

1128

BOX:

510

FOLDER:

4652

DESCRIPTION:

Talbert, Henry

DATE:

01/12/93



4652

Witnesses:

John V. Seibert

(172)
Counsel,
Filed day of Aug 1893
(Pleads, *Not guilty*)

Grand Larceny, *Second Degree*
(From the Person)
[Sections 528, 531, Penna Code.]

THE PEOPLE

vs.

Henry Talbot

De LANCEY NICOLL,
District Attorney.

A TRUE BILL.

J. Cattin

Foreman.

July 6/93
Hendrick H. Seely
Per one up

1130

Sec. 198-200.

1883
District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Henry Talbot

Taken before me this

Day of January 1893

Police Justice.

1131

Police Court..... District. Affidavit—Larceny.

City and County }
of New York, } ss:

John J. Leibfried
of No. 97 + 99 Quercy Street, aged 32 years,
occupation Manufacturer of Spikes being duly sworn,
deposes and says, that on the 6 day of January 1895 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the day time, the following property, viz:

The Gold watch valued
at fifty dollars
\$50.00

the property of Alfred... 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 Henry Jagger (was him) for the reasons following to wit: on the said date as deponent was standing on Broadway having the said watch in the pocket of the vest which he then wore he felt a tug at said watch and he saw the defendants pull said watch from said pocket. The deponent seized hold of defendants. Defendants snatched said watch to the rear. Defendants broke away from deponent and ran away. Officer Archibald Jagger caught the defendants as he (defendants) was being pursued by deponent.

J. J. Leibfried

Sworn to before me, this 1895 day of January 1895
of New York, Police Justice.

1132

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

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

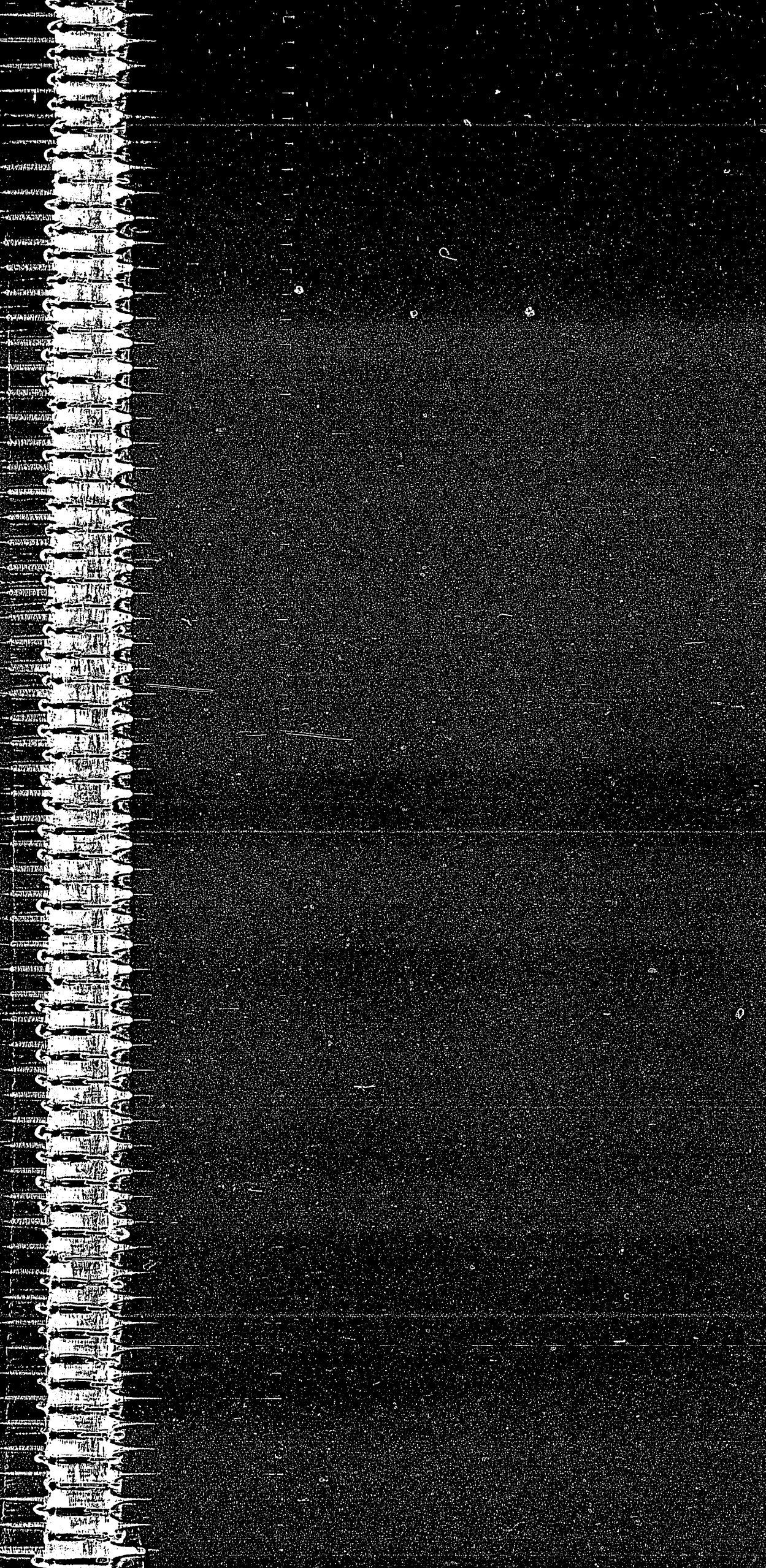
Dated, Jan 1 189 *H. M. Smith* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.



1127

BOX:

510

FOLDER:

4652

DESCRIPTION:

Talbert, Henry

DATE:

01/12/93



4652

Witnesses:

John V. Seibfried

(11/17/93)
Counsel,
Filed
day of Aug 1893
(Pleads, *Not guilty*)

THE PEOPLE

vs.

Henry Salbert

Grand Larceny, *Second Degree.*
(From the Person.)
[Sections 528, 531, Penal Code.]

De LANCEY NICOLL,
District Attorney.

A TRUE BILL.

J. Cathin

Foreman.

July 6/93.
Hendrick V. Deley
Pen one up

1129

Sec. 198-200.

1882

City and County of New York, ss:

District Police Court.

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

Question. What is your name?

Answer.

Henry Talbot

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

New York

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

Answer.

42 Stanton St. 4 years

Question. What is your business or profession?

Answer.

Teacher

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

Answer.

I am not guilty

Henry Talbot

Taken before me this

day of *December*, 189*3*

Michael

Police Justice.

1130

Police Court..... District..... Affidavit—Larceny.

City and County }
of New York, } ss:

John J. Leibfried
of No. 97+99 Quersay Street, aged 32 years,
occupation Manufacturer of Spikes being duly sworn,
deposes and says, that on the 6 day of January 1895 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the day time, the following property, viz:

One Gold watch valued
at fifty dollars

50
50

the property of

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 Henry Jagger (now known) for the reasons following to wit: on the said date as deponent was standing on Broadway having the said watch in the pocket of the vest which he then wore he felt a tug at said watch and he saw the defendant pull said watch from said pocket. The deponent seized hold of defendant. Defendant dropped said watch to the sidewalk. Defendant broke away from deponent and ran away. Officer Archibald Jagger caught the defendant so he (defendant) was being pursued by deponent.

J. J. Leibfried

Sworn to before me, this day

of January 1895
at New York
Police Justice.

1131

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

Richard

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

Dated, *Jan 6* 189

W. M. H.

Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated, 189

Police Justice.

There being no sufficient cause to believe the within named

guilty of the offense within mentioned, I order h to be discharged.

Dated, 189

Police Justice.

1891

Police Court

District

THE PEOPLE, &c.
ON THE COMPLAINT OF

John J. Heibfried
Henry Salbert

36
Henry Salbert
Offense

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

2

3

4

Dated, *Jan 6* 189

Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ *2000* to answer *G. S.*

John J. Heibfried
Henry Salbert

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE

vs.

Harry Talbot
on for calendar
stop per
if witnesses have
subpoenaed for
to-day & send
for prisoner

Hoover

~~District Attorney.~~

Dec 6/93

1134

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 28 years, occupation Police Officer of No. 17 17th Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of John J. Reibfrin
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 6 day } Archibald Taggart
of January 189 5

Wm. W. Mahon Police Justice.

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Henry Talbert

The Grand Jury of the City and County of New York, by this indictment, accuse
Henry Talbert
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:
The said *Henry Talbert*,

late of the City of New York, in the County of New York aforesaid, on the *sixth*
day of *January* in the year of our Lord one thousand eight hundred and
ninety-*three*, in the *day* time of the said day, at the City and County aforesaid,
with force and arms,

*one watch, of the value
of fifty dollars*

of the goods, chattels and personal property of one *John J. Leibfried*
on the person of the said *John J. Leibfried*
then and there being found, from the person of the said *John J. Leibfried*
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.

De Lancey McCall,
District Attorney.

