

Answer.

27 years.

Question. Where were you born?

Answer.

France

Question. Where do you live?

Answer.

No Home

Question. What is your occupation?

Answer.

Black man

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

here preferred against you?

Answer.

I am not guilty

Emile Fritsch

Subscribed before me, this

27

day of

June 1880.

Police Justice.

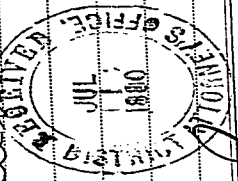
Police Court—First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

May Foster
vs.
Wm. Bennett

AFIDAVIT—Felonious Assault & Battery

1 *Emile Hartsch*
2
3
4
5
6



Dated *June 29* 1880

Smith Magistrate.

Gins Officer.

H. Mac Clerk.

Witnesses, _____

BAILED:

No. 1, by _____

Residence, _____

No. 2, by _____

Residence, _____

No. 3, by _____

Residence, _____

No. 4, by _____

Residence, _____

No. 5, by _____

Residence, _____

No. 6, by _____

Residence, _____

1000 to answer

at General Sessions

Received at Dist. Atty's Office,

COUNSEL FOR COMPLAINANT.

Name, _____

Address, _____

COUNSEL FOR DEFENDANT.

Name, _____

Address, _____

CITY AND COUNTY } ss.
OF NEW YORK,

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

That *Emile Iritsch*

late of the City of New York, in the County of New York, aforesaid, on the
twenty eighth day of *June* in the year of our Lord
one thousand eight hundred and *eighty* with force and arms, at the City and
County aforesaid, in and upon the body of *Mary Foster*
in the peace of the said people then and there being, feloniously did make an assault
and *her* the said *Mary Foster*
with a certain *slung shot*
which the said *Emile Iritsch*

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

SECOND COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County
aforesaid, the said *Emile Iritsch* *Mary Foster*
with force and arms, in and upon the body of the said *Mary Foster*
then and there being, wilfully and feloniously did make an
assault and *her* the said *Mary Foster*
with a certain *slung shot* which the said *Emile Iritsch*

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

THIRD COUNT.

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

with force and arms, in and upon the body of *Mary Foster*
in the peace of the said people then and there being, feloniously, did make another
assault and *her* the said *Mary Foster*
with a certain *slung shot*
which the said *Emile Iritsch*

in *his* right
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,
and wound, the same being such means and force as was likely to produce the death
of *her* the said *Mary Foster* with intent *her* the

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

FOURTH COUNT.

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

Emile Mitoch
with force and arms, in and upon the body of the said *Mary Foster* then and there being, wilfully and feloniously, did make another assault and *her* the said *Mary Foster* with a certain *slung shot* which the said *Emile Mitoch* in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *her* the said *Mary Foster* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

A True Bill.

Wm. H. Smith
Foreman.

BENJ. K. PHELPS,

District Attorney.

Emile Mitoch
Felonious Assault and Battery.

THE PEOPLE

Filed 9 day of July 1880
Pleads *in denial*

John W. ...

14. New York
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