

0495

BOX:

120

FOLDER:

1264

DESCRIPTION:

McCoy, Thomas

DATE:

11/02/83



1264

0496

Dec 17 1883  
The President of the Society for  
Prevention of Cruelty to Children  
Mr. E. T. Gerry, declines a  
suspension by judgment in  
this case. I agree ~~that~~  
~~that~~ with him ~~that~~ the  
ends of justice would be best  
served by adopting this  
cause ~~McKeon~~  
I concur in the above,  
Wm. T. Gerry,  
President,  
N.Y. & D.C.C.

512 Counsel,  
Filed 2 day of Nov 1883  
Pleads ~~McKeon~~ July 5.

THE PEOPLE

vs.

Thomas

McCoy

JOHN McKEON,  
District Attorney

A True Bill.

W. H. McCord  
Foreman.

December 17/83.  
Guilty -

Sentence suspended



0497

3<sup>rd</sup>  
District Police Court.

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

*George A. Jones*  
of Number *108 East 23<sup>rd</sup> Street* being duly sworn,  
deposes and says, that on the *Fifteenth* day of *October* 1883, at the  
City of New York, in the County of New York, *one Thomas M<sup>c</sup> Coy*  
*did unlawfully employ, and cause to be employed*  
*and did exhibit and use a certain male child*  
*apparently and actually under the age of sixteen years*  
*to wit: of the age of fourteen years, called & known*  
*as Master Morehead, otherwise Thomas More-*  
*head, at and in a certain theatrical exhibition in*  
*a certain Museum called and known as the*  
*Windsor Museum located at N<sup>o</sup> 106 Bowery in*  
*said City, for the purpose of singing.*

Wherefore the complainant prays that the said

*Thomas M<sup>c</sup> Coy*

may be apprehended, arrested and dealt with according to law, and more especially according to

the following laws made and provided, to wit: *Section 292 of the Penal*

*Code of the State of New York*  
"An Act in relation to Mendicant and vagrant children," passed April 3d, 1875, "An Act to prevent and punish certain wrongs to children," passed April 14th, 1876, "An Act to amend Chapter 628 of the Laws of 1875, entitled 'An Act to suppress intemperance and to regulate the sale of intoxicating liquors,'" passed June 5th, 1877, "An Act for the protection of children, and to prevent and punish certain wrongs to children," passed June 6th, 1877.

Sworn to before me, this

day of

*October*

*17<sup>th</sup>*  
1883

*George A. Jones*  
Police Justice.

0498

677  
POLICE COURT DISTRICT.

THE PEOPLE, &C.,  
BY THE COMPLAINT OF

CRUELTY TO CHILDREN  
*McLennan ordn  
292 Grand Ck.*



DATED, *October 17* 188*3*

Magistrate.

Clerk.

Officer.

Witnesses:

*C. Fellows Jenkins, Depl.  
100 East 23d Street.*

Disposition,

STYLES & CUSH, STEAM PRINTERS, 77 EIGHTH AVENUE, NEW YORK.

0499

Sec. 198—200

CITY AND COUNTY } ss.  
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer. *Thomas M. Cory.*

Question. How old are you?

Answer. *45 Years.*

Question. Where were you born?

Answer. *Ireland.*

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

Answer. *158. C. Hyatt Street 2 Years.*

Question. What is your business or profession?

Answer. *Agent, Show Business*

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 and demand  
a trial by jury at the Court of General  
Sessions*

*Thomas M. Cory*

Taken before me this

day of *October* 188*3*

*Amelia H. H. H.*  
Police Justice.



0500

Sec. 151.

Police Court

3<sup>rd</sup> District.

CITY AND COUNTY }  
OF NEW YORK, } ss

In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York. GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by

of No. 100 East 23<sup>rd</sup> Street, that on the 15<sup>th</sup> day of October

1883 at the City of New York, in the County of New York,

one Thomas M. Coq, did unlawfully employ, and cause to be employed and did exhibit and use a certain male child apparently and actually under the age of sixteen years to wit: of the age of fourteen years, called & known as Master Mordred, otherwise Thomas Mordred, at and in a certain theatrical exhibition in a certain Museum called and known as the Windsor Museum located at 4-105 Bway in said City for the purpose of violating

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 3<sup>rd</sup> DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 17<sup>th</sup> day of October 1883

Hugh Garner POLICE JUSTICE.