1136

BOX:

510

FOLDER:

4652

DESCRIPTION:

Taylor, Edward

DATE:

01/19/93



4652

1137

BOX:

510

FOLDER:

4652

DESCRIPTION:

Carroll, Thomas

DATE:

01/19/93



4652

Witnesses:

R. V. Burroughs

Millie Masset

Sturton
officer and
for

Michael Harris

481 3rd St

Mr. Mearns
424 W 13th St

Sec.
Hartley
was of 1893

Counsel,

Filed

Pleads

19th day of May 1893

THE PEOPLE

vs.

Edward Taylor

and

Thomas Carroll

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. L. Catlin
May 19th 93 Foreman.

Lead Jury 3 deg
4496 Mrs. J. P.
May 20th 1893

Burglary in the Third Degree.
Section 198, 188 C. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

1138

Police Court—2 District.

City and County } ss.:
of New York.

1139
of No. 16-S. Avenue Street, aged 63 years,
occupation Real Estate being duly sworn
deposes and says, that the premises No 696-Washington Street,
in the City and County aforesaid, the said being a three story and
basement brick building
and which was occupied by deponent as a unoccupied tenement
and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly opening the
door in the basement of said house
by means of false key.

on the 6 day of January 1883 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of lead pipe and
one Gas Fixture - in all of the
amount and value of seventy five
dollars.

($\$75-\frac{20}{100}$)

the property of John H. Meloh. and in deponent's care and custody
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
Edward Taylor by Thomas Carroll (both now here) and
while acting in concert with each other

for the reasons following, to wit: that deponent is informed by
Harry Spaulding of No 16-S. Avenue. and who is
a Clerk in his employ. that between the hours of
one and two o'clock P.M. of said date he was in
said building and at that time said building was
in a good and perfect condition, and on leaving
said premises he securely closed and fastened
said premises, and that deponent is further
informed by Willie Massett of No 694-Washington

Sheet - that between the hours of 5 and 6 o'clock
 P.M. of said date - she saw the defendants acting
 in concert with each other - enter the aforesaid
 building, by means of the door leading from
 the street into the basement of said house -
 and that deponent is further informed by Officer
 Thomas F. Brennan of the 9th Precinct Police
 that he found the defendant Carroll in said
 premises - and he arrested the defendant
 Taylor as he was attempting to escape over a fence
 in the rear of said building - and that he
 found the aforesaid property on the floor
 of basement and parlor floor, ready for removal
 Deponent therefore charges the defendants with
 having committed a Burglary and asks that they
 may be held and dealt with as the Law may
 direct -

Given to before me this 17th day of January 1893
 Thomas F. Brennan

Police Justice

Police Court	District.	Degree.	Burglary	188	Magistrate.	Officer.	Clerk.	Bail.	Street.
THE PEOPLE, &c.,		ON THE COMPLAINT OF		28.				mitted in default of \$	ed by

1141

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

Millie Massett
aged _____ years, occupation *Married Woman* of No. *694 - Washington -*

Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of *Beckman J. Burnham* and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this *14* day of *January* 189 *3* } *Amelia Massett*

[Signature] Police Justice.

1142

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

Thomas G. Brennan
aged _____ years, occupation *Police officer* of No. *94*
94 *Precinct Police* Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *William G. Burnham*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this *14* day of *January* 189 *3* *Thomas G. Brennan*
John Hogan Police Justice.

1143

Sec. 198—200.

1882
District Police Court.

City and County of New York, ss:

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

Question. What is your name?

Answer. *Edward Taylor*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *None*

Question. What is your business or profession?

Answer. *Driver*

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

Answer. *I am not guilty—*

Edward Taylor

Taken before me this
day of *April*
1893

Police Justice.

1144

Sec. 198-200.

2 District Police Court. 1882

City and County of New York, ss:

Thomas Carrall

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

Question. What is your name?

Answer. *Thomas Carrall*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *23- Bethune Street - 3 months*

Question. What is your business or profession?

Answer. *Stable - Man*

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

Answer.

I am not guilty -

up his
Thomas Carrall
Mark

Taken before me this

day of *March*

1892

Police Justice.

1145

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

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

Dated, May 7 189 3 John H. Ryan Police Justice.

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

Dated,.....189.....Police Justice.

There being no sufficient cause to believe the within named.....
guilty of the offense within mentioned, I order h to be discharged.

Dated,.....189.....Police Justice.

Police Court--- 2 District. 30

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Beckman J. Burman
Edward Taylor
Thomas Canale

Burglary
Offense

3
4

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated August 7-3
Magistrate.

Wardwick & Bluma Officer.

Harry Shandling Precinct.

Witnessed
No. 16 + F. Avenue Street.

Muller Masoch

No. 694 - Washington Street.

Call officers
Geo Raymond 124 W. F. S.

No. 1000 Lack off Street.

to answer

AM
Burg
G. J. 2

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward Taylor
and
Thomas Carroll

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

Edward Taylor and Thomas Carroll

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said Edward Taylor and Thomas Carroll, both

late of the ninth Ward of the City of New York, in the County of New York aforesaid, on the
sixth day of January in the year of our Lord one
thousand eight hundred and ninety-three, in the night-time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the building of
one John N. Welsh

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said John
N. Welsh in the said building
then and there being, then and there feloniously and burglariously to steal, take and carry away,
against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

Edward Taylor and Thomas Carroll

of the CRIME OF *Grand* LARCENY in the second degree, committed as follows:

The said *Edward Taylor and Thomas Carroll, both*

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

*two hundred and fifty pounds
of lead pipe of the value of
twenty cents each pound and
one gas fixture of the value
of twenty-five dollars*

of the goods, chattels and personal property of one

John N. Welsh

in the

building

of the said

John N. Welsh

there situate, then and there being found, in the *building*
aforesaid, 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.

*De Lancey Nicoll,
District Attorney.*

1149

BOX:

510

FOLDER:

4652

DESCRIPTION:

Thurston, James O

DATE:

01/19/93



4652

Witnesses:

John Mansfield

Subpoena compelling
out fall witness
for the 14th case
Subpoena all
witnesses for 14th

Counsel,

Filed,

Pleads,

THE PEOPLE

50

vs.

James O. Thompson
Prosecutor

James O. Thompson
(2 cases)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

J. C. Cathin

Foreman.

Sept 2 - April 6, 1893

Pleads Guilty

Jan 14 1893
April 14 1893

[Section 528, and 58 of Penal Code.]

LAURENCE, 1893

(False Pretenses)

19 (Day of) 1893

Arthur C. Barber

293 Bay

1150

People
vs. Thurston

Copy

City and County of New York ss;

Adam Orr being duly sworn

says; I reside at No. 184 Eight Avenue, boarding there with Louis Ochs; I am an unmarried man; for eight and one half years about, preceeding April 17th, 1892, I was in the employ of Ehrich Bros. as assistant book-keeper, having charge of the two ledgers, relating to customer's accounts; J. O. Thurston was during a large part of said time head book-keeper for said firm of Ehrich Bros. and my superior. From February 1st 1887 to February 1st 1889 I kept the Ledgers which are marked on the linen covers as follows: Ledger-W-A to K- E. Bros. and Ledger W-L to Z.- E. Bros. In the latter ledger (L to Z) I kept the account of said J. O. Thurston as a customer of said firm under the heading of " J. O. Thurston, House:" his account, as a customer of said firm, from December 29th, 1887 to February 1st, 1889, is contained in said Ledger W (L to Z) on pages 179 and 180. Each and every entry, under said heading, on said two pages, as well as all figures thereon, are in my hand writing made by me; when I carried the account forward from page 179 to page 180, the pencil footing of the two middle columns on the right hand side of page 179 was \$1,147.14 and was a correct footing and so carried by me, in pencil writing to page 180 to the middle column on the right hand side thereof; on December 31st, 1889, said middle column footed up \$1,218.69 Subsequent to December 31st, 1889 said J. O. Thurston instructed me to enter in said account under the last item

Copy

of December 31st, 1889, the following " By Private Ledger \$1000.00" entering said item of \$1000.00 in the double column on the right of the right hand side of said page 180.

In said middle double column was entered what said J. O. Thurston owed said firm for purchases made for his account, while in the double column to the right thereof was entered the credits to which he was entitled: the effect of the said entry "By Private Ledger \$1,000.00 made as aforesaid was to give him a credit on said account of \$1,000.00 and to reduce his indebtedness, on said book, by that amount; his indebtedness to said firm, at the time of the making said entry was \$1,039.45 and was, by reason of said credit made by his direction, reduced on said book to \$39.45 I balanced said account as of Feb. 1st, 1889, showing the last mentioned amount due said firm.

Subsequent to Feb. 1st, 1889, said Thurston took the said book from me, and, when it was returned to me, I found the item "By Private Ledger \$1,000.00 erased from his said account, and I also then found the item in pencil at the foot of page 179 changed, by erasure, from \$1,147.14 to \$147.14 and the item, at the top of page, 180 in pencil, changed, by erasure, from \$1,147.14 to \$147.14; I also then found that the pencil footing under the last entry of Dec. 31st, 1888 on Page 180, changed by erasure from \$1,218.19 to \$218.19; the effect of all these alterations made it appear that the footing of said account was \$1,000.00 less than the true amount, and the balance of \$39.45 apparently correct while it should have been \$1,000.00 more.

