0184

BOX:
2
FOLDER:
21
DESCRIPTION:
Fuseleher, Dederich
DATE:
12/19/79

21

0 185

Attorneys
Morgan & Sweeny
37½ Water St

John F Miller
[illegible]

150

Counsel,
Filed 19 day of Dec 1879
Pleads [illegible]

THE PEOPLE
vs.
Dederick A. W. Fuselier
4 Cases

Embezzlement and Larceny.

BENJ. K. PHELPS,
District Attorney.

A True Bill.
M. W. Cooley
Foreman.

Nolle Pros.
Discharged

0 186

Defs. Ex 11

OFFICE OF

MORGAN & SWEENY,

Wholesale Dealer & Jobber in Teas,

No. 37½ Water Street,

New-York, May 26 1876

This is to certify that I owe Mr. J. N. Gaulcher the sum of Fifty Dollars $50 00/100 payable when he retires his a.s. paper in our hands with interest

Morgan & Sweeny
37½ Water St
New York

Recd
7 pm

0187

POOR QUALITY
ORIGINAL
DOCUMENT(S)

0188

Myer	[illegible]	13.2.3
Bunge	[illegible]	[illegible]
Lardman	[illegible]	14.00
[illegible]	[illegible]	11.[illegible]
Stuckman	155 St & Courtland Ave	[illegible]
Rasher	[illegible]	12.69
Bunge & [illegible]	153 St & Ave	16.00
Mallem	[illegible]	8.00
[illegible]	[illegible]	12.00
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	17.80
[illegible]	[illegible]	15.00
[illegible]	[illegible]	[illegible]
[illegible]	116 [illegible]	35.[illegible]
[illegible]	166 St & 3 Avenue	[illegible]
[illegible]	199 St & [illegible]	[illegible]
	Brooklyn	348.15
[illegible]	Vanburen & [illegible] Ave	6.[illegible]
[illegible]	[illegible]	89.29
Muhler	216 Bowery St	51.[illegible]
Hamburgh	North 6th [illegible]	[illegible]
[illegible]	Roman Ave [illegible]	12.40
[illegible]	[illegible]	31.50
Muller	South 4th [illegible]	25.00
[illegible]	[illegible]	[illegible]
[illegible]	[illegible] & Baker	31.50
Weibald	Spencer & Park Avenue	18.46
[illegible]	[illegible]	[illegible]
[illegible]	1401 Fulton St	30.00
[illegible]	[illegible] Hausman Lane Ave & [illegible]	19.01
Rugar	Hanson Ave & Wallabout	23.09
[illegible]	[illegible] & [illegible] St	26.38
[illegible]	Hudson & [illegible] St	28.99
Berder	Bremer place & [illegible] St	36.40
Brown John	North 10th & [illegible] St	14.43
[illegible]	[illegible] Ave & [illegible]	
[illegible]	[illegible] Ave & [illegible]	10.51
Hüttmann	Hausman Ave & [illegible]	17.67
[illegible]	[illegible]	42.60
[illegible]	[illegible]	13.71
Singer	[illegible] Ave & Bedford	11.25
Hammerly	[illegible] Ave & [illegible] St	31.66
[illegible]	[illegible] Ave & [illegible]	14.10
[illegible]	[illegible] Ave & [illegible]	24.00
[illegible]	[illegible] & [illegible]	48.00
[illegible]	Sales Avenue & [illegible]	73.00
Muhler	Gates Ave & [illegible]	57.00
[illegible]	[illegible]	12.60

0189

[illegible]	[illegible] Ave		6.00
Dauber	Shropshire Hall	1318 [illegible]	89.29
Muller	216 Lando St	3950 [illegible]	81 35
Hamburgh	Dutch 6th & 44 St		15 [illegible]
Nolan	Roman Ave & Sherman St		18 40
Smith	Carrian & Ave. Dupont		31 50
Walker	South 4th & 11 Street & [illegible]		25 00
[illegible]	[illegible]		10 [illegible]
[illegible]	[illegible] & Baker		31 50
Weibard	Spencer & Park Avenue		18 46
[illegible]	[illegible]		1 25
[illegible]	1401 Butler St		30 00
[illegible]	[illegible] Ave & [illegible]		19 01
Rigar Bro	Hanson Ave & Whitehead		23 09
[illegible]	[illegible] & [illegible] St		26 38
[illegible]	Hudson & [illegible] St		23 99
Cordes	Bonner place & Rapp St		36 40
Brown John	North 10th & [illegible] St		17 43
[illegible]	[illegible] Ave & Summit St E. [illegible]		
[illegible]	[illegible]		10 51
[illegible]	[illegible] Ave & [illegible]		1 87
[illegible]	[illegible]		1 60
[illegible]	[illegible]		16 71
Singer	[illegible] Ave & [illegible]		11 35
Hemmerly	[illegible] Anna & [illegible]		31.66
[illegible]	[illegible] Ave & [illegible]		1 10
[illegible]	[illegible]		24 00
[illegible]	[illegible] & [illegible]		48.00
[illegible]	State Avenue & [illegible]		13 00
[illegible]	[illegible]		[illegible]
[illegible]	[illegible]		12 60
[illegible]	[illegible] & Slater		12 50
			1293.04
			12 60
			1305 64

[illegible] - [illegible]

[illegible] 47-50

[illegible] 9 00

56 00

0190

Def. July 9/79

Received from Huselder

One Hundred & Forty four 100

W. Sherman

1111

105

106

144.00

Def. 1/79 W. Sherman

Def. 1.6/80

130 Dl.
300 on hire

130.00
4.30
125.70
110
15.70

One Hundred & Thirty Seven 137/100

Def. C.

Received Kuselder

One Hundred & Thirty Seven

W. Sherman

Def. C.

Rec'd from J. W. Huselder

One Hundred & Forty 140/100

W. Sherman

0191

GLUED PAGES

0 192

A. Simis, Jr.
Attorney and Counsellor at Law.
15 WILLOUGHBY STREET,

after receipt of Goods.

People
vs
Fuselier

Brooklyn, Dec. 17 1879

Mr. Clark

Dear Sir

If possible arrange it so that Fuselier can plead to morrow and be tried the day after, please inform bearer if such an arrangement can be made.
Be kind enough to furnish him with a permit to see the prisoner, as without admittance may be refused him

Yrs Respectfully
A Simis Jr

0193

[illegible] made within Ten Days after receipt of Goods.

New York, Nov. 24 1879

Stahlkens Peck & A. L 6/80

Bought of MORGAN J. SWEENY,

[illegible]

NOT ALLOWED TO COLLECT.

Nos. 371 & 381 WATER STREET.

Terms Cash

21 Formosa 54/63 117/6 91 @ 35	£31 85
[illegible] Green Fishing Line & Fundles	

0194

No. — Court — First District.