0501

POLICE COURT. 3<sup>rd</sup> DISTRICT.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

George H. Young  
vs.  
Thomas McCoy

Warrant-General  
Middletown, Oct. 29<sup>th</sup> 1887

Dated October 17 1887

Gardner Magistrate

Kershaw Officer.

The Defendant Thomas McCoy  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

John H. Kershaw Officer.

Dated Dec 18 1887

This Warrant may be executed on Sunday or at  
night.

Police Justice.

REMARKS.

Time of Arrest, Dec 18, 1887

Native of Ohio

Age, 45

158. Chingston St  
Sex

Complexion,

Color

Profession,

Married

Single,

Read,

Write,

0502

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 \_\_\_\_\_

\_\_\_\_\_ *Thomas M'Levy* \_\_\_\_\_  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *three*  
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 *October 18<sup>th</sup>* 188 *3* *Joseph Farmer* Police Justice.

I have admitted the above-named \_\_\_\_\_ *Thomas M'Levy* \_\_\_\_\_  
to bail to answer by the undertaking hereto annexed.

Dated *Oct 18<sup>th</sup>* 188 *3* *Joseph Farmer* Police Justice.

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

Dated \_\_\_\_\_ 188 . \_\_\_\_\_ Police Justice.

0503

BAILLED,

No. 1, by

*Richard W. Block.*

Residence

*322 Grand Street.*

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

312  
Police Court

3 808.  
District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*George H. Young*

*100 E. 23rd St.*

*Thomas Wiley*

2

3

4

Dated

*October 18*

188

*Gardner*

Magistrate.

*John Kershaw*

Officer.

*3rd Court*

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

*300* to answer

*Bailed*

0504

District Attorney's Office.

PEOPLE

vs.

Thomas Mc Coy

To be tried  
Monday Dec  
17/83 Part I  
before Cowing J.



0505

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas McCoy

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

Thomas McCoy  
of the CRIME OF Exhibiting a male child under the age  
of sixteen years in a theatrical exhibition  
committed as follows:

The said Thomas McCoy

late of the City and County of New York, on the 27th day of  
October in the year of our Lord one thousand eight hundred and eighty-three  
with force and arms, at the City and County aforesaid, unlawfully did

employ one Thomas Morehead, the said  
Thomas Morehead being then and there  
a male child under the age of sixteen  
years, to wit: of the age of fourteen years  
in a theatrical exhibition at a certain  
Museum, commonly called The Windsor  
Museum, there situate, 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  
sovereignty.

John McKeon

District Attorney

0506

BOX:

120

FOLDER:

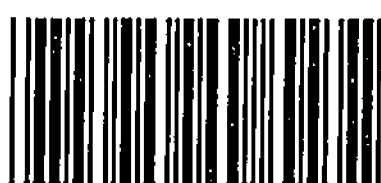
1264

DESCRIPTION:

McCullough, Bernard

DATE:

11/27/83



1264

0507

*J. H. A.*

Counsel  
Filed *Nov* 1883  
Pleads *Not guilty.*

THE PEOPLE

vs.

*Bernard*

*McCullough*  
*H. J.*

INDICTMENT.  
Grand Larceny in the Second degree.  
(MONEY)  
(Section 528 and 531)

*John Vincent,*  
District Attorney.

A True Bill.

*W. H. Kane*  
*Dec 3/83* Foreman  
*Spaid & Co. v. S.*  
*Dec 5/83*  
*S. P. 2 1/2 years.*

0508

25

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK, } ss.

Joseph Wargar

ago 40 of House of Detention Street,

being duly sworn, deposes and says, that on the 20 day of November 1883

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 his person in the

day time the following property, viz :

one pocketbook containing  
one twenty dollar bill  
one one dollar bill  
Six half dollar silver  
pieces one twenty five  
cent silver piece, one ten  
cent silver piece, one penny  
all good and lawful  
money of the United  
States

Sworn before me this

day of

value of the value Twenty Eight <sup>36</sup>/<sub>100</sub> dollars  
the property of Complainant

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 Bernard Mc Cullough

(now present) from the fact that  
whilst deponent was walking  
in Washington street, and had  
the pocketbook containing all  
the money as above described  
in his right hand. Said Mc  
Cullough was walking with  
deponent when he snatched  
the pocketbook and commenced

Notary Public

188



0509

running officer Peter O Neil  
of the 8 Precinct Police  
arrested said McCullough  
and he informs defendant  
that he found a pocketbook  
containing money in his  
possession which pocketbook  
and money defendant fully  
identifies as his property

Sum to before me Joseph Wangan  
Mark

this 21 day of September 1883

Police Justice  
City and County  
of New York

Police officer 8 Precinct being  
summoned says that he saw  
Bernard McCullough running  
in Washington Street being  
pursued by Joseph Wangan, defendant  
arrested said McCullough and  
in his possession was found a  
pocketbook containing all the  
money as described in Joseph  
Wangan's affidavit  
Sum to before me Peter O Neil  
this 21 day of September 1883

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

23.