Copy

I further aver that said credit entry of \$1,000.00 made by me, and subsequently erased by said Thurston was made by me solely, because I was so instructed by him, as my superior, so to do and believing the same to be a true and correct entry; I knew a private ledger was kept by said firm, but never said it until a few days ago, nor did I know what entries were made therein.

I further aver that each and every debit entry in the account of said J. O. Thurston contained in said book W(L to Z) was truly and correctly made by me from charge-checks and the entries in said book on Pages 179 and 180 under the heading "J. O. Thurston, House," are, in all respects true and correct and the balance shown thereby, which is the true balance and the amount due said firm by said Thurston as a customer, was on Dec. 31st, 1888, \$1,039.45.

Sworn to before me, this

21st day of June 1892.

Signed John Mansfield
Notary Public N.H.

(Seal)

Signed Adam Orr
now with
Stam. Porter
N. H. Str.

District Attorney's Office.

City & County of New York January 1893.

Oct. 17/91. Check No. 15692 for \$210. in favor of
R. M. White, Jr. Entered on stub of
duties paid on Mass. for Ste. La Touraine
to Burrie & Currie, 44 Exchange Place.

Oct. 15/91. Check No. 15703 for \$40.75, in favor of
St. Fris Beck. Entered on stub of check
book as duties paid on Mass. for Ste. Sloomie
to Burrie & Currie. -

Nov. 30/91. Check No. 17219 for \$30.75 in favor of
Forwilliger & Peck. Entered on stub of
check book as duties paid on Mass. for
Ste. Gascoigne to Burrie & Currie.

Dec. 17/91. Check No. 17940 for \$68.75 in favor of
A. G. Webster. Entered on stub of
check book as duties paid on Mass. -
(no steamer mentioned) to Burrie & Currie.

Burrie & Currie were the custom-house brokers
of Enrich Bros. they are succeeded in business by
Drummond & Smith. Smith will testify that
their firm never received the above checks. -

District Attorney's Office.

City & County of

New York January 18/1893

People

vs.

J. O. Thurston

2d

Witness

La Force Penwilliger, 208 N. 119 St.,
member of Penwilliger & Peck, 2 Ave.
& 1st St. (Printers and Dealers in Stationery).
They have been established in business about 18 years.

J. O. Thurston ordered this bill of
goods (see copies of printed matter) for
J. O. Thurston & Co., Mr. Vernon, Mfg.

Check No. 17219 for \$30.75, of
Knicker Bros., was received to cover
for the said bill of goods. The bill
is dated Nov. 30, 1892, and the check
Dec 1, 1892.

All the printed matter was
in the name of J. O. Thurston & Co.
Mr. Vernon, Mfg.

District Attorneys Office.
City & County of
New York.

3 witnesses

People (January 1893)
vs. (Ethel Bros.)

Thurston

Harry Smith (of ^{44 Exchange place.} Drummond & Smith,
successors to Birgie & Currie; custom house
brokers) He can testify that Birgie &
Currie never received the drafts with which
Thurston had charged or either entered
in the stub of the bank check book as
having paid to them. —

1157

NOTARIES PUBLIC
44 EXCHANGE PLACE

New York, Jan'y 25 1893

Mess Chick Bros
City
Gentlemen:

In reply to yours
of 24th - just we have to
say that our Mr Smith
will be ready to testify at
any time in the matter
referred to. He has ~~the~~ looked
up the list herewith returned
our records show that none
of these items were received
by Briggs & Lewis

Very Truly Yours
Sumner Smith

1893

1
use
of
high
d.

District Attorney's Office,
City & County of New York Jan. 18/1893

People

J. O. Thurston. -

with
witness

Chas. Jacobs, detective sergeant,
of the C C (connected with the office
about 6 months.) Complaint came to
the office in the regular way and he
was assigned to the case. Thurston
was located in Chicago and placed
under arrest on a telegram of
the "Fidelity & Casualty Co." (who
were bondsmen of Thurston) Jacobs
went to Chicago after him and
brought him back to New York.

Thurston had a long crooping
mustache when here he had that
cropped short which changed his
personal appearance very materially.
He was known in Chicago under
the name of James Thomas. He made
no confession but intimated that he
would plead guilty to a lower degree of crime.

① People (Ehrich Bros)
 vs.
J. O. Thurston

1st
Witness

Samuel W. Ehrich, member of the firm of Ehrich Bros., 23 St. and 6 Ave., City, age 37 years. Engaged in the Dry Goods business about 21 years. -

He says: That J. O. Thurston was employed by his house, as book-keeper, on May 4, 1886, that he continued in that capacity until the morning of April 27, 1892.

The lady cashier of the house was the one who first aroused the firm's suspicion against Thurston. - It appears that when the bank vouchers were returned in March Mansfield questioned some of the endorsements on the checks, and apprehending that there was something wrong, they instructed the bank to hold vouchers until they received an order for them directly from Ehrich himself. Just prior to the return of the vouchers in April Thurston requested the cashier to allow him to have the vouchers before submitting them to anyone else for examination. - Contrary to instructions the bank failed to comply with instructions and through some maneuvering Thurston

(#2)

got possession of the checks. - This was on April 26, 1892. After the vouchers had passed through the hands of Thurston, Samuel W. Sprick and Tno. Mansfield, took the cancelled bank checks or vouchers, the bank book and check list book to their private office. - They compared the vouchers with the bank book and found three checks missing. - The bank said that all the cancelled checks had been delivered to the firm.

In looking over the entries on the stubs of the check book, they discovered that according to the entries on the stubs of the missing checks, they had all been made payable to Birnie & Currie, that Birnie and Currie had never received those checks, nor that the firm was indebted to B. & C. in such amounts. -

It was not part of Thurston's duty to make out checks, but he had the privilege of making out checks for the firm when pressing occasions required it. - The missing checks were all made out by Thurston himself, in his own handwriting.

(over #3)

(#3)

Thurston saw Ehrich and Mansfield take the vouchers into the private office and he was restless until closing time. This was on the afternoon - between 4 and 6 o'clock of April 27, 1892.

Note what S. M. Ehrich has to say in regard to his private interview with Thurston on the following morning:-

On the morning that Mr. T. left our employ he started into my office about half past nine with his hat and coat on. Thinking he was only going out of the store for a few minutes, as we had no previous intimation of his leaving, I asked him to send a check to Messrs. Oppenheim & Collins, to which he replied "all right." He then said, "Mr. Ehrich, I came in to tell you I am going to leave your employ. You will find your books all perfectly straight and here are the keys of my desk." "I said to him, "Mr. T. I cannot understand your leaving so hastily, as the firm has not given you any cause for umbrage, have always treated you like a gentleman, and there must be some good reason for this." To which he replied, "Never mind what my reason is, I simply tell you I am going to leave, and I furthermore want to tell you that in applying for a position elsewhere I shall probably send here for references and furthermore, if this firm in any shape or manner say the slightest word reflecting upon me, I shall throw more mud over them than will be pleasant for them, and will also try to injure your credit with merchants and other people with whom you are now having large transactions." I thereupon said to him, "Mr. T. since you have been with this firm there has never been anything

4

done to cause your leaving. Secondly, it is impossible for you to say anything reflecting in any shape or manner upon this firm, and thirdly, you ^{are} trying to ^{build} ~~plot~~ up a defense for anything that may be said against you in the future leads me to believe you have been doing something crooked, and I warn you that if such is the case I will see ^{that} ~~you~~ ^{all} ~~punished~~ ^{for this} ~~end~~. I then said to him, "Now before you leave explain to me your anxiety in securing our bank vouchers and also where are the three vouchers that have been abstracted from this package since they left the bank yesterday. He turned as pale as death and said "You will probably find them among your other papers, I don't know anything about them. I can always be found if called upon to explain anything." I said to him "You explain this matter to me now, find these vouchers for me He said "I have a pressing engagement elsewhere, and cannot explain it now, but will as soon as I return, but he never returned.

He did not draw whatever salary was due to him for the portion of the work in which he left nor did he ask for a settlement. ~~April 27~~ was a Wednesday.

The check No. 17219 for \$30.75 dated Dec 1, 1891, upon which this indictment is based, was made payable to Perwilliger & Peck, Printers and Dealers in Stationery, 2 Ave. & 21st St, City. On the stub of Ehrich Bros bank check book the entry reads as follows: " Birgic & Curie

pp. Guescogne 30.75
(over 5)
(over 10)

(5)

Bingie & Currie were at the time
 customhouse brokers, and the entry
 purported that the check was given to
 pay for customhouse duties for merchan-
 dise for Mr. Gascoyne, when in fact
 it was given in payment of his
 individual ^{or rather his} firm's account,
 namely that of T. & A. Thurston & Co.
Mo. Vernon, N.Y., for printed matter
 done at Thurston's request by
Terwilliger & Peck, and delivered by
Terwilliger to Thurston in person.
 (See copies of the printed matter
 and duplicate itemized invoice,
 also the ck. made payable to
Terwilliger & Peck.)