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

Morgan S. Sweeny

of No. 37 1/2 Water Street,

being duly sworn, deposes and says, that on the 28 day of November 1879, at the City and County of New York, deponent was a Merchant doing business at above number and street. That on said day Diederich H. W. Fuselleher ~~was employed~~ was in the employment of deponent as a Clerk That he is over the age of eighteen years and not an apprentice. That on or about said day said Diederich did feloniously embezzle secrete and convert to his own use good and lawful money of the United States of the value of Thirty one 85/100 Dollars the property of deponent and which said money was due and owing to deponent by Ernest Wolkens for goods and merchandize sold to him by deponent. That said money or any part of the same has not been paid over to deponent or in anywise whatever accounted for by said Diederich

Deponent believes and charges said Diederich with feloniously embezzling said above described amount of money and prays that he may be held to answer according to law

Sworn to before me this 10 day of December 1879
M. Ken Allbaugh
Police Justice

Morgan Sweeny

0 195

City and County
of New York ss

Ernest Wohlken of No 761 Gates Avenue City of Brooklyn being duly sworn says that on or about the 28 day of November 1879 deponent paid to Diederich H. N. Fuselcher now present good and lawful money of the United States of the amount and value of Thirty one 65/100 Dollars which amount was due and owing by deponent to Morgan J. Sweeny for Merchandize purchased of him and delivered

Sworn to before me this 10 day of Dec 1879.
M. L. Sweeny
Justice

Ernst. A. Wohlken

Police Court—First District.

CITY AND COUNTY OF NEW YORK, } ss.

Diederich H W Fuselehr 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. Diederich H W Fuselehr

Question. How old are you?

Answer. 30 years

Question. Where were you born?

Answer. Germany

Question. Where do you live?

Answer. 48 Tompkins avenue Brooklyn

Question. What is your occupation?

Answer. I sell on commission

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

Answer. I am not guilty

Diederich H W Fuselehr

Taken before me, this 12 day of December 1879

Morgan O'Brien

POLICE JUSTICE.

Warrant

Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Morgan J. Owens
37½ Water St

vs.

Deidrich H. W. Tuselcher

Offence, Contempt

546

1 Counsel - A. Sunis Jr.

2

3 Try next week - Dec. 15th.

4

5

6

RECEIVED DEC 15 1879 DISTRICT ATTY'S OFFICE

Dated December 10th 1879

Otterbourg Magistrate.

Oales Officer.

Clerk.

Witnesses, Henry Miller
216 Sam's Street Brooklyn
Henry Lieff
29 Hudson Avenue Brooklyn
Henry Gantelmann
181 Division Ave Brooklyn

$ 1000. Ernest A. Wohlkens 761 Water Ave Brooklyn

at General. Sessions.

Received in Dist. Atty's Office.

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,

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

Ernest A. Wohlkens
761 Water Avenue
Brooklyn

1619

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 Dederich H. W. Faselaher

late of the First Ward of the City of New York, in the County of New York, aforesaid not being an apprentice or person within the age of eighteen years, on the twenty sixth day of September in the year of our Lord one thousand eight hundred and seventy nine was employed in the capacity of a clerk and servant to one Morgan J. Sweeny

and as such clerk and servant, was entrusted to receive a certain sum of money, that the sum of twenty nine dollars and seventy cents in money, and of the value of twenty nine dollars and seventy cents

and being so employed and entrusted as aforesaid, the said Dederich H. W. Faselaher by virtue of such employment then and there did receive and take into his possession the said certain sum of money to wit the sum of twenty nine dollars and seventy cents in money and of the value of twenty nine dollars and seventy cents

for and on account of Morgan J. Sweeny

his said master and employer; and that the said Dederich H. W. Faselaher on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, fraudulently and feloniously did take, make away with and secrete, with intent to convert to his own use, and did fraudulently and feloniously embezzle and convert to his own use, without the consent of said master and employer, and did fraudulently and feloniously and without the consent of his said master and employer withold, appropriate, apply and make use of the said certain sum of money to wit the sum of twenty nine dollars and seventy cents in money and of the value of twenty nine dollars and seventy cents.

(Over.)

of the goods, chattels, personal property and money of the said Morgan J. Sweeney which said goods, chattels, personal property, and money had come into his possession and under his care, by virtue of his being such clerk and servant as aforesaid, 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 Roderick H. W. Fuselehes

$29.70

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year last aforesaid, at the Ward, City and County aforesaid, with force and arms, fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand 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 Demand 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 Demand Treasury Notes), of the denomination of five dollars, and of the value of five 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 a bank note), 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 a bank note), 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: 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: thirty 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: two hundred and forty silver coins (of the kind usually known as shilling pieces), of the value of twelve and a half 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 coins (of the kind known as three cent pieces), of the value of three cents each: three thousand copper coins (of the kind known as cents), of the value of one cent 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.

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as United States Treasury notes, of a number and denomination to the Jurors aforesaid unknown, and more accurate description of which cannot now be given, of the value of twenty nine dollars and seventy cents

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as Bank Notes, of a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of twenty nine dollars and seventy cents

Divers 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 a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of twenty nine dollars and seventy cents

Divers Coins, of a number, kind, and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of Twenty nine

6610

0200

dollars and seventy cents.

of the goods, chattels and personal property of one Morgan J. Sweeny

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

BENJ. K. PHELPS, District Attorney.

0201

Witnesses

Morgan J. Sweeny
37½ Water St

—

John Eams
166 St and 3d Ave.

—

148

Counsel,

Filed 19 day of Dec 1879

Pleads Not Guilty

THE PEOPLE

vs.

Diederich H. W. Frigeleher.

Embezzlement and Larceny.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. W. Cooper
Foreman.

Feb 5. 1880

Discharged

0202

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 Dederich H. W. Fuseleher

late of the First Ward of the City of New York, in the County of New York, aforesaid not being an apprentice or person within the age of eighteen years, on the twenty Eighth day of November in the year of our Lord one thousand eight hundred and seventy- nine was employed in the capacity of a clerk and servant to one Morgan J Sweeney

and as such clerk and servant, was entrusted to receive a certain Sum of money, to wit the sum of Thirty one dollars and eighty five cents in money and of the value of thirty one dollars and Eighty five Cents

and being so employed and entrusted as aforesaid, the said Dederich H W. Fuseleher by virtue of such employment then and there did receive and take into his possession the said certain sum of money to wit: the sum of Thirty one dollars and Eighty five cents in money, and of the value of Thirty one Dollars and Eighty five Cents

for and on account of Morgan J Sweeney

his said master and employer; and that the said Dederich H W. Fuseleher on the day and year last aforesaid with force and arms, at the Ward, City and County aforesaid, fraudulently and feloniously did take, make away with and secrete, with intent to convert to his own use, and did fraudulently and feloniously embezzle and convert to his own use, without the consent of said master and employer, and did fraudulently and feloniously and without the consent of his said master and employer withold, appropriate, apply and make use of the said certain sum of money to wit: the sum of Thirty one dollars and Eighty five cents in money, and of the value of thirty one dollars and Eighty five cents.