AFFIDAVIT-Larceny.

Dated

188

Magistrate

Office

WITNESSES:

DISPOSITION

05 10

Sec. 198-200

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Bernard McCullough 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. Bernard McCullough

Question. How old are you?

Answer. 59 years

Question. Where were you born?

Answer. Ireland.

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

Answer. 318 Washington St (resided there 4 yrs)

Question. What is your business or profession?

Answer. Porter

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 was drunk and did not know what I was doing Bernard McCullough

Taken before me this

day of March 1888

Police Justice.

05 11

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 \_\_\_\_\_

Bernard M. Cullery  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ten  
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 Mar 31 1888 J. H. [Signature] Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.



05 12

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

#182, 876  
Police Court—2—District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Joseph Wargan*  
*Warden of Detention*  
*vs.*  
*Bernard McCallough*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Date *November 21* 188*3*

*Quiffy* Magistrate.

*Peter O'Neil* Officer.

*8* Precinct.

Witnesses *Officer Peter*

No. *Neil 8 precinct* Street.

*Joseph Wargan*

*Warden of Detention*

No. \_\_\_\_\_ Street.

*to testify*

No. \_\_\_\_\_ Street.

\$ \_\_\_\_\_ to answer

No. \_\_\_\_\_ Street.

\$ \_\_\_\_\_ to answer

No. \_\_\_\_\_ Street.

\$ \_\_\_\_\_ to answer

No. \_\_\_\_\_ Street.

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No. \_\_\_\_\_ Street.

\$ \_\_\_\_\_ to answer

No. \_\_\_\_\_ Street.

\$ \_\_\_\_\_ to answer



0513

2.4

The People  
Bernard M. Callough } Court of General Sessions Part I  
                                      } Before ~~Judge~~ <sup>Judge</sup> ~~Lowrie~~ <sup>Gowing</sup> Dec. 3, 1883  
Indictment for grand larceny in the second  
degree. John Wargor, sworn and examined,  
through the interpreter, testified. I came to this  
city on the 19th of last month and came  
from a factory in South Bethlehem, Pa.; on  
the 20th of November I lost twenty nine dollars  
about noon time. Had it in my hand  
at the time although I carried it in my  
pocket book. The prisoner snatched it out  
of my hand. I run after him and the  
policeman intercepted him and caught  
him. I never saw the prisoner before. I  
do not know him. I gave this man a  
glass of beer and when I paid for it I took  
my money out. I wanted him to show  
me where I could get a steamboat ticket.  
I had the money in my hand and he snatch-  
ed it. He did not run very far because  
I was after him and the policeman caught  
him immediately. I saw the policeman take  
the pocket book from him and it was  
mine. It had the money in that I  
speak of. Cross Examined. This is the  
pocket book. I had been with the prisoner  
about an hour; he came to the place  
where I slept overnight. I did not <sup>meet</sup> him

0514

to show me any hotel because I slept in a place already. The prisoner did not take my baggage into Brown's hotel. I saw the prisoner's overcoat; he gave me it to keep it, and when he snatched my money and ran away I had that overcoat in my hand. I do not speak English and I could not understand what the prisoner said to me at the time Peter O'Neill sworn and examined, testified I am an officer of the 8<sup>th</sup> precinct. I made the arrest of the prisoner about one o'clock on Nov. 20<sup>th</sup>. corner of Canal and Washington Sts. What was the prisoner doing at the time you made the arrest? Running from the complainant. How far in advance of the complainant was he? Half a block. Had your attention been called to him some seconds before you made the arrest? Yes sir. How far did he run after you first saw him? One block. When you found him did you find the pocketbook in his possession? Yes sir; it contained \$28.36. Did the prisoner make any statement at the time? He stated that he wanted to keep the man's money for him - he was afraid some person would rob him. The pocketbook and contents were identified by the complainant. Cross Examined Were you

0515

present when this man and the complainant were before Judge Duffy? Yes sir. Do you remember his stating that the complainant having taken his coat and he could not get it back and he could not understand German and he took this pocket book simply as security for the coat. No sir, there was no remark made of that kind. I could not state whether or not he said that when I was gone.