In further proof of Thurston's
 rascality I wish to produce in
 brief the following checks, all of
 which did not correspond with the
 stubs of the bank check book — all
 were made out to pay his own
 private accounts, whereas on the
 stubs it was made to appear as
 though the checks had been given
 to Bingie & Currie to pay custom-
 house duties on merchandise, viz:

(over)

(6)
Oct 17/91. Check # 15692 for \$210., in favor of
R. W. White, Jr., a personal friend of
Shurston. ostensibly for duties on
goods for Str. La Touraine.

Oct 15/91. Check # 15703 for \$90.75, in favor of
St. Francis Creek, butcher of Mr. Vernon,
ostensibly for duties for Steamer Slavonia.

Dec. 7/91. Check No. 17940 for \$68²⁵, in favor of
A. G. Webster, for jewelry bills,
ostensibly for duties. (No Steamer named.)
There are numerous other
Checks but the above will suffice.

It is claimed that the defen-
dant Shurston will demand the
indictment or that he will set up
as defense that he had a secret un-
derstanding with Shrick Bros, by which
he was to have a share of the profits
and in order to hide such fact from
Mrs. Mansfield, he could draw the
money by making fictitious entries
in the books, &c. - He will in all
probability claim that this agreement
was entered into in January 1890.

During the month of January
(over)

(7)

1890, Thurston reported to Ehrick Bros. that R. Altman & Co., had offered him a larger salary than he was getting from them, and that unless they gave him an advance he would leave their employ. All there is to say in reply to the above allegation is that Ehrick Bros., in order to retain his services, advanced his salary on January 27, 1890, from \$2250. to \$3600 per year.

He started on May 4, 1886, on a salary of \$2000. a year.

On May 2, 1887, it was advanced to \$2250.

On Jan. 27, 1890 to \$3600.

Ehrick Bros. avow that this advance was all the understanding there was between them.

This salary was paid over to him in an envelope weekly, same as to all the other employees of the house.

If he made these fictitious entries to keep it from Bro. Mansfield what was the necessity of resorting to such subterfuge as early as August 10, 1887. Mr. Mansfield not being in the house from May 1886 to February 1889.

Thurston's thefts commenced, as

(8)

far as Ethel can discover, on August 10, 1887, during Mansfield's absence from the business. In evidence of that fact there is produced here check No. 133579 for \$62³². Entry on stub of check book read simply: (in his own handwriting)
"Ladenburg, Thaleman & Co.
Bingie & Laurie 62³²"

ostensibly for duties on Mass., but as Mr. G. B. Hamer will testify, that it was cabled to him to 4 Albion Rd., Scarborough, England, through Ladenburg, Thaleman & Co., at the request of Thurston, to buy the said Thurston a St. Bernard dog. -

Thurston made numerous other entries similar to the above, but it is useless to enlarge upon them. The checks & books are at our disposal if required. -

Thurston was the one who had charge of opening accounts with customers and unbeknown to Ethel & Bros. he opened a running a/c for himself. None of the other employees were allowed more than a weeks credit which was charged against their salary and deducted weekly. -

1167

Stub ¹⁵⁶⁹⁷ Binge & Curie pr. Courain 210⁰⁰

Chgd. to Binge & Curie not recd. by them
Check made to order of R. W. White Jr.

1168

Chick, Brothers,
6th Avenue, 22nd & 23rd Streets

No. 15703

New York

Oct 15 1891

The National Park Bank *per*

of New York City

Pay to the order of H. Frazer

Ninety ⁹⁵/₁₀₀

Dollars

\$ 90 ⁹⁵/₁₀₀

Chick

Stewart Warren & Co Litho 20 Hanover St NY

Henry Ferbeck

FOR DEPOSIT

TO THE
JOHN C. SHAW

THE
OF
WALLIS STREET, LONDON

1170

Stok 15703 Bingt Curie - pr. Slavonia
Chgd. to gr. Bingt Curie 90 25
check made to order of St. Trieste

1171

Chick & Brothers,
6th Avenue, 99th & 23rd Streets.

1891

New York

Oct 12 1891

The National Park Bank *RT*
of New York City

Pay to the order of R. W. White Jr

Two hundred and ten ⁰⁰/₁₀₀ Dollars

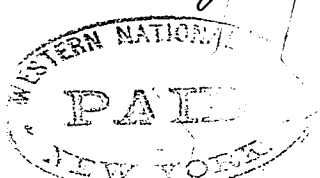
\$ 210 ⁰⁰/₁₀₀

[Signature]

Stewart Warren & Co Litho 29 Broadway N.Y.

1172

R. W. White Jr.
FOR DEPOSIT
TO CREDIT OF
THE DUFFORD CO.,
R. W. White Jr. Treas.



WESTERN NATIONAL BANK, N. Y.
NEW YORK, N. Y.
J. W. CONKLIN, CLERK

1173

District Attorneys Office
City & County of
New York

Dec. 17, 1922

Check # 17945

A. A. Webster

Benjamin H. Lewis

1174

Exhibit #39

A. A. Webster,
Electro Silver Plated & Sterling Silver Ware,

30 East 44th Street,
 Union Square

REPRESENTING
 MERIDEN SILVER PLATE CO.
 MERIDEN, CONN.

New York, June 25 1891

Sold to D. O. Thurston

Chicago Bros

Finishing 2 boxes to Link Buttons

3 50

Exhibit #40

A. A. Webster,
Electro Silver Plated & Sterling Silver Ware,

30 East 44th Street,
 Union Square

REPRESENTING
 MERIDEN SILVER PLATE CO.
 MERIDEN, CONN.

New York, July 31 1892

Sold to D. O. Thurston

Silver Links
Bow Bow Bow
Silver Bangle
Buttons

2 00

1 25

2 25

1 25

6 75

1175

Exhibit #40

A. A. Webster,

Electro Silver Plated & Sterling Silver Ware,

30 East 44th Street,
Union Square

REPRESENTING
MERIDEN SILVER PLATE CO.
MERIDEN, CONN.

New York, September 10 1892

Sold to J. O. Thurston

Diamond & Sapphire
Marquise Ring

5800

1176

Church Brothers,
6th Avenue, 22nd & 23rd Streets.

151 New York Dec 17 1891

The National Park Bank

of New York City

Pay to the order of A. A. Webster
Sixty eight ²⁵/₁₀₀ Dollars

\$ 68 ²⁵/₁₀₀

Church

1177

THE D. C. ...
... ..

Alfred ...

District Attorney's Office
City & County of
New York

check 17219

Entered on stub
as paid out for
duties by

Str. Gascoyne
to

Bingie & Currie
Custom House
Brokers

Custom House
Brokers will testify
that they never rec'd
the check nor any
money for same ~~and~~
No goods were rec'd
for check to this date.

1179

Chick Brothers,
6th Avenue, 22nd & 23rd Streets.

151 New York, Dec 1 1891

The National Park Bank
of New York City

Pay to the order of Treasurer & Cash

Thirty Five

\$ 30 75

Willard
Chick B.

1180

For Deposit
Quilligan & Co

1181

SECOND AVE. AND 21ST ST.

Mr. J. O. Thurston 162

NEW YORK,

Nov. 30

1892

Purchased from

PRINTERS
DESIGNERS
ENGRAVERS

TERWILLIGER AND PECK

1 m Business Cards
1 m Envelopes
1/2 m Circulars
1 " Blank Diagrams
1 " Letter heads

13 50
3 75
1 75
6 00
5 75

Duplicate

Red payment { Church Bros
Check #11219
Terwilliger & Peck Park Bank }

\$ 30.75

1182

This is the only receipt
we can get for your
cable transfer for £15-
of the 13th inst. D.B.

Now
not
received
400
6200

1183

This is the only receipt
we can get for your
cable transfer for £15-
of the 13th inst. D.P.

Now
not
receiv
you
when

1184

Abbott Road

Scarborough

Aug^t. 25/87

Dear Sir

My brother called for
New York on Thursday & has
not received your note. He
received the money safely & if
you wish I will advise him
to send you receipt from him

Faithfully Yours

J. J. Hamill

1185

LADENBURG, THALMANN & CO.
P.O. BOX 3075.
Cable Address,
"LADENBURG"

Exhibit #1

46 WALL STREET

New York.

July 9th

1892

Dear Ehrlich Brothers.

City.

Gentlemen

In reply to your letter of the 6th inst we beg to say, that your check of August 10th 1884 for \$62³² was in payment of cable transfer to Mr. H.B. Warner, 4 Albion Rd, Scarborough, for £12.10⁵ = 488 = \$61.00 plus \$1³² cable charges, and that the one of May 23rd 1888 was in settlement of a payment of £20. against Letter of Credit, viz \$98¹⁵. Trusting that this information will prove satisfactory, we remain,

Gentlemen

Yours very truly

LADENBURG, THALMANN & CO.

W. H. Allen

Enclosed we return the two checks

1186

LADENBURG, THALMANN & CO.
P. O. BOX 3075.
Cable Address.
"LADENBURG"

46 WALL STREET

New York.

February 11th 1893

Dear Erich Bros
City.

Dear Sirs.

Regarding your inquiry about
our Cable Transfer of £12.10.6- on August 9th 1887 to
H. B. Harner, London, we find the respective entry
in our books as follows:

1887. Aug. 9. H. B. Harner. 2 Albion Road, Scarborough,
on London Bank (London) £12.10.0. @ 4.88 5 61.-
London

Cable Charge - 1.32

to Erich Bros. paid 5 62.32 by.