(Over.)

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

Morgan J. Sweeny

which said goods, chattels, personal property, and money had come into his possession and under his care, by virtue of his being such clerk and servant as aforesaid, 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

Frederick A. W. Fuchsbar

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year last aforesaid, at the Ward, City and County aforesaid, with force and arms, fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand 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 Demand 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 Demand Treasury Notes), of the denomination of five dollars, and of the value of five 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 a bank note), 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 a bank note), 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: 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: thirty 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: two hundred and forty silver coins (of the kind usually known as shilling pieces), of the value of twelve and a half 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 coins (of the kind known as three cent pieces), of the value of three cents each: three thousand copper coins (of the kind known as cents), of the value of one cent 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 Americe, 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.

31 85/100

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as United States Treasury notes, of a number and denomination to the Jurors aforesaid unknown, and more accurate description of which cannot now be given, of the value of Thirty-one Dollars

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as Bank Notes, of a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of Thirty-one dollars

Divers 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 a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of Thirty one dollars and Eighty five cents

Divers Coins, of a number, kind, and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of

Thirty one dollars and Eighty five cents

of the goods, chattels and personal property of one

Morgan J. Sweeny.

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

BENJ. K. PHELPS, District Attorney.

0205

122

Counsel,

Filed 17 day of Dec 1879

Pleads Not Guilty

THE PEOPLE

vs.

Frederick H. W. Fuselchen

Embezzlement and Larceny.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. W. Cooper

Foreman.

Sept 6th 1879

Tried & Acquitted

0206

Louisiana Dec 15th 1879

Dear Sir

The Co. of Tea i
Received on the 31st of May
& paid to Mr Fuller
On July 27th

I found the receipt

your Respectfully

W.T.S

Henry Rutimann
Morris Ave Cor
151st St

0207

240 00
40

Thursday Dec 11th/79
9-10.10 A.M.

0208

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 Diederich A W Fuselcher

late of the First Ward of the City of New York, in the County of New York, aforesaid not being an apprentice or person within the age of eighteen years, on the Twenty seventh day of July in the year of our Lord one thousand eight hundred and seventy nine was employed in the capacity of a clerk and servant to one Morgan J Sweeny

and as such clerk and servant, was entrusted to receive a certain sum of money to wit the sum of Twenty two dollars and seventy five cents in money and of the value of twenty two dollars and seventy five cents —

and being so employed and entrusted as aforesaid, the said Diederich A W Fuselcher by virtue of such employment then and there did receive and take into his possession the said certain sum of money to wit the sum of Twenty two dollars and seventy five cents in money and of the value of twenty two dollars and seventy five cents

for and on account of Morgan J Sweeny

his said master and employer; and that the said Diederich A W Fuselcher on the day and year last aforesaid with force and arms, at the Ward, City and County aforesaid, fraudulently and feloniously did take, make away with and secrete, with intent to convert to his own use, and did fraudulently and feloniously embezzle and convert to his own use, without the consent of said master and employer, and did fraudulently and feloniously and without the consent of his said master and employer withold, appropriate, apply and make use of the said certain sum of money to wit the sum of twenty two dollars and seventy five cents in money and of the value of twenty two dollars and seventy five cents

(Over.)

of the goods, chattels, personal property and money of the said Morgan J. Sweeney which said goods, chattels, personal property, and money had come into his possession and under his care, by virtue of his being such clerk and servant as aforesaid, 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 Federick H W Fuselsen,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year last aforesaid, at the Ward, City and County aforesaid, with force and arms, fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand 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 Demand 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 Demand Treasury Notes), of the denomination of five dollars, and of the value of five 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 a bank note), 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 a bank note), 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: 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: thirty 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: two hundred and forty silver coins (of the kind usually known as shilling pieces), of the value of twelve and a half 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 coins (of the kind known as three cent pieces), of the value of three cents each: three thousand copper coins (of the kind known as cents), of the value of one cent 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 Americe, 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.

22.75 100

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as United States Treasury notes, of a number and denomination to the Jurors aforesaid unknown, and more accurate description of which cannot now be given, of the value of Twenty two dollars

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as Bank Notes, of a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of Twenty two dollars

Divers 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 a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of Twenty two dollars and Seventy five cents

Divers Coins, of a number, kind, and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of

Twenty two dollars and Seventy five cents

of the goods, chattels and personal property of one

Morgan F. Sweeny

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

BENJ. K. PHELPS, District Attorney.

0211

149

Counsel,

Filed 19 day of Dec 1879

Pleads N. Guilty

THE PEOPLE

vs.

Federal H. O. Faulkey P.

Embezzlement and Larceny.

2 Cases.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. W. Cooper

Foreman.

CITY AND COUNTY OF NEW YORK, } ss. :

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

That Dederick H W Fuselaer

late of the First Ward of the City of New York, in the County of New York, aforesaid not being an apprentice or person within the age of eighteen years, on the Seventh day of October in the year of our Lord one thousand eight hundred and seventy-nine was employed in the capacity of a clerk and servant to one Morgan J Sweeny

and as such clerk and servant, was entrusted to receive a certain sum of money towit the sum of Thirty five dollars and Eighty Eight cents in money, and of the value of Thirty five dollars and Eighty Eight cents

and being so employed and entrusted as aforesaid, the said Dederick H W Fuselaer by virtue of such employment then and there did receive and take into his possession the said certain sum of money towit the sum of Thirty five dollars and Eighty Eight cents in money and of the value of Thirty five dollars and Eighty Eight cents

for and on account of Morgan J Sweeny

his said master and employer; and that the said Dederick H W Fuselaer on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, fraudulently and feloniously did take, make away with and secrete, with intent to convert to his own use, and did fraudulently and feloniously embezzle and convert to his own use, without the consent of said master and employer, and did fraudulently and feloniously and without the consent of his said master and employer withold, appropriate, apply and make use of the said certain sum of money towit the sum of Thirty five dollars and Eighty Eight cents in money and of the value of Thirty five dollars and Eighty Eight cents.

(Over.)

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

Morgan J Sweeny

which said goods, chattels, personal property, and money had come into his possession and under his care, by virtue of his being such clerk and servant as aforesaid, 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

Dederick H W Fuselier

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year last aforesaid, at the Ward, City and County aforesaid, with force and arms, fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand 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 Demand 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 Demand Treasury Notes), of the denomination of five dollars, and of the value of five 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 a bank note), 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 a bank note), 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: 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: thirty 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: two hundred and forty silver coins (of the kind usually known as shilling pieces), of the value of twelve and a half 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 coins (of the kind known as three cent pieces), of the value of three cents each: three thousand copper coins (of the kind known as cents), of the value of one cent 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 Americe, 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.

$3.5.88/100

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as United States Treasury notes, of a number and denomination to the Jurors aforesaid unknown, and more accurate description of which cannot now be given, of the value of Thirty five dollars

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as Bank Notes, of a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of Thirty five dollars

Divers 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 a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of Thirty five dollars and Eighty Eight Cents

Divers Coins, of a number, kind, and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of

Thirty five dollars and Eighty Eight Cents

of the goods, chattels and personal property of one

Morgan J. Sweeny

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

BENJ. K. PHELPS, District Attorney.