Bernard McCullough, sworn and examined in his own behalf testified. I am 46 years in the city of New York. I have been driving a coach nearly 34 years. I drove for Alderman Stevin, Jim Sullivan, Frank McCormick and Matt O'Sole and Edward Smith. I have never been arrested before for any crime. Tom Wersmann, the expressman, had the complainant's little trunk and bag in a wagon; he told me to take it into Brown's hotel and I did. He came out on the sidewalk and pulled me in and told me it was all right; he asked me to have a drink; there was three or four more drinking along with him. I came out on the sidewalk; he stood there and talked German. He says, There is a man wants to go to Castle Garden.



05 16

you might go and show him. I say, if he  
pays me half a dollar I'll go down." He  
talked in German and nodded his head. I  
showed him Castle Garden; we had four or  
five drinks together going down. I got tired of  
him and came back. I gave him my  
coat as I was going to the water closet, and  
when I came out I asked him to let me  
have that coat. He put the coat between his  
arm and the bar and he would not let  
me have it. The bar keeper was looking on.  
The fellow said, "Why didn't you take that  
pocket book from him? I took hold of the  
pocket book and grabbed it. I looked for  
an officer on the corner. I was running  
and I met the officer. That is all about  
it. I did not take the pocket book with the  
intention of stealing it but intended to  
give it to the policeman. I did not take  
a cent. I never opened it and never looked  
at it. This affair did not take place in  
the street, it took place in the bar room.  
The people in the bar room were all strangers  
to me except the bar keeper. I was pretty  
well drunk. When he gave me my coat  
I intended to give him back his money.  
I was not very sober the day after I was  
arrested. I told the Magistrate, I was drunk  
and did not know what I was doing.  
The jury rendered a verdict of guilty.

05 17

Testimony in the case  
Bernard McCallough  
filed Nov. 1883.

05 18

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

Bernard McCullough

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

Bernard McCullough  
of the crime of GRAND LARCENY IN THE Second DEGREE, committed as follows:

The said Bernard McCullough

late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the nineteenth day of November in the year of our Lord one thousand eight  
hundred and eighty-three at the Ward, City and County aforesaid, with force and arms,

one promissory note 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  
; one promissory note 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 ; one promissory note 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 ; one promissory note 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 ; one promissory note 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 ; 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 twenty  
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 ten 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 five 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 two 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 one dollar, six silver coins of the United

States of America, of the kind known as half  
dollars, of the value of fifty cents each, one  
other silver coin of the United States  
of America, of the kind known as quarter  
dollars, of the value of twenty five cents, one  
other silver coin of the United States of America,  
the kind known as dimes, of the value of ten  
cents, and one coin of the United States of America of the  
kind known as cents, of the value of one cent

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

John Vincent,  
District Attorney.



05 19

BOX:

120

FOLDER:

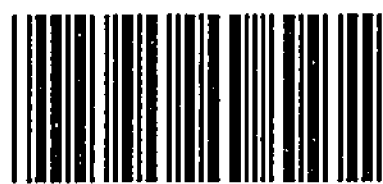
1264

DESCRIPTION:

McFarland, William

DATE:

11/20/83



1264

0520

appears fresh  
appearance.

F.S.

#30  
Counsel,  
Filed 20 day of Nov. 1883  
Pleads

THE PEOPLE  
vs.  
William  
McFarland

JOHN McKEON,  
District Attorney

A True Bill.

H. H. Crane  
Foreman.

Nov 20/83.