Credit Erich Bros (August 10th).

The letter of the London Bank dated Aug 10th advises the
payment on that day. -

The Clerk who had charge of our Cable book at the
time resides now at Hamoirs, Germany. We consequently
can not aid you with his testimony as to the correctness of
this transaction; but you may take our assurance that
the payment was made in London and your check for it.

1187

FILE

received by us here in manner indicated by our books. —

Very respectfully

P. F. LADDEN & CO

[Signature]

1188

1000
District Attorney's Office.

1 et seq as far as
discussed. —

1189

Church Brothers,
Eighty-nine, 104 & 105 St.

No. 133579

New York

August 10 1887

New York County National Bank

Pay to the order of Ladenburg Thalmann & Co

Sixty two ³²/₁₀₀

Dollars

\$ 62 ³²/₁₀₀

Emilio Ber

Printed by H. & W. Alden at No. 22 Nassau St. N.Y.

1190

FOR DEPOSIT
TO THE CREDIT OF

FOR THE STRONG, STEPHENSON & CO.

Wm. H. Smith

District Attorney's Office,

City & County of

New York, January, 1893.

People

vs.

J. O. Thurston.

N. B. Starnes, 363 W. 17, City,
Book-keeper of Erich Bros, 33 years
of age. Engaged in their employ
since 1887. He went over to
England in the year 1887, whilst
at 4 Albion Rd., Scarborough, England,
he received a cable from J. O. Thurston
to buy a St. Bernard dog, also
notification through the Deutsche Bank
of London, that £ 12. 10 d. (\$61⁰⁰)
were there at his disposal. -

He subsequently received another
cable to buy a higher priced dog also
a further remittance so he bought
two dogs for Thurston.

The check No. 133579 for 63³² dated
any 10 of 1887, in favor of Siedenburg, Thelmer
& Co. was in payment for the dog. 61⁰⁰ &
plus 13³² cable charges makes 63³² (see letter from
Siedenburg, Thelmer & Co.)

1192

District Attorney's Office,
City & County of New York January 18. 93

People vs. Thurston.
Ehrich Bros.

Bro. Mansfield says that he
has been in the employment
of Ehrich Bros. since 1875,
but that he was absent from
May 1886 to February 1889. -

He was in the capacity of
General Superintendent. -

Mansfield will testify
that he and S. H. Ehrich examined
the bank vouchers on April 26, 1892,
and found three checks missing. -

It will ^{probably} be necessary to
establish Mansfield's absence so as
to meet Thurston's defense. -

1193

Date, Mar 27 1891

Used 173 sheets

of 17x28-28 Rembrandt

on Job No. 1609

86

E. Smith

Signed.

Date, Mar 27 1891

Used 255 sheets

of 17x22-24 Rembrandt

on Job No. 1541

51

E. Smith

Signed.

1194

Date, Oct 24 1891

Used 23 sheets

of

on Job No. 154

Signed.

GLUED PAGE

1195

No.		This Ticket must be turned	
1540		Con	
Date, Nov. 16 1891		NAME	
For, J. O. Thurston		F	
Address, 4 Mr. Thurston			
Order for, 1 Mt. Business Cards			
to, Pastel Print at 48 Lincoln			
Single, Require 21			
Double, on to Bind, Over 2			
Total, 23			
pads of, L. R.			
Wanted			
Proof? Color Ink Blue Cut			
Black Type			
A. B. C. Charged Page 335			
Send *Call			
Stock 1540		184	
Binding		18	
Perforating			
Numbering			
Profit			
Composition 1/2 @ 75		38	
Correction			
Plates (Sets)			
Press Work 2 3/4 @ 75		206	
Cylinder Press Work			
Ruling			
Cutting 1/2 @ 75		38	
Pads			
Engraving 25		Profit 1 32	
Drawing 5		Profit 6 50	
Collating			
Folding			
Bronzing		25	
Sorts or Type			
Delivery and Handling		10	
Charged, \$ 13 50		Figures, 1 50	

1196

End 7

11977

١٠٠

GLUED PAGE

1198

No. 1541 This Ticket must be turned in

Date, Nov. 16 18 91

For J. O. Thurston & Co.

Address 4 Mr. Thurston
Chenue

Order for 179
Letter heads not ruled
to 179 179 2 24 1/2

Single, _____ on to Bind, _____
Double, _____
Require 2.50
Over 5
Total 2.55
_____ pads of _____ L. R.
Wanted _____
Proof? Yes Color Ink Blue
Black

A. B. C. Charged Page 336
Send _____ Call _____

Composition.

NAME	FROM	TO	TOTAL
<u>Up large cut in corner</u>			
<u>Frank</u>	<u>4</u>	<u>4 15</u>	<u>1/4</u>
<u>"</u>	<u>9 30</u>	<u>9 45</u>	<u>1/4</u>
<u>Elliott</u>	<u>10 45</u>	<u>1</u>	<u>1/4</u>
<u>Frank</u>	<u>1 20</u>	<u>1 3/4</u>	<u>3 1/4</u>

Job was on Cyld. Press _____ hrs.

	NAME	TIME
Cutting	<u>Elliott</u>	<u>10 45</u>
Padding		
Packing		

Ent 7

1199



J. O. THURSTON & CO.

REAL ESTATE AND INSURANCE,
NO. 9 DEPOT PLACE,
Opposite R.R. Station,
MOUNT VERNON, N. Y.

REMOVED TO
SECOND AVE. & 21st ST.

J. O. Thurston & Co.

18

Exhibit #37

Purchased
from

Terwilliger & Peck
Fourteenth St. Printers
No 37 West. New York

TERMS:
1891

<i>Nov</i>	<i>25</i>	<i>1m Business Card - 1m Envelopes -</i>	<i>1725</i>
<i>"</i>	<i>30</i>	<i>500 Type Written Matter.</i>	<i>175</i>
		<i>1m Blank diagrams -</i>	<i>6-</i>
		<i>7 " Letter Heads -</i>	<i>575</i>

\$3075

Paid Dec 1/91
by Ehrlich Bros. check

1340/1

1200



16, RUE D'ENGHIEN, PARIS.

EHRICH BROTHERS
DRY GOODS

6TH AVENUE, 22ND & 23RD STREETS.

NEW YORK Nov. 17, '93. 189

De Lancy Nicoll, Esq.,

District Attorney, ---City.

Dear Sir:-

In the case of "The people against Thurston", a number of bank vouchers and other papers belonging to us still remain in your Office.

We need these vouchers and papers in our suit to recover from Thurston's sureties the amount embezzled from us, and, as the suit may be called now on any day we will thank you very much if you will instruct your secretary to hand them to bearer.

Yours very truly and obliged,

1201



AGENCY OF THE IMPERIAL FIRE INSURANCE COMPANY, OF LONDON.

OFFICE:

No. 9 DEPOT PLACE,

OPPOSITE NEW HAVEN R.R. STATION.

Mount Vernon, N. Y.

I would respectfully request a description of any property which you have either for SALE or to R.L. place upon my books. Kindly fill out the attached blank, and return to

Yours respectfully,

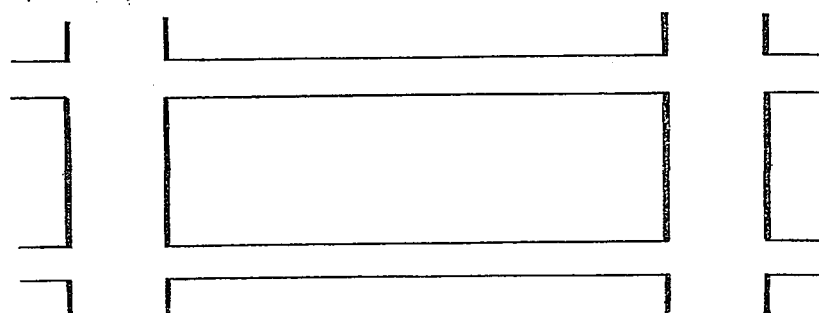
J. O. THURSTON & CO.

ROOMS.	IMPROVEMENTS.	SIZE OF LOT.	LOCATION, NO. OF STREET OR AVENUE.	RENT.	PRICE.	CASH.	MORTGAGE.	PER CENT.	OCCUPANT'S

Owner's Name,

Address,

1202



1203

Date, Mar 24 1891

Used 1000 sheets

of Envelopes 7150

on Job No. 1000

Signed.

GLUED PAGE

1204

No.		This Ticket must be turned	
1609			
Date, Nov. 27, 1891		Com	
For J. O. Thurston & Co.		NAME FR	
Address			
Order for 1000 Blanks			
6 to 17x28-2			
Single,	Require 168		
Double,	Over 5		
Total 173			
pads of L. R.			
Wanted			
Proof? Color Ink			
A. B. C. Charged Page 336			
Send	Call		
6.00			
with diagram on			
		Stock 130	
		Binding 17 1/2 17 1/2	
		Perforating 5 1/2 5 1/2	
		Numbering 2 1/2 2 1/2	
		Profit 1 30	
		Composition 2 1/2 2 1/2	
		Correction 1 88	
		Plates (Sets) 60 270	
		Press Work 2 1/2 2 1/2	
		Cylinder Press Work	
		Ruling	
		Cutting 1 1/2 1 1/2	
		Pads 19	
		Engraving Profit	
		Drawing Profit	
		Collating	
		Folding	
		Bronzing	
		Sorts or Type	
		Delivery and Handling 20	
		Charged, \$ 6.00 Figures, 6.28	

GLUED PAGE

1205

No.