Witness
Morgan J. Sweeny
37½ Water St

John F. Miller
116 W. 41st & 1st Ave

150

Counsel,
Filed 19 day of Dec 1879
Pleads Not Guilty

THE PEOPLE

vs.

Federick A. W. Fuellhas

4 Cases

Embezzlement and Larceny.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

W. H. Cooper

Foreman.

Pldg. J. Mn.

Discharged

02 16

BOX:
2

FOLDER:
21

DESCRIPTION:
Flynn, John

DATE:
12/10/79

21

0217

561

Filed 10 day of Dec 1879

Pleads

THE PEOPLE

18-
25-1.51
tin smith

vs.

John Flynn

Obtaining Goods by False Pretences

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. H. Cooper

Foreman.

Part Tro Dec 11. 1879
Plead guilty
Pen: Six months

Police Court, Fourth District.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. John F. Lynn

Question. How old are you?

Answer. Eighteen years of age

Question. Where were you born?

Answer. New York City

Question. Where do you live?

Answer. 125th Street, bet. 1st & 2 Avenues

Question. What is your occupation?

Answer. Tin Smith

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

Answer. I am not guilty of the charge. Mr Walkerley gave me $20. to give to my employer and I spent it.

John F. Lynn

Taken before me this 26th day of October 1875

[illegible] Police Justice.

FOURTH DISTRICT POLICE COURT.

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

Charles Walkerley

of No. 114 Sackett Street, Brooklyn

~~Street,~~ being duly sworn, deposes and says,

that on the Seventh day of November 1879

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

John J. Lynn, now here, aged 18 years, did feloniously and by means of false and fraudulent pretences and representations, and designedly with the intent to cheat and defraud, obtain of deponent, and of his property, the sum of Twenty dollars good and lawful money.

That on said day the said J. Lynn came to deponent and stated and represented to this deponent that one Patrick May had sent him, J. Lynn, to collect from deponent some money on account of a bill then due and owing by deponent to said May.

That deponent believing said statements and representations then and there gave said J. Lynn the sum of Twenty dollars on account of the sum then due from deponent to said May.

That deponent has since ascertained that all of said statements and representations so made to deponent by said J. Lynn were false and untrue, and that said M[illegible] did not send said J. Lynn to collect said money and that said J. Lynn did appropriate said money to said J. Lynn's own use and profit.

Sworn to before me this 29th day of November 1879

Charles Walkerley

[illegible] Police Justice

City and County of New York, ss.

Patrick May, of No 427 First Avenue, being duly sworn deposes and says — that deponent has heard read the foregoing complaint of Charles Walkeley, and deponent says that the statements made by said Walkeley of the defendant John Flynn, are true, other than false and untrue, as related in said complaint; and deponent further says that he did not direct or authorize said Flynn to demand collect or receive any money whatever from said Walkeley for or on account of deponent.

Sworn to before me this 29 day of November 1875

Patrick his x mark May

Police Justice

Police Court—Fourth District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated 187

Magistrate.

Officer.

0221

5 ten

Police Court—Fourth District.

THE PEOPLE &c.
ON THE COMPLAINT OF

Charles Wackerley
114 Stackett St. Brooklyn

1 John J. Lynn
2
3
4
5
6

Offence, Grand Larceny

RECEIVED DEC 1 1879

Dated November 29 1879

Murray Magistrate.
Harding 18 Officer.
McH Clerk.

Witnesses, Patrick May
427 First Av.

500 Bail Bond

Received in District Atty's Office, Cond

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,

0222

CITY AND COUNTY
OF NEW YORK, } ss.

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

That

John Flynn

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

Charles Walkerley

did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend and represent to the said Charles Walkerley

That he the said John Flynn had then and there and theretofore been sent by the employer of him the said John Flynn to wit: one "Patrick May" to obtain from him the said Charles Walkerley for and on the account of him the said Patrick May, a certain sum of money to wit, the sum of twenty dollars in money and of the value of twenty dollars
and that he the said John Flynn had then and there authority and was then and there authorized to receive from him the said Charles Walkerley for and on the account of him the said Patrick May the said sum of money to wit: the sum of twenty dollars in money and of the value of twenty dollars.

And the said Charles Waverley

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

and being deceived thereby, was induced, by reason of the false pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said John Flynn, a certain sum of money, to wit: the sum of twenty dollars in money, and of the value of twenty dollars

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

and the said John Flynn did then and there designedly receive and obtain the said certain sum of money to wit: the sum of twenty dollars in money and of the value of twenty dollars

of the said Charles Waverley

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

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

Charles Waverley

of the same.

Whereas in truth and in fact, he the said John Flynn had not then and there and therefore been sent by Patrick Clay the employer of him the said John Flynn, to obtain from him the said Charles Waverley for and on the account of him the said Patrick Clay the sum of twenty dollars in money or any sum of money whatsoever

And Whereas, in truth and in fact, the said John Flynn has not then and there authority and was not then and there authorized to receive from him the said Charles Wakeley for and on the account of him the said Patrick Mag. the sum of twenty dollars in money, nor any other sum of money whatsoever.

And Whereas, in truth and in fact, the pretences and representations so made as aforesaid, by the said John Flynn to the said Charles Wakeley was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said John Flynn well knew the said pretences and representations so by him made as aforesaid to the said Charles Wakeley to be utterly false and untrue at the time of making the same.

And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said John Flynn _____ 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 Charles Wakeley the said certain sum of money, to wit: the sum of Twenty dollars in money and of the value of twenty dollars.

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

with intent feloniously to cheat and defraud him 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.

0225

BOX:
2
FOLDER:
21
DESCRIPTION:
Flynn, Michael
DATE:
12/23/79

21

185.

Counsel,
Filed 23 day of Dec 1879
Pleads

THE PEOPLE

1st
38 Mulberry

vs.

Michael Flynn

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

BENJ. K. PHELPS,
District Attorney.

A True Bill.

M. W. Cooper
Foreman

Part Iro: Dec 23. 1879.
Pleads Guilty —
House of Refuge. /

0227

Form 112.

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

Police Court—First District.

Julia E. Hendry
on behalf of Mary H. Gillingham
No. 218 Gillingham Street

of No. 100 Columbia Street, being duly sworn, deposes and says, that on the 15th day of December 1899 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 the person of defendant

the following property, viz: One pocketbook containing good and lawful money of the United States to the amount and

of the value of Twenty one 30/100 = Dollars, the property of defendant's husband Dangerfield Hendry.

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 Marshall Flynn now here from the fact that defendant was riding on a bleecker street car defendant had said pocketbook in the right hand pocket of the jacket then and there worn by defendant as a portion of defendant's bodily clothing. defendant felt said Marshall Flynn's hand in defendant's pocket and caught him in the possession of the property aforesaid

Julia E. Hendry

Sworn to, before me, this 16th day of December 1899

G. F. Allen
Police Justice.

Police Court—First District.