Wm. J. Soley

W. J. Soley

0521

Police Court—5<sup>th</sup> District.City and County }  
of New York, } ss.:John F. Kirby  
of Home 11<sup>th</sup> Avenue 151<sup>st</sup> Street, aged 20 years,  
occupation Shoemaker being duly sworn,deposes and says, that the premises Home 11<sup>th</sup> Avenue 151<sup>st</sup> Street,  
in the City and County aforesaid, the said being a Home for the orphan  
of soldiers & sailors  
and which was occupied by deponent said Home for said children  
and in which there was at the time a human being, by name Jasper Johnson  
Mrs E B. Hull and others  
were BURGLARIOUSLY entered by means of forcibly breaking the  
panel of the rear door leading into  
said premiseson the 13<sup>th</sup> day of November 1883 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:Three coats of the value of Twenty one dollars  
Three pair pantaloons of the value of  
ten dollars. Three vest of the value  
of three dollars. One undershirt of the  
value of Ten dollars all of the value  
of Forty dollars

\$40—

the property of Patrick Kirby deponent's father  
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 McFarland (now here)for the reasons following, to wit: That said deponent found  
a pair of pantaloons in the possession  
of said defendant and he said  
defendant acknowledged and confessed  
in the presence of Joseph H. Thayer  
an officer attached to the 32<sup>d</sup> Precinct  
Police that he broke into said premises  
and took and carried away  
said property as aforesaid John F. Kirby.Sworn to before me this  
15<sup>th</sup> day of November 1883  
at New York Police Justice



0522

CITY AND COUNTY }  
OF NEW YORK, } ss.

Joseph H. Thayer  
aged 55 years, occupation Police officer of No. 32nd Precinct Police Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of John F. Kirby  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 15th  
day of Nov 1883

Joseph H Thayer

Wm. Murray  
Police Justice.

0523

Sec. 198-200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

William McFarland 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. William McFarland

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. Philadelphia

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

Answer. 403 Lexington Ave 5 weeks

Question. What is your business or profession?

Answer. Errand boy

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 broke into the place and took the clothes

Wm McFarland

Taken before me this

15th

day of

1988

Police Justice

0524

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 William McFarland

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ten  
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 Nov 15 1883.

Wm J. Barry Police Justice.

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

Dated \_\_\_\_\_ 188 . \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 . \_\_\_\_\_ Police Justice.



0525

Police Court

511

863  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John F. Kirby

William McFarland

Offence Burglary

2  
3  
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Nov 15 1883

H. Murray Magistrate.

Joseph O. Thayer Officer.

32 Precinct.

Witnesses Officer

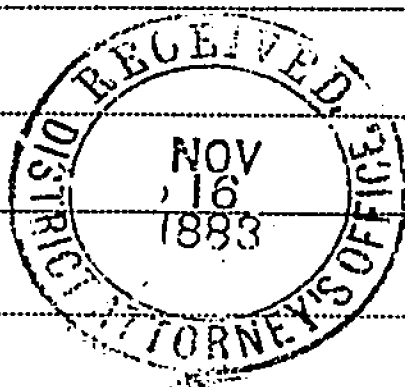
No. Street.

No. Street.

No. Street.

\$ 1000 to answer

Committed



0526

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Mc Farland

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

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

The said William Mc Farland

late of the Twelfth Ward of the City of New York, in the County of New York aforesaid, on the thirtieth day of November in the year of our Lord one thousand eight hundred and eighty- three with force and arms, about the hour of twelve o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of

Patrick Kirby  
there situate, feloniously and burglariously did break into and enter,

whilst there was then and there some human being, to wit, one Jasper Johnson within the said dwelling house, the said

William Mc Farland  
then and there intending to commit some crime therein, to wit: the goods chattels and personal property of the said Patrick Kirby  
in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

0527

SECOND COUNT.

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

\_\_\_\_\_ William McFarland \_\_\_\_\_  
of the CRIME OF GRAND LARCENY IN THE First DEGREE, committed as follows:

The said William McFarland \_\_\_\_\_

late of the Ward, City and County aforesaid, afterwards, to wit: on the said thir-  
teenth day of November in the year of our Lord one thousand eight  
hundred and eighty- three, at the Ward, City and County aforesaid, in the  
night time of said day, with force and arms, three  
coats of the value of seven  
dollars each, three pairs of  
trousers of the value of two  
dollars each, three vests  
of the value of one dollar  
each, and one overcoat of the  
value of ten dollars \_\_\_\_\_

\_\_\_\_\_ of the goods, chattels and personal property of one Patrick Diney  
\_\_\_\_\_ in the dwelling house of the said Patrick Diney there situate, then and there being found  
in the dwelling house 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.