This Ticket must be turn

1609

Date Nov. 27, 1891

For J. Q. Thurston & Co.

Address _____

Order for 1000 Blanks

Single, _____ on to Bind. Require 168
Double, _____ on to Bind. Over 5

_____ pads of _____ L. R.

Wanted _____

Proof? _____ Color Ink _____

A. B. C. Charged Page 336

Send _____ Call _____

Con

NAME FI

1/2

11/28/91

1030 130 2 1/2

730	1	3/4
1115	1	1/4
1130	1	1/2
1200	1	1/2
1215	4	1/2

Job was on Cyld. Press _____ hrs.

Cutting 2 1/2 TIME 10:00

Padding _____

Packing _____

6.00
with diagram on back. Ent 9.

GLUED PAGE

1206

No.		This Ticket must be turn	
1542		Con	
Date, Nov 16 18		NAME	
For J. O. Thurston & Co		FF	
Address Mr. Thurston & Co			
Order for 1/2 in Envelopes			
to			
Single, Require			
Double, on to Bind. Over			
Total			
pads of L. R.			
Wanted			
Proof? Color Ink Blue + Black			
A. B. C. Charged Page 335			
Send Call			
		Stock 1542 18%	
		153 16	
		Binding	
		Perforating	
		Numbering	
		Profit	
		Composition 3/4 @ 75 56	
		Correction	
		Plates (Sets)	
		Press Work 2 3/4 @ 75 206	
		Cylinder Press Work	
		Ruling	
		Cutting	
		Pads	
		Engraving Profit	
		Drawing Profit	
		Collating	
		Folding	
		Bronzing	
		Sorts or Type	
		Delivery and Handling	
		Charged, \$ 545 Figures, 443	

GLUED PAGE

1207

No.

This Ticket must be turn

1542

Date, Nov 16 18

For J O Thurston & Co

Address Mr Thurston @ Brook

Order for

1/2 H
envelopes -

to

Require

Single,

on to Bind.

Over

Double,

Total

pads of

L. R.

Wanted

Proof ?

Color Ink

Blue +
Black

A. B. C.

Charged Page 335

Send

Call

Con

NAME FROM TO TOTAL

NAME FROM TO TOTAL

Frank		8 30	1	1
"	"	12 45	1	3/4
			2	3/4

Job was on Cyld. Press hrs.

Cutting

Padding

Packing

NAME

TIME



AGENTS FOR THE IMPERIAL FIRE INSURANCE CO., OF LONDON.

NO. 9 DEPOT PLACE,

Mt. Vernon, N. Y., December 1st,/891

Dear Sir:

Having opened a Real Estate and Insurance Office at the above address, I beg leave to solicit your patronage and recommendation to any friends disiring to sell, purchase or lease.

My connection with the Imperial of London and other old-established Fire Insurance Companies, enables me to offer you the greatest security at the lowest possible rates, and I shall esteem it a favor to be allowed to give you my figures on any insurance you may wish to effect either in or out of Mt. Vernon.

Yours truly,

J. O. THURSTON, Jr.

GLUED PAGE

1209

No.		This Ticket must be turned in	
16107		Stock 1617	
Date, Nov. 27, 1891.		Binding	
For J. O. Thurston, Jr.		Perforating	
Address		Numbering	
Order for 500 Type Written Matter		Profit	
on 1000 sheets of paper		Composition 14, 0, 15 ✓ 94	
to		Correction	
Single, Require		Plates (Sets)	
Double, on to Bind, Over		Press Work 1 @ 15 ✓ 75	
Total		Cylinder Press Work	
pads of L. R.		Ruling	
Wanted		Cutting	
Proof? Color Ink Blue		Pads	
		Engraving Profit	
		Drawing Profit	
		Collating	
		Folding	
		Bronzing	
		Sorts or Type	
		Delivery and Handling 20	
A. B. C. Charged Page 336		Charged, \$ 12 1/2 Figures, 189	
Send Call			

1210

No.		This Ticket must be turned in		
16107		Composition.		
Date, Nov. 27, 1891		Press No.		
For J. O. Thurston	NAME	FROM	TO	TOTAL
Address				
Order for 500 Fairs Written Matter		11/2	1/2	
on 500 Fairs Written Matter		10 15	11 20	1 1/4
to				
Single, Require				
Double, on to Bind. Over				
Total				
pads of L. R.				
Wanted				
Proof? Color Ink				
A. B. C. Charged Page 336		Job was on Cyld. Press hrs.		
Send	Call	Cutting	NAME	TIME
		Padding		
		Packing		

1211

Police Court First District.

Affidavit—Larceny.

City and County }
of New York, } ss:

Samuel W Ehrich
of 6th Avenue & 23rd Street, aged 37 years,
occupation Merchant

being duly sworn,
deposes and says, that on the First day of December 1891 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the day time, the following property, viz:

Good and lawful money of the United
States of the amount and value
of Thirty dollars & seventy four
cents

the property of Deponent and Co-partner

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by J. O. Huston

Deponent says that said defendant was
in his employ as Book Keeper
and by virtue of such employment
did receive and have in his
possession the aforesaid sum of
money, and having so received
it taken it into his possession

Sworn to before me this 1st day of December 1891
Police Justice.

for and on account of his employers
did unlawfully and feloniously
appropriate the same to his own
use with intent to deprive the
true owners of the same.

Defendant is informed by La
Farr Terrelliger that said defen-
dant gave him a personal order
for some goods and he received
the check numbers shown and
arrived in payment for the
same.

Defendant says that said defendant
unlawfully and feloniously appropriated
divers sums of money at divers times
to the amount and value of Twenty
five hundred dollars which he
received in his Capacity as

Book Keeper Samuel W. Chish.

Sworn to before me
this 30 day of April 1892
Police Justice

12 13

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 40 years, occupation Printer of No. La Ferra Terrilligan

208-W-119 Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Samuel V. French
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of

Apr

30
1897

La Ferra Terrilligan

[Signature]
Police Justice.

12 14

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

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

12 19

Nov 20th 1893
 Received from John F. Carroll
 Clerk of Court of General
 Sessions. Check no 15345
 dated Sept 29th 1891
 on National Park Bank
 to the order of R. W. White Jr
 For ninety Dollars

BAILED, signed

No. 1, by Erick Bros

Residence Erick Bros Street.

No. 2, by Per Joseph Hogan

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court--- District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Samuel W Church
6th Ave. & 23^d St
A. Hurston

3 _____
 4 _____

Dated, _____ 189

Duffy Magistrate.
Hedberg & Jacobs Officer.
C. B. Precinct.

Witness La Fave Tennell

No. 208 W. 119th Street.

No. _____ Street.

No. _____ Street.

\$ _____ to answer



956
 1894

Offense Lawrence

12 16

We, whose names are signed hereto, certify that we are each of us personally acquainted with JAMES O. THURSTON and that he resided for many years at Mt. Vernon and was a neighbor of ours. We knew him as a man of correct and regular habits, excellent character and devoted to his home and family.

We earnestly recommend him to the clemency of the court.

Howard & Co.
SILVERSMITHS
Reed & Bayless
SILVERSMITHS

Insurance
Insurance

Dry goods

Brewsters
Carriage Builders

Wagon Builder.

Builder.

Feed.
4th av. ny. city.

Artist:

Edmond J. Newell 264 7th av
Geo. H. Fish 37 Murin Ryman

Edward H. Deitz 1651 Broadway
Mr. H. Brisley 165 Broadway

John & Peter of Mt. Vernon N.Y.
J. Calver of Smith
487-9 Fifth Ave

John & Kipp 209 Edridge st
ny

Arthur McCarter
Mt. Vernon

Miner Reithorn
Mt. Vernon

William H. H. H.
G. H. C. H. New York

1217

Re James O. Hunter

Certificate of
Neighbors.

12 18

City and County of New York, ss:-

Charles Casper being duly sworn says that he is in the silverware business at the corner of University Place and 14th Street, New York City and was formerly President of the Meriden Silver Plate Company; that he is well acquainted with James O. Thurston and that said James O. Thurston was in the employ of said Meriden Silver Plate Company for nearly three years as book-keeper and cashier and left said employ to go to Ehrich Brothers; that while said Thurston was in the employ of said Meriden Silver Plate Company, he was very regular and attentive to his duties and we always found him to be perfectly honest and correct in his accounts and esteemed him highly; and deponent further avers that from his knowledge of said Thurston he firmly believes that at heart said Thurston is an honest man and that his crime was not committed from vicious tendencies but simply because his family which was growing up involved him in greater expenses than his salary enabled him to meet; that if said Thurston is given a chance to redeem himself, he will profit by the severe lesson he has learned and prove himself in future a good and useful citizen.

Sworn to before me this

10th day of April 1893.