CITY AND COUNTY OF NEW YORK. } ss.

Michael Flynn 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. Michael Flynn

Question. How old are you?

Answer. 14 years of age.

Question. Where were you born?

Answer. New York.

Question. Where do you live?

Answer 38 Mulberry Street.

Question. What is your occupation?

Answer. Sell newspapers.

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

Answer. I have nothing to say to the charge.

Michael Flynn
mark

Taken before me, this 13th *day of* December 18 74

J. J. Murphy *Police Justice.*

Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Julia Murphy
No 100 Charles St
or No 218 Sullivan St

vs.

Michael Flynn

2

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6

Affidavit—Larceny. Not

RECEIVED
DEC 17 1879
DIST. ATTORNEY

Date Dec 15th 1879

Magistrate.

Officers

Witnesses

M. Plummer
161 William Street

$ 1000 to answer

at General Sessions Corr

Received at Dist. Atty's office

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,

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

6229

0230

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 Michael Flynn

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

on the Fifteenth day of December in the year of our Lord one thousand eight hundred and seventy-nine at the Ward, City and County aforesaid, with force and arms, in the night time of said day, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and uns tisfied (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 pocket book of the value of four dollars

of the goods, chattels, and personal property of one Julia E Newby on the person of the said Julia E Newby then and there being found, from the person of the said Julia E Newby 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.

31. 30

0231

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

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

That Michael Flynn

late of the First Ward of the City of New York, in the County of New York, aforesaid on the Fifteenth day of December in the year of our Lord one thousand eight hundred and seventy-nine at the Ward, City and County aforesaid, with force and arms, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes,) being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors 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 pocket book of the value of Four dollars of the goods chattels and personal property of the said Julia E Newby, by a certain person or persons then lately before feloniously stolen of the said Julia E Newby, unlawfully unjustly and for the sake of wicked gain did feloniously receive and have the said Michael Flynn then and there well knowing the said goods chattels and personal property to have been feloniously stolen

~~of the goods, chattels, and personal property of one~~

~~then and there being found~~

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

BENJ. K. PHELPS, District Attorney.

0232

BOX:
2
FOLDER:
21
DESCRIPTION:
Farley, Bernard
DATE:
12/23/79

21

0233

1

184

Day of Trial

Counsel,

Filed 23 day of Dec 1879

Pleads, Not Guilty 23

THE PEOPLE

32
20 Statutes

vs.

P

Bernard Farley

Burglary—Third Degree, and Receiving Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. W. Cooper

Foreman.

Part Trs: Jany 7. 1880.
Trial & Burg 3 days -
S P Three years.

0234

Police Office, First District.

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

of No. 124 Chatham Street, being duly sworn,

deposes and says, that the premises No. 124 Chatham

Street, 4 Ward, in the City and County aforesaid, the said being a Store

and which was occupied by deponent as a Store

were **BURGLARIOUSLY**

entered by means of breaking a pane of glass in a window of said store

on the night of the 6 day of December 1879

and the following property, feloniously taken, stolen and carried away, viz.:

Two Shirts. Two pairs of Drawers Four Shirts Three Silk Hatkfs and Two pairs of Socks of the value of Seven Dollars

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid **BURGLARY** was committed and the aforesaid property taken, stolen and carried away by

Bernard Farley now present

for the reasons following, to wit: deponent was informed by John Canavan that he heard the glass in said window broken and found said Farley in front of it with the three Hdkfs here produced lying on the walk at his feet. Deponent identifies said Hdkfs as a portion of the property so stolen as aforesaid

John Brandt

Sworn before me this 7 day of December 1879

[illegible]

Police Justice

City and County
of New York ss

John Canavan of
4th Police Precinct being duly sworn
says that on the night of the 6th day
of December 1879 deponent heard
glass broken and proceeded to the
front of Store No 124 Chatham Street
and there found Bernard Farley
now present and the 14 keys here
produced lying on the walk at
his feet

Sworn to before me this
7 day of December 1879
B. L. Morgan
Police Justice

John Canavan

0236

CITY AND COUNTY OF NEW YORK, } ss.

Bernard Farley 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. Bernard Farley.

Question. How old are you?

Answer. 33 years.

Question. Where were you born?

Answer. Ireland.

Question. Where do you live?

Answer. 20 Stanton St. N.Y.

Question. What is your occupation?

Answer. Fireman

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

Answer. I am not guilty.

Bernard Farley

Taken before me, this 7th *day of* Dec. 1879.

D. P. Ulmer

POLICE JUSTICE.

Form 66. 184

Police Court—First Dist.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Brandt
124 Chatham St

vs.

1 Bernard Farley

2

3

4

5

6

Offence, B of J

RECEIVED DEC 8 1879 DIST ATTORNEY'S OFFICE

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

Dated December 7 1879

Morgan Magistrate.

Canavan 4 Officer.

Clerk.

Witnesses,

Off Canavan 4th Pct

$ 1500 to answer

General Sessions. Com

Received in Dist. Atty's Office,

COMPLAINANT.

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

LE 20 1

0238

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 Bernard Farley

late of the Fourth Ward of the City of New York, in the County of New York aforesaid, on the Rich day of December in the year of our Lord one thousand eight hundred and seventy-nine with force and arms, at the Ward, City and County aforesaid, the Store of John Brandt there situate, feloniously and burglariously, did break into and enter, the same being a building in which divers goods, merchandise, and valuable things were then and there kept for use, sale and deposit, to wit: the goods, chattels and personal property hereinafter described, with intent the said goods, chattels and personal property of the said John Brandt then and there being, then and there feloniously and burglariously to steal, take and carry away, and

Six Shirts of the value of fifty cents each.
Two Pairs of drawers of the value of fifty cents each.
Three handkerchiefs of the value of fifty cents each.
Two Pairs of socks of the value of fifty cents each.

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

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

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

That the said

Bernard Farley

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,

Six shirts of the value of fifty cents each —
Two pairs of drawers of the value of fifty cent each —
Three handkerchiefs of the value of fifty cents each —
Two pairs of socks of the value of fifty cents each —

of the goods, chattels, and personal property of John Brandt

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

John Brandt

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

Bernard Farley

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.

0240

BOX:
2
FOLDER:
21
DESCRIPTION:
Flaherty, Patrick
DATE:
12/08/79

21

0241

BOX:
2
FOLDER:
21
DESCRIPTION:
Howard, John
DATE:
12/08/79

21

0242

61

Counsel, Armstrong p229 Bray

Filed 8 day of Dec 1879

Both Pleads, Not Guilty (9)

THE PEOPLE

vs.

Patrick Flaherty, P

John O'Leary P

The Grand Jurors [illegible] for the [illegible]

BURGLARY—Third Degree, and Grand Larceny.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. W. Cooper

Foreman.