0528

~~Court of General Sessions of the Peace~~

~~Third Court: OF THE CITY AND COUNTY OF NEW YORK~~

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

William McFarland

of the CRIME OF Burglary in the Third Degree

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

~~committed as follows:~~

The said William McFarland

~~of the Crime of Burglary in the Third Degree~~

~~committed as follows:~~

~~The said~~

late of the Twelfth Ward of the City of New York, in the County of New York, aforesaid, on the thirteenth day of November in the year of our Lord one thousand eight hundred and eighty three with force and arms, at the Ward, City and County aforesaid, the Home for the Orphan Children of Soldiers and Sailors

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 one

Patrick Shuby

then and there being, then and there feloniously and burglariously to steal, take and carry away, and three

coats of the value of seven

dollars each, three pairs

of trousers of the value of

two dollars each pair, three

vests of the value of one

dollar each, and one overcoat

of the value of ten dollars

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

Shuby

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

0529

*Fourth Count:*

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

William McFarland

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

The said William McFarland

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

*pair of trousers of the value*  
*of two dollars*

of the goods, chattels and personal property of Patrick Xiey

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

unlawfully and unjustly, did feloniously receive and have (the said William McFarland)

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.

**JOHN McKEON,**

*District Attorney.*

0530

BOX:

120

FOLDER:

1264

DESCRIPTION:

McGlue, John

DATE:

11/12/83



1264



0531

#38.

Day of Trial,  
Counsel,  
Filed *12 Nov* 1883  
Pléads *W. J. W. J.*

THE PEOPLE  
vs.  
*John*  
*McGraw*  
*34. 34*  
*46. -*

BURGLARY—Third Degree,  
NOTHING STOLEN.  
[34987]

JOHN MCKEON,  
District Attorney.  
*P. 2 Nov 20 83*  
*Heads guilty attempt.*  
*A True Bill. S. P. 2 years.*  
*W. R. G. G. G.*  
Foreman.

*Tuesday* *11/20*

0532

Police Court—2<sup>d</sup> District.

City and County  
of New York,

ss.:

Myer Samuel, 50 years old, upholsterer  
of No. 193 West Houston Street, aged        years,

occupation        being duly sworn

deposes and says, that the premises No. 193 West Houston Street,  
in the City and County aforesaid, the said being a brick building occupied  
as a dwelling and whereof the basement  
and which was occupied by deponent as a storage place  
and in which there was at the time a human being, by name Myer  
Samuel

were BURGLARIOUSLY attempted to be  
entered by means of forcibly breaking the  
locks off of the door leading from said basement  
into the yard in the rear of the said premises

on the sixth day of November 1883 in the night the 8<sup>th</sup> hour  
attempted to be time, and the  
following property feloniously taken, stolen, and carried away, viz: Blankets,  
dry goods, tinware and miscellaneous  
store ship furnishing supplies of the  
value, altogether, of fifteen hundred  
dollars

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

John McElene, now here,

for the reasons following, to wit: At about half past eleven  
O'clock on said night deponent was awakened  
by his wife Annie Samuel who told him  
that there were two men at the basement  
door. Deponent and his wife went to the  
yard at the head of the steps leading to said  
basement door and saw at the foot of  
said steps said McElene and another  
man, one of whom was holding a

0533

lighted match while the other was engaged  
in trying to open the said basement door which  
deponent had closed at about five o'clock  
on the afternoon of said day. Said two  
men ran up the steps and one of them  
escaped. Deponent and his said wife  
caught hold of said McGlynn who  
struggled violently and knocked deponent  
down, and detained him until ~~some~~  
~~his~~ his arrest by officer Moran of the  
8<sup>th</sup> Precinct. Police deponent ~~is~~ ~~giving~~ said de-  
ponent has ~~the outside~~ ~~had been~~ ~~from~~ ~~one~~ ~~of~~ ~~the~~ ~~officers~~  
shown to before me this Myer Samuels  
7<sup>th</sup> day of November 1883  
Thos. J. Farmer  
Police Justice

CITY AND COUNTY }  
OF NEW YORK, } ss.

Annie Samuels

aged 36 years, occupation married of No.

93 West Houston Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Myer Samuels  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 7<sup>th</sup>  
day of November 1883 } Annie Samuels

Thos. J. Farmer  
Police Justice.



0534

Sec. 198-200

2<sup>d</sup>

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

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

Question. What is your name?

Answer. John McElyne

Question. How old are you?

Answer. 35 years

Question. Where were you born?