H. J. D. E. Ph.
Notary Public
W. J. Co.
Charles Casper
Witness, Subscribed
University place

To the Hon. James Fitzgerald:

I, James O. Thurston respectfully submit the following facts to your honor and pray that you will give them due consideration.

I have always borne an excellent character and have filled many positions with business houses here, honestly and faithfully, never a suspicion having been created against me.

[See Testimonials presented herewith.]

My family consists of my wife, four children, [three boys and one girl] the oldest 22 years and the youngest 13 and an invalid mother-in-law whom I undertook to support.

My children are just entering upon life and require a father's care and supervision, which notwithstanding my present position, I am personally capable of according.

Ehrich Bros., must admit that I have always been devoted to their interests and at their own request and urgent solicitation remained with them rather than accept a more remunerative position with a close competitor of theirs. While in their employ, I have rendered them signal, important and delicate services and was always punctilious in my attendance and when necessary working overtime, without extra compensation. My family growing up, my expenses increased and desiring to see them as well clothed and kept as the children of my neighbors, who were better circumstanced than I, in my weakness, I incurred expenses not justified by the salary I was receiving. In order to meet the bills when due, I drew cheques to the order of the dealers and presented them to Ehrich Brothers to sign and they did so without question. Personally, I never took any of their money and simply paid my bills with their cheques signed by themselves.

1221

I did not use a dollar of the money for drink or gambling or prostitution; it all went for household expenses and for use in my family. I realize my error and my position and have already suffered severely for it, having been separated from my family in consequence for nearly a year and my home is broken up and my life wrecked and the name my children bear, dishonored.

I have pleaded guilty and hence refrain from entering into any matters which might have been shown and urged before a jury in my defense and have simply stated those matters which I feel that I may with all propriety urge upon your honor, in supplication for clemency.

Yours very respectfully,

J. O. Thurston

1222

ie "James O. Thurston"

Director's statement

ДОНЕД А.С. КОРЕССТУГА

[illegible]

Halsted, Haines & Co.

376 & 378 Broadway, cor. White St.

New York, Aug 22 - 1885

To whom it may Concern

We hereby Certify
that Mr J. O. Thurston, was in our
employ (having charge of one of
our ledgers) for about seven
Months & fifteen in Jan'y last.
He was steady & industrious
in his habits, always prompt
and attentive to his duties
and left us for what he con-
sidered a more desirable
situation.

Wm. H. Haines & Co.
J. J. Wilson

Fifth Avenue, Cor. 25th Street.
Black, Starr & Frost.

Successors to Bull, Black & Co.

New York, May 19th 1877

To whom it may concern

The bearer, Mr. J. O. Thurston
was in the employ of Messrs.
Ball, Black & Co. for over five
years, as assistant bookkeeper.
Leaving them to take position
of chief bookkeeper for Grover &
Baker Sewing Machine Co.
Messrs. B. B. & Co. were entirely
satisfied with Mr. Thurston,
and he only left them to
take a higher position.

Black, Starr & Frost,

Wm. J. May 20th / 1889.

To Whom It May Concern

Wm. J. Johnston, the same,
was employed by Jones & Baker,
I have in this city for about six
years as Chief book-keeper
during which time as President
of the Company I had charge
of its business here. Wm.
Johnston came to the Company
highly recommended by
Ball Clarke & Co. and re-
mained until we closed
business.

I found Wm. Johnston an
excellent book-keeper, in-
-conspicuously quick and accurate
in figures, a good correspondent,
and always prompt and attentive
and thorough in business.
I believe he will continue

1226

The annual expectations
of our Mr. Mary Campbell
will be a minor portion

O. B. Felt
L. C. Felt & Co. New

1227

James O. Thurston

Certificates of former
employees.

1228

District Attorneys Office.
City & County of
New York.

January 1893

Witnesses.

People vs. Thurston.

Samuel H. Church } Office of
Jno. Mansfield } Church Prop.
H.B. Stumer } 23 St. & Ave

Chas. Jacobs Central Office

Adm. Orr } Office of ~~Church~~
Stern Prop. 23 St. Below
5th Ave.

Lea Fove Ferrellinger, 2 Ave & 21 St
Residence 208 W 119 St

Henry Smith Office of Drummond
& Smith 44 Exchange Place.

Witnesses to
Deed of Conveyance

Witnesses to
Deed of Conveyance

1230

District Attorney's Office.

Witnesses.

1st Samuel W. Ehrick

2d Geo. Terwilliger

3 Henry Smith

4 Chas. Jacobs.

Dno. Mansfield

H. B. Hamer

Adam Ort.

Faldenburg Thaler

1231

OFFICE OF
CARCILL'S COAL YARD,
200 E. 14th STREET,
One Door from 3d Ave.

Yard from 420 to 438 E. 18th Street.

New York, Dec 20th 1891

To Whom this may Concern

I have known the
framer Mr J. Thurston intimately
for many years. For five years
we were associated in the service
of a large Corporation. Myself
as the General Superintending Auditor
of the same. Mr Thurston as head
bookkeeper & cashier etc. in which
position I at all times found
him most competent. Steady
& reliable. I believe he has
no bad habits. I can without
hesitation recommend him to
any firm or Corporation, requiring
the services of a man prepared by long
& varied experience to fill any position
he may be called upon to fill.
Respectfully
H. H. Carcill

1232



EHRICH BROTHERS
DRY GOODS

6TH AVENUE, 22ND & 23RD STREETS.

16, RUE D'ENGHEN, PARIS.

NEW YORK *April 5th* 1893

Dear Mr. Heald

We wrote to you
on Monday asking for
information about the
Toronto case but I
suppose you have been too
busy to answer it.
If you could send an
answer by letter, verbal
or otherwise, I would feel
obliged
Yours truly
E. Ehrich

Mr. James J. The return
 lived on the opposite
 side of the street from
 me in Mr. Verman's
 many years. & I
 therefore feel that I know
 him very well & his
 character. I can tell you
 every day walk all the
 a neighbor could make

William W. W. W.
 Mount Verman
 Oct 27

April 2nd
 1873.

re James O. Thurston

Letter of William Hart
(Neighbor)

This indictment
is of no use
for the present
as the principal
witness is out
of the state
so we obtained
a new indictment

W. H. Hart

1235

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

J. O. Thurston

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

J. O. Thurston

of the CRIME OF Grand LARCENY in the second degree, —
committed as follows:

The said J. O. Thurston, —

late of the City of New York, in the County of New York aforesaid, on the twelfthth
day of October, — in the year of our Lord one thousand eight hundred and
ninety-one —, at the City and County aforesaid, with force and arms, with intent to
deprive and defraud Samuel W. Ehrich, and Julius S. Ehrich, copartners
then and there doing business in and by the firm, name and
style of Ehrich Brothers, (by whom he the said J. O. Thurston
was then and there employed as bookkeeper, he the said J. O.
Thurston having full knowledge of the business affairs of the said
firm, and of its indebtedness, of the payments required to be
made by it,) —
of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the
use and benefit thereof, and to appropriate the same to his own use, did then and there
feloniously, fraudulently and falsely pretend and represent to the said Samuel
W. Ehrich and Julius S. Ehrich, —

That the said firm of Ehrich Brothers was then indebted
to R. W. White Jr in the sum of two hundred^{and ten} dollars,
and that it was requisite and proper that the said
indebtedness should be then paid, and that the said
firm should make, sign and deliver to him the said
J. O. Thurston a cheque for the payment of the said
sum of money in order that he the said J. O. Thurston
might cause such cheque to be sent to and received
by the said R. W. White Jr. —

By color and by aid of which said false and fraudulent pretenses and representations, the said

J. O. Thurston

did then and there feloniously and fraudulently obtain from the possession of the said Samuel W. Ehrich and Julius S. Ehrich, one written instrument and evidence of debt, to wit: an order for the payment of money of the kind called bank cheques, the same bearing date the day and year first aforesaid, and being drawn by the said firm of Ehrich Brothers upon a certain banking institution then known as the National Park Bank of New York City, and directing the said bank to pay to the order of R. W. White Jr two hundred and ten dollars, which said bank cheque is as follows, to wit:

"No. 15692

New York

Oct 12

1891

The National Park Bank of New York City.

Pay to the order of R. W. White Jr

Two hundred and ten \$210 ⁰⁰/₁₀₀

Dollars

Ehrich Bros.

the same being then and there wholly unsatisfied and of the value of two hundred and ten dollars of the proper moneys, goods, chattels and personal property of the said Samuel W.

Ehrich and Julius S. Ehrich,

with intent to deprive and defraud the said Samuel W. Ehrich and Julius S. Ehrich,

of the same, and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said firm of Ehrich Brothers was not then indebted to R. W. White Jr in the sum of two hundred and ten dollars, and it was not requisite or proper that the said indebtedness should be then paid, or that the said firm should

1237

make, sign and deliver to the said J. O. Thurston
a cheque for the payment of the said sum of
money in order that he might cause such
cheque to be sent to and received by the said
R. W. White Jr. _____

And Whereas, in truth and in fact, the pretenses and representations so made as afore-
said by the said J. O. Thurston _____
to the said Samuel W. Ehrich and Julius S. Ehrich was and were
then and there in all respects utterly false and untrue, as ~~he~~ the said _____
_____ J. O. Thurston, _____
at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said
_____ J. O. Thurston _____
in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods,
chattels and personal property of the said Samuel W. Ehrich and
Julius S. Ehrich, _____
then and there feloniously did STEAL, against the form of the statute in such case made and pro-
vided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,
District Attorney.