Give Counsel Arraignment 2 days notice before trial

Dec

Part 3 mo: Dec. 23. 1879.-
Both discharged on their verbal recognizances.

0243

Police Office, First District.

City and County of New York, } ss.: Silas N. Taylor

of No. 146 Nassau Street, being duly sworn, deposes and says, that the premises No. 146 Nassau Street, 2d Ward, in the City and County aforesaid, the said being a Store and which was occupied by deponent as a Store for the sale of merchandise were **BURGLARIOUSLY** entered by means of breaking the plate glass contained in said door which door was the entrance to said store on the Morning of the 25th day of November 1879 and the following property, feloniously taken, stolen and carried away, viz.:

Silk Handkerchiefs in all of the value of Sixty dollars.

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid **BURGLARY** was committed and the aforesaid property taken, stolen and carried away by said Patrick Flaherty John Howard (both now here)

for the reasons following, to wit: that this deponent discovered the glass in the door broken as aforesaid and said handkerchiefs stolen as aforesaid on the morning of the day aforesaid. That this deponent is informed by Lewis Parsons that on the morning when the aforesaid

0244

GLUED PAGES

Burglary was committed he said
Princes saw Patrick Flaherty
John Howard (colored) and
Thomas Shea arrested and awaiting
trial for the aforesaid Burglary
in close proximity to the premises
premises This was about
four o'clock in the morning
of said day That the said
Howard approached Princes
and asked him what he
(Princes) was doing there
He Princes at that time was
standing on the opposite side
of the street directly opposite
to 146 Nassau Street. Howard
shortly after returned to
Flaherty and Shea and
a short time thereafter Princes
heard the breaking of the glass
and within a short time after
saw John Howard and
Patrick Flaherty enter the ground
store they remained in the ground
store for the space of about
ten minutes when the said
Flaherty Howard and Shea
came out of said premises
and Princes saw them ~~together~~
going in the direction of
the City Hall Park ~~Thereafter~~
~~[illegible]~~

Sworn to before me this
[illegible] day of December 1874
P. S. Wingate
Police Justice

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

Louis Princes
of No. 20 Clinton Street
being duly sworn, deposes and says,
that on the day of 18 in the City
~~of New York, in the County of New York,~~ that the facts

going in the direction of the City Hall Park. Therefore deponent is unable to state the first date.

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

Louis Rines

of No. 20 Clinton Street

being duly sworn, deposes and says,

that on the ____ day of ____ 18__ at the City of New York, in the County of New York, that the facts stated in the foregoing complaint on information given by deponent are true as he (deponent) verily believes, and that he (deponent) fully identifies Patrick Flaherty and John Howard (now here) as the same persons who he saw on the morning of the burglary as set forth in the foregoing complaint and that deponent is informed the morning hereafter the 20th day of the same month

Louis Rinkus

Sworn to before me this ____ day of ____ 18__

Francis Fox
Recorder

and Francis saw them together
going in the direction of
the City Hall Park. Therefore defendant
[illegible] denied to write

[illegible] FIRST DEPOSITION

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

Louis Pincus

of No. 20 Clinton Street

being duly sworn, deposes and says,

that ~~on the~~ ~~day of~~ ~~18~~ ~~at the City of New York, in the County of New York,~~ that the facts
stated in the foregoing complaint
on information given by
defendant are true to his
(deponents) own knowledge
and that he (deponent) fully
identifies Patrick Flaherty
and John Howard (now here)
as the same persons who
he saw on the morning
of the burglary as set forth
in the foregoing complaint
and that defendant at that
morning described the persons he saw to Detectives [illegible]

Louis Pincus

~~Sworn to this~~ ~~day of~~ ~~18~~

Sworn to before me
this 4th day of Dec 1894
[illegible]
Police Justice
N.Y. City

THE PEO
ON THE CO

Police Court

CITY AND COUNTY OF NEW YORK, } ss.

Patrick Flaherty 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. Patrick Flaherty.

Question. How old are you?

Answer. 35 years of age

Question. Where were you born?

Answer. New York city

Question. Where do you live?

Answer. New York city

Question. What is your occupation?

Answer. Cooper

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

Answer. I am not guilty of the charge

Patrick Flaherty

Taken before me, this 7th *day of* October *1879.*

W. L. Morgan

POLICE JUSTICE.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. John Howard

Question. How old are you?

Answer. 29 years of age.

Question. Where were you born?

Answer. New York.

Question. Where do you live?

Answer. New York.

Question. What is your occupation?

Answer. Salesman

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

Answer. I am not guilty of the charge.

John Howard

Taken before me, this 11 *day of* October *1879*

[illegible]

POLICE JUSTICE.

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

I, Gilbert Carr
of the 4th Precinct Police Office

being duly sworn, deposes and says,
that on the 2d day of December 1876 at the City
of New York, in the County of New York, he arrested
John Howard. who lives, on
suspicion of being connected
with a burglary committed
upon the premises known
as No 146 Mercer Street
in this City, on the 25th day
of November 1876 That the
Officers prays that he may
be remanded to obtain the
presence of witnesses.

Gilbert Carr

Sworn to, this 3d day of Dec. 1876
before me,

R. L. Hippelle

Police Justice.

Form 66. 61

Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Silas W. Taylor

146 Nassau St

vs.

1 Patrick Flaherty

2 John Howard

3

4

5

6

Burglary and Larceny

Offence.

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

RECEIVED DISTRICT ATTORNEY'S OFFICE DEC 5 1879

Dated December 4th 187 9

Magistrate.

Officer.

Clerk.

Witnesses,

Louis Pincus

223 Washington St

Mt. Pleasant

$2000 each to answer

General Sessions.

Received in Dist. Atty's Office,

COUNSEL FOR DEFENDANT.

N.Y. General Sessions

The People
vs
John Flaherty
John Howard } Burglary

To
Hon B. K. Phelps
District Attorney

Sir — You will please take notice that a motion will be made on the last day of the present (December) term of the above Court for the discharge of the defendants above named upon the ground of the failure of the People to prosecute, or for such other and further order as to the Court may seem just and proper.

Yours
William F. Kritzing
of Counsel
for Defendants.

Dated N.Y. Dec 30/79

0253

N.Y. General Sessions

The People

vs.

John Flaherty
Robert Durand

Notice of Motion

W. F. Kintzing
of Counsel for
Defendants.

To
Hon B. K. Phelps
Dist Atty &c

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 Flaherty & John Howard each

late of the Second ——— Ward of the City of New York, in the County of New York, aforesaid, on the twenty fifth day of November in the year of our Lord one thousand eight hundred and seventy-nine with force and arms, at the Ward, City and County aforesaid, the Store ——— of Silas W Taylor ——— there situate, feloniously and burglariously, did break into and enter, the same being a building in which divers goods, merchandise, and valuable things were then and there kept for use, sale and deposit, to wit: the goods, chattels, and personal property hereinafter described, with intent the said goods, chattels, and personal property of the said Silas, W. Taylor ——— then and there therein being, then and there feloniously and burglariously to steal, take and carry away, and

Thirty six handkerchiefs of the value of one dollar each.