Answer. New York City

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

Answer. No 67 West 3<sup>d</sup> Street, 9 months

Question. What is your business or profession?

Answer. Laborer

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 went in that yard last night after  
a girl when they caught hold of me.  
I am not guilty of the charge against me

John McElyne  
X  
Marked

Taken before me this

7<sup>th</sup>

day of November 1883

Augusta C. [Signature]

Police Justice.

0535

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 John McElyne

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 November 7 1889

Hugh Gardner Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_

Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_

Police Justice.

0536

BAILED.

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Meyer Samuels  
193 West Houston St.

1 John Mc Ghee  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence attempted  
Burglary

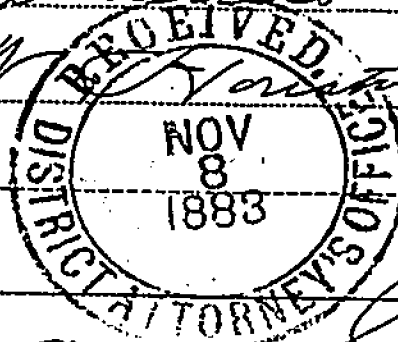
Dated November 7 1883

Gardner Magistrate.  
Thos. Mann Officer.  
gr Precinct.

Witnesses Cornelius Leary  
No. 193 West Houston St.

Amie Samuels  
No. 193 West Houston St.

No. \_\_\_\_\_ Street,  
\$ 1000 to answer G.L.



Cm



0537

John McGhee alias Murray  
Arrested by Capt. M. Garnett for  
Burglary at St. Helena Oct.  
Oct. 9/76 - \$1500 answers by  
Justice Duff  
4 Years & 6 Months by Judge  
Gibson Oct. 12/76

0538

New York  
Tuesday Nov 20

this is to certify that John Mc G.  
has worked for the Grimmer  
for the last 6 months

Thomas Lacey  
Inspector

0539

W. C. ANDREWS, President.  
WM. P. SHINN, Vice President.

CHAS. E. EMERY,  
Engineer & Sup't.

J. A. BOSTWICK, Treasurer.  
R. E. ROCKWELL, Secretary.

The New York Steam Company,

No. 174. *Greenwich* STREET,

NEW YORK, Nov. 16<sup>th</sup> 1883

To whom this may be presented

I have been requested to give  
a letter in favour of John McAllen  
who was employed by this company about  
one year ago on the West Dept. I can  
say he attached to his duties as far as  
I know during the time that he was  
employed here.

Very Respectfully,  
Geo. Manland  
Asst. Sup't.



0540

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

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*John Mc Gue*

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

*John Mc Gue*

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

The said *John Mc Gue*

late of the *Eighth* Ward of the City of New York, in the County of New York aforesaid, on the *Sixth* day of *November* in the year of our Lord one thousand eight hundred and eighty*two* with force and arms, at the Ward, City and County aforesaid, the *basement* of *Meyer Samuels*

there situate, feloniously and burglariously did break into and enter, the said *basement* being then and there a building in which divers goods, merchandise, and valuable things were then and there kept for use, sale and deposit; the same being the goods, chattels, and personal property of *the said Meyer Samuels*

with intent the said goods, merchandise and valuable things in the said *basement* 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.

JOHN McKEON, District Attorney.

0541

BOX:

120

FOLDER:

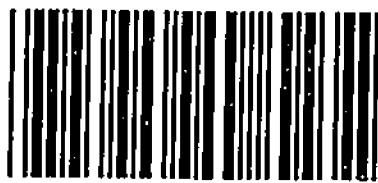
1264

DESCRIPTION:

McKay, Robert

DATE:

11/02/83



1264

0542

Pleads  
Mrs Gentry,

Robert  
vs.

Grand Larceny,

# True Bill.

W. P. Munson

Foreman  
Dec 5 To Dec 11 m. 10/11  
Dec 11 To Dec 17 m. 10/11

Dec 11 People Army, Philadelphia

Only 177 Dec 15. 89. 1893  
Dec. 15. 1893. 1893. 1893.

McB. Difference. To be paid 11/8/80



0543

COURT OF GENERAL SESSIONS OF THE PEACE  
of the City and County of New-York.