Witnesses:

James M. ...

Counsel,

Filed,

day of

1892

Pleas

W. J. ...

1893

THE PEOPLE

vs.

J. O. Thurston

(*James*)

Conrad

Jan 16 93

DELANCEY NICOLL,

District Attorney.

A TRUE BILL.

Allen D. Applegate

Foreman.

[Section 528, and 531, Penal Code.]

James M. ...

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

James O. Thurston

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

James O. Thurston

of the CRIME OF *Grand* LARCENY in the second degree, committed as follows:

The said *James O. Thurston*,

late of the City of New York, in the County of New York aforesaid, on the *first* day of *December*, in the year of our Lord one thousand eight hundred and ninety-*one*, at the City and County aforesaid, with force and arms, with intent to deprive and defraud *Daniel W. Elmer and Julius S. Elmer, co-partners, then and there doing business in and by the firm, name and style of Elmer Brothers, by whom the said James O. Thurston was then and there employed as bookkeeper, the said James O. Thurston having been entrusted by the said firm and accounts to the said firm, and by its indebtedness, and of the moneys required to be made good, of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to the said*

Daniel W. Elmer and Julius S. Elmer,

That the said firm of Elmer Brothers was then indebted to the firm of *Tennison and Bede, printers, of said city, in the sum of thirty dollars and seventy five cents, and that it was requisite and proper that the said indebtedness should be then paid, and that the said firm of Elmer Brothers should make, sign and deliver to him the said James O. Thurston a check for the payment of the said sum of money in order that he the said James O. Thurston might*

cause such cheque to be sent to and received by the said firm of Tennill & Peck,

By color and by aid of which said false and fraudulent pretenses and representations, the said

— James O. Tennill —

did then and there feloniously and fraudulently obtain from the possession of the said Samuel W. Ehrich and Julius S. Ehrich, one written instrument and evidence of debt, to wit: an order for the payment of money of the kind called bank cheques, the same bearing date the day and year first above said, and being drawn by the said firm of Ehrich Brothers upon a certain banking institution there, known as the National Park Bank of New York City, and directed by the said bank to pay to the order of Tennill & Peck the sum of thirty dollars and seventy five cents, which said bank cheque is as follows, to wit:

No 14219 New York Dec 1 1891
The National Park Bank
of New York City
Pay to the order of Tennill & Peck
Thirty ⁷⁵/₁₀₀ Dollars
\$ 30 ⁷⁵/₁₀₀ Ehrich Bros

of the proper moneys, goods, chattels and personal property of the said Samuel W. Ehrich and Julius S. Ehrich —

with intent to deprive and defraud the said Samuel W. Ehrich and Julius S. Ehrich —

of the same, and of the use and benefit thereof, and to appropriate the same to his own use,

Whereas, in truth and in fact, the said firm of Ehrich Brothers was not then indebted to the said firm of Tennill & Peck in the sum of thirty dollars and seventy five cents, or in any sum whatever, and it was not requisite or proper that the said indebtedness should be the paid, ~~the~~

of which Books
 or that the said Spring should make sign
 and deliver to the said James O.
 Thurston a cheque for the payment
 of the said sum in order that the
 said James O. Thurston might cause
 the same to be sent to or received by
 the said Spring of Tennille's and
 Reed.

And Whereas, in truth and in fact, the pretenses and representations so made as afore-
 said by the said James O. Thurston
 to the said Samuel W. Elmit and John S. Elmit was and were
 then and there in all respects utterly false and untrue, as he the said
James O. Thurston

at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said
James O. Thurston
 in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods,
 chattels and personal property of the said Samuel W. Elmit
and John S. Elmit.
 then and there feloniously did STEAL, against the form of the statute in such case made and pro-
 vided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,
 District Attorney.

1242

BOX:

510

FOLDER:

4652

DESCRIPTION:

Tracy, Michael

DATE:

01/11/93



4652

Nacot Goldman

Benny Wallace

Office Boy

Filed day of

Pleads,

THE PEOPLE

vs.

Michael Tracy

DE LANÇEY NICOLL,

District Attorney.

A TRUE BILL.

2. Park-3. March 2. Foreman.

Tried and Acquired

2261

1243

1244

Police Court— District.

City and County } ss.:
of New York,

of No. 259 Hudson Jack Goldman Street, aged 68 years,
occupation Merchant Tailor being duly sworn

deposes and says, that the premises No. 259 Hudson Street,
in the City and County aforesaid, the said being a five story tenement
house and store

and which was occupied by deponent as a store on the ground floor
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking
on iron grating of a front porch
window of said store and breaking
a heavy plate glass window

on the 31st day of December 1899 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

cloth of the value of thirty dollars
\$30.00

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
Michael Grace, now here

for the reasons following, to wit: Deponent left the said
store a said store securely fastened on
the evening of Dec 31, and deponent is
informed by Policeman John Barry of the
8th Precinct, that he heard the noise
of the breaking of said window shortly
after midnight of said night: that he
saw two men running, and that he
traced them immediately to the store

of Frederick Bonds at the corner of
 Canal and Hudson street; that when
 he entered the said saloon he saw the
 defendant standing in the water closet
 and a piece of said cloth was
 alongside of him in the water closet,
 and defendant is informed by Henry
 Wallace now here, that he was
 in said saloon at the time, and
 that he saw defendant Tracey
 and another man, not arrested, in the
 act of bringing said cloth in the
 said saloon together, a few minutes
 before said Officer Peary entered
 said saloon and the man who
 was in company with said Tracey
 ran out before the policeman came
 in
 Jacob Goldman

John Ryan 1883
 POLICE JUSTICE

Police Court District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

%.

Burglary

Degree.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

1246

CITY AND COUNTY }
OF NEW YORK, } ss.

1931

aged 37 years, occupation Policeman of No. 12

Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Jacob Goldwasser
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 7 day
of January 1893

John Barry

John H. Ryan Police Justice.

John Barry

1247

CITY AND COUNTY }
OF NEW YORK, } ss.

1021

aged 21 years, occupation Henry Wallace Truck Driver of No. 984 Washington Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Jack Solomon and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 9 day of May 1899 } Henry J Wallace

John R. Ryan Police Justice.
Henry J. Wallace

1248

Sec. 198—200.

1882

District Police Court.

City and County of New York ss:

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty
Michael Tracy

Taken before me this

day of

189

Police Justice.

1249

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

Pen guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Twenty Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.
Dated, _____ 189 _____ Police Justice.

I have admitted the above-named _____
to bail to answer by the undertaking hereto annexed.
Dated, _____ 189 _____ Police Justice.

There being no sufficient cause to believe the within named _____
guilty of the offense within mentioned, I order he to be discharged.
Dated, _____ 189 _____ Police Justice.

1251

30

Witnesses Mallan
bailed by
M. Kennedy
22 Beach St
NY

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

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jacob Goldman
259 St. Hudson
Michael Saer

HOUSE OF DETENTION CASE
Dated, Jan 3 1893

Magistrate.
Officer.
Precinct.

Witnesses
No. 1. Henry Wallace
Home Detention Street.
Officer Barry. 80th Precinct

No. 1000 to answer
\$1000

2000 E. 4 Dec 14 2 PM 1000

2000
9-2

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT 2 DISTRICT.CITY AND COUNTY }
OF NEW YORK, } ss.

J. J. Clarke
 of the 2 Precinct Police, being duly sworn, deposes
 and says that Henry J. Wallace
 (now here) is a material witness for the people against
Michael Leacy charged
 with Burglary. As deponent has
 cause to fear that the said Henry J. Wallace
 will not appear in court to testify when wanted, deponent prays
 that the said Henry J. Wallace be
 committed to the House of Detention in default of bail for his
 appearance.

John J. Clarke

Sworn to before me, this
 day of March

189 8

John J. Clarke
 Police Justice.

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Tracy

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

Michael Tracy

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

Michael Tracy

late of the *8th* Ward of the City of New York, in the County of New York aforesaid, on the
31st day of *December* in the year of our Lord one
thousand eight hundred and ninety-*two* in the *night* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of
one *Jacob Goldman*

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said *Jacob*
Goldman in the said *store*
then and there being, then and there feloniously and burglariously to steal, take and carry away,
against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

Michael Tracy
of the CRIME OF *Grand* LARCENY in the second degree, committed as follows:
The said *Michael Tracy*

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

*fifteen yards of cloth of the
value of three dollars each
yard*

of the goods, chattels and personal property of one *Jacob Goldman*

in the *store*

of the said *Jacob Goldman*

there situate, then and there being found, in the *store*
aforesaid, 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.

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said

Michael Tracy
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Michael Tracy*

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,

*fifteen yards of cloth of the value
of three dollars Each yard*

of the goods, chattels and personal property of

Jacob Goldman

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said

Jacob Goldman

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

Michael Tracy

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.

DE LANCEY NICOLL,

District Attorney.

1255

END OF
BOX