Six pairs of gloves of the value of four dollars each pair.

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

Silas W Taylor

so kept as aforesaid in the said Store ——— then and there being, then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

0255

BOX:
2
FOLDER:
21
DESCRIPTION:
Ferguson, Frances K.
DATE:
12/16/79

21

106

Filed 16th day of Dec 1879

Pleads Not Guilty (17)

THE PEOPLE

vs.

B

Frances K. Ferguson
H. No. 217. W. 19th St.
residence

Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. W. Cooper

Foreman.

Jany 23. 1880.

Friday Dec. 19

Tried & Convicted B
an assault &
Fine of 10 cents Commitment until the same be paid

4 L 16

The People vs. Frances K. Ferguson

Court of General Sessions. Before Judge Gildersleeve. January 23, 1880.

Indictment for assault and battery.

Edward B. St. John Henrignes sworn. I live 130 East Forty seventh St.; on the 5th of December I was coming down on a third avenue car, a smoking car; there are three large signs on it, one over front, one behind, and one in the centre. I got on the car at Forty Seventh St. I waited for the smoking car to come along; it was 10 minutes past 12 when I first got on the car. Nothing happened until we came to Canal St. I first noticed Mrs. Ferguson offer the conductor a piece which he rejected. She then handed him another piece and he gave her change. I was smoking and reading the paper. She got up and sat down in the corner; she was not sitting near me at that time; she was sitting kind of catecornered from me; she got up in the rear corner and spoke to the conductor; I heard the conductor say, "it is a smoking car." I went to get off at Chamber St. I had an engagement with my brother-in-law, Mr. Hart, Chief of the Permit Bureau; there were two gentlemen on the rear platform to get off. I waited till he got off. This lady turned around and struck me in the face; she was standing on the back platform

Her fist was halfway through her muff. I turned around and said, "What did you strike me for, madam? She turned around and said, "you insulted me by smoking," and struck me again. I was then a special deputy sheriff and showed her my shield. I told her I would hold her under arest. She said she would not get off the car. One of these gentlemen told me to wait until I could get an officer at the 26th precinct. I hailed Officer Cook and told him I wanted him to arest her for assault and battery. She turned around and struck me again. If I had received the blow, it would have cut me, but Officer Cook knocked the blow off. he took her to the Twenty sixth Precinct station house and I prefered a charge against her. In the station house before the officer and Sergeant she said she was very sorry she did not mark me for life. Cross Examined. I am clerk for Frederick Lewis, 372 Broadway. I did not say, "Why did you strike me, you bitch. I never insulted a lady in my life. I am positive I did not go out with another man on the rear platform and smoke in the face of the defendant. Mr. Moore was on the car, I never saw him before, he came up and offered me his services as a witness

Joseph Cook, sworn. I am an officer of the 26th precinct and arrested the defendant on the complaint of the previous witness right opposite the City Hall; she was sitting in the corner of the car inside. Mr. Henriques hailed me. I asked what was the trouble? He said, "Arrest her for assault." In doing that she made another pass at him to strike him and I caught the blow. She said she would walk along with me but not with him. At the station house she said he smoked in her face.

Frances K. Ferguson, sworn and examined in her own behalf, testified. I saw the complainant for the first time on the 5th of December on this Third avenue car. I left my home about ten minutes after twelve for the purpose of seeing Mary Cooper before one o'clock. I got on a horse car at Seventh St. and Third avenue; when I went into the car there was several persons there, ladies and gentlemen. Mr. Henriques was smoking at the time I went on the car and he stopped when I was going in. After I gave my fare to the conductor, the complainant and several others noticed what happened between the conductor and myself about the change. Henriques, who was directly opposite me, commenced smoking and not wanting to get the smoke in my mouth I rose

almost in a jump and went to the outside of the car. If smoke gets into my throat or lungs it causes me to faint. I went on the rear platform and the conductor asked me if I was going to get off only a few minutes after paying my fare? I said, "No, but if there was smoking on the inside I must stand outside. He said, I told them not to do so, but they will. There was a young man standing by the conductor smoking what I thought was a piece of paper. Both he and the conductor laughed. I did not get angry at that. I did not know that this was a smoking car when I got in. I stood a moment on the platform, and the conductor said, "Take that seat," pointing to the corner next to him, "the smoke won't come to you so much. I did so, but the smoke seemed to come there even more than the other place. I tried to open the window, but could not. I asked the conductor to do so, and he said they were nailed up for the winter. Both Henriques and a Mr. Moore directed their smoke towards me and laughed. I went outside again. Moore sat down in the seat I vacated. I said to the conductor that if he allowed these men to scatter themselves over the car to the annoyance and injury of other passengers that I would report him. Henriques stood

up to make an inquiry of the conductor and Moore behind him, both smoking in my face. I had my muff in my hand and I drew it to ward off the smoke and the cigar was knocked out of his mouth. I did not mean to strike him. He asked me what I was doing, said a bad word, and said he would pitch me off the car and drag me through the streets. I caught hold of the handle of the car with both hands but he succeeded in wrenching my right hand off the car. I struck him with my muff and hand at the same time.

The jury rendered a verdict of guilty.

0262

Testimony in the case
Frances K. Ferguson
filed Dec. 1879

0263

New York Juvenile Asylum,

176th STREET AND TENTH AVENUE.

OFFICE AND HOUSE OF RECEPTION. 61 WEST 13TH STREET.

ELISHA M. CARPENTER, *Superintendent.*

E. D. CARPENTER, *Supt. House of Reception.*

New York, Dec. 8 1879 —

City and County S.S.

John W. Stevens being duly sworn — says that he has been [illegible] of the New York Juvenile Asylum since 1871. and with the Institution since 1862 — That a person [illegible] Ferguson ? Ferguson has never. to his knowledge. been employed in said institution in any capacity during the said time

John W. Stevens

Sworn to before me
December 8th 1879

E. D. Carpenter
Notary Public

Witness for Prosecution
Anton Kafer
Robert Burchard
27 Delancey St
M. A. Craig
1217 2d Avenue
Conductor 9th Ave Car
Room No 428

0264

Case of
Ferguson
Outside papers

0265

Police Court—First District. Halls of Justice.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss. Edward B. W. John Henriques

of No. 130 East 47th Street,

being duly sworn, deposes and says, that

on Friday the 5th day of December

in the year 1879 at the City of New York, in the County of New York,

he was violently ASSAULTED and BEATEN by Francis R. Hoyt (now here) who then and there

struck deponent three blows

in the face with her closed

hand and did so assault

deponent without

~~without~~ any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be ~~[illegible]~~ bound to answer the above assault, &c., and be dealt with according to law. E B W John Henriques

Sworn to before me this 5th day of December 1879

R. Morgan Police Justice.

11

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 Frances K. Ferguson

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the fifth day of December in the year of our Lord one thousand eight hundred and seventy-nine at the Ward, City and County aforesaid, in and upon the body of Edward B. St John Henriques in the peace of the said people then and there being, with force and arms unlawfully did make an assault and he the said Edward B. St John Henriques did then and there unlawfully beat, wound and ill-treat, to the great damage of the said Edward B. St John Henriques and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

0267

BOX:
2

FOLDER:
21

DESCRIPTION:
Fleischer, William

DATE:
12/9/79

21

0268

BOX:
2
FOLDER:
21
DESCRIPTION:
Garvey, Thomas
DATE:
12/09/79

21

0269

BOX:
2
FOLDER:
21
DESCRIPTION:
Schumacker, Charles
DATE:
12/09/79

21

0270

BOX:
2
FOLDER:
21
DESCRIPTION:
Josephs, Louis
DATE:
12/09/79

21

0271

77

Day of Trial

Counsel,

Filed 9 day of [illegible] 187[illegible]

Pleads

19 [illegible] 9 [illegible] [illegible]

THE PEOPLE

vs.

William Hirscher P.
Thomas Garvey P.
Charles Schoonmaker
Louis Josephs A.A.

Burglary—Third Degree, and Receiving Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. W. Cooper

Dec. 10. 187[illegible] *Foreman.*

1, 2, 3 Plead Burg 3 deg.

Each Elmira Ref

0272

Police Court, Second District.

City and County of New York, } ss.

John Hartell

of No. 341 West 83 Street, being duly sworn, deposes and says, that the premises No. 519 West 35 Street, 20 Ward, in the City and County aforesaid, the said being a Factory and which was occupied by deponent as a Varnishing and Polishing warehouse were **BURGLARIOUSLY** entered by means of forcibly removing a portion of the partition of the Office on the 8th floor and forcibly removing the Locks on the door leading into the store room on the 7th Floor of said premises last named on the night of the 3 day of December 1879 and the following property feloniously taken, stolen, and carried away, viz.:

A quantity of Varnish Brushes of the value of Thirty dollars — A quantity of Chamois Skins of the value of Five dollars — One paper Bronze of the value of Two 50/100 dollars One pair Scissors worth Fifty cents One Penknife worth Seventy Five cents — and Twenty lawful money viz Silver and Copper Coins together of the value of Three 50/100 dollars — in all of the value of Forty Two 25/100

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid **BURGLARY** was committed and the aforesaid property taken, stolen and carried away by William Thornton — Thomas Garvey and Charles Sullivan (now here) for the reasons following, to wit: that on the said date deponent securely locked and fastened the said premises at the hour of Six O'Clock P.M. — On the following day at 6.30 A.M. deponent found

the said premises broken open and missed the said property — deponent was informed by said defendant Schumacher that said Schumacher Fleischer, Garvey and Louis Josephs (not yet arrested) did act in concert with each other in committing said Burglary —

That said defendants respectively admitted and confessed to deponent that they had committed said Burglary

That deponent was further informed by Philip Smith, that he Smith found a portion of said property — viz a quantity of said Brushes in the basement of the premises occupied by said Schumacher which said portion deponent identifies as the property of deponent —

John Hartell

Sworn to before me this 6 day of December 1879

Charles Nauman Police Justice

0274

Police Court—Second District.

CITY AND COUNTY OF NEW YORK. } ss.

William Fleischer 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.— William Fleischer

Question.—How old are you?

Answer.— 19 years of age

Question.—Where were you born?

Answer.— New York City

Question.—Where do you live?

Answer.— 440-9 ave

Question.—What is your occupation?

Answer.— Varnisher

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

Answer.— I am guilty of the charge

Wm. Fleischer

Taken before me, this 6th day of December 1879

Police Justice.

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question.—What is your name?

Answer.— Thomas Garvey

Question.—How old are you?

Answer.— 17 years of age

Question.—Where were you born?

Answer.— New York city

Question.—Where do you live?

Answer.— 410 West 36 st

Question.—What is your occupation?

Answer.— Express-driver

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

Answer.— I am guilty of the charge

Thomas Garvey

Taken before me, this 6 day of December 1879

Police Justice.

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, } ss.

Charles Schumacher 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.—Charles Schumacher

Question.—How old are you?

Answer.—17 years of age

Question.—Where were you born?

Answer.—Germany

Question.—Where do you live?

Answer.—409 West 37 St

Question.—What is your occupation?

Answer.—Blower

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

Answer.—I am guilty of the charge

Charles Schuhmacher.

Taken before me, this 6th day of December 1879

Thos. C. Wilson Police Justice.

0277

77

A26

POLICE COURT—Second District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Hartell
319 W 35th St

vs.

1 William Flessner
2 Thomas Garvey
3 Charles Schumacher

OFFENCE Burglary and Larceny.

Dated December 6 1879

G Lamme Magistrate.

Reilly and Smith Officer.

Clerk.

Witnesses,

Officers Reilly and Smith — 120 Pct.

Charles Schumacher
409 W. 37th St

Committed in default of $ 100 bail. Cash

Bailed by

No.

RECEIVED
DEC 8 1879
DISTRICT ATTORNEY'S OFFICE

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 William Fleischer, Thomas Garrey, Charles Schumacher and Louis Joseph's each

late of the twentieth Ward of the City of New York, in the County of New York aforesaid, on the third day of December in the year of our Lord one thousand eight hundred and seventy-nine with force and arms, at the Ward, City and County aforesaid, the Factory of John Hartell there situate, feloniously and burglariously, did break into and enter, the same being a building in which divers goods, merchandise, and valuable things were then and there kept for use, sale and deposit, to wit: the goods, chattels and personal property hereinafter described, with intent the said goods, chattels and personal property of the said John Hartell then and there being, then and there feloniously and burglariously to steal, take and carry away, and

Thirty brushes of the value of one dollar each,
Ten skins [of the kind commonly called Chamois skins] of the value of fifty cents each,
One pound of bronze of the value of two dollars and fifty cents.
One pair of scissors of the value of fifty cents.
One knife of the value of seventy five cents.
Divers arms of a number and denomination to the jurors aforesaid unknown and a more accurate description of which can not now be given of the value of Three dollars and fifty cents —

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

John Hartell

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

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

That the said William Fleischer, Thomas Garvey, Charles Schoonmaker and Louis Joseph, 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,

Thirty Brushes of the value of one dollar each
Ten skins [of the kind commonly called Chamois Skins] of the value of fifty cents each
One pound of bronze of the value of two dollars and fifty cents.
One pair of scissors of the value of fifty cents
One knife of the value of seventy five cents.
Divers coins of a number and denomination to the jurors aforesaid unknown, and a more accurate description of which can not now be given of the value of Three dollars and fifty cents.

of the goods, chattels, and personal property of John Hartell

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

John Hartell

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said William Fleischer, Thomas Garvey, Charles Schoonmaker and Louis Joseph, each

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.