-----x  
The People of the State of New-York :  
- against - :  
Robert Mc'Kay. :  
-----x

The GRAND JURY of the City and County of New-York, by this indictment, accuse Robert Mc'Kay of the Crime of OBTAINING MONEY by means of false pretences, committed as follows:

On the fourteenth day of November, in the year of our Lord one thousand eight hundred and eighty two, Charles C. Clausen and Walter J. Price were engaged in business at the City and County of New-York aforesaid as brewers under the firm name and style of Clausen and Price; and on said day the said firm of Clausen and Price were indebted to the Mayor, Aldermen and Commonalty of the City of New-York in a large sum of money, to wit, in the sum of three hundred and fifty three dollars and eighty cents for water furnished and supplied by the said the Mayor, Aldermen and Commonalty of the City of New-York to the said firm of Clausen and Price, and the said amount, so due as aforesaid, was then payable at the office of the Water Register, a Bureau in the Department of Public Works, the same being one of the Departments of the City government of the said the Mayor, Aldermen and Commonalty of the City of New-York; and the said Robert Mc'Kay, late of the First Ward of the City of New-York, in the County of New-York aforesaid, on the day and in the year last aforesaid, with force and arms, with intent feloniously to cheat and defraud the said Charles C. Clausen and Walter J. Price, did then and there feloniously, unlawfully, knowingly and designedly falsely pretend and represent to the said Charles C. Clausen and Walter J. Price, that he, the said Robert Mc'Kay, was then employed by the said the Mayor, Aldermen and Commonalty of the City of New-York in the office of the Water Register in the Department of Public Works aforesaid, and that he, the said Robert Mc'Kay, was authorized and had the power by virtue of his position as such employe to make arrangement for the payment of bills owing by consumers of water and for the payment of the amount due by the said firm of Clausen and Price, and that by virtue of his position as such employe he could arrange for the reduction of the amounts due by large consumers of water and of the amount due by the said firm of Clausen and Price as aforesaid; and that it was the custom of the said the Mayor, Aldermen and Commonalty of the City of New-York and of the Water Register aforesaid to make such reductions of the amounts due by large consumers of water, and that if the said firm of Clausen and Price would let him, the said Robert Mc'Kay, pay the money due by it, the said firm, for water as aforesaid, he, the said Robert Mc'Kay, had it in his power to save the said firm some money, and that if the said firm of Clausen and Price would give him, the said Robert Mc'Kay, the sum of one hundred and eighty dollars he, the said Robert Mc'Kay, could secure for that sum a discharge of the said firm of Clausen and Price from the said indebtedness of three hundred and fifty three dollars and eighty cents, so due and owing by the said firm as aforesaid, and could secure from the Water Register a settlement in full of the said indebtedness for the said sum of one hundred and eighty dollars; and that he, the said Robert Mc'Kay, had the

0544

power to secure from the said Department and from the Water Register aforesaid a reduction of the said indebtedness to the said sum of one hundred and eighty dollars.

And the said Charles C. Clausen and Walter J. Price, then and there believing the said false pretences and representations, so made as aforesaid by the said Robert Mc'Kay, and being deceived thereby, were induced by reason of the false pretences and representations, so made as aforesaid, to deliver, and did then and there deliver, to the said Robert Mc'Kay the sum of one hundred and eighty dollars in money, lawful money of the United States of America and of the value of one hundred and eighty dollars, of the proper moneys of the said Charles C. Clausen and Walter J. Price; and the said Robert Mc'Kay did then and there designedly receive and obtain the said sum of one hundred and eighty dollars in money of the said Charles C. Clausen and Walter J. Price, of the proper moneys of the said Charles C. Clausen and Walter J. Price, by means of the false pretences and representations aforesaid, with intent feloniously to cheat and defraud them of the same.

Whereas, in truth and in fact, the said Robert Mc'Kay, on the day and in the year aforesaid, was not employed by the Mayor, Aldermen and Commonalty of the City of New-York in the office of the Water Register in the Department of Public Works aforesaid; and whereas, in truth and in fact, the said Robert Mc'Kay then and there had no authority or power whatsoever to make arrangements for the payment of bills owing by consumers of water and for the payment of the amount due by the said firm of Clausen and Price, and the said Robert Mc'Kay could not arrange for the reduction of the amounts due by large consumers of water, and could not arrange for the reduction of the amount due by the said firm of Clausen and Price aforesaid; and it was not the custom of the said the Mayor, Aldermen and Commonalty of the City of New-York and of the Water Register aforesaid to make any reductions of the amounts due by large consumers of water; and whereas, in truth and in fact, the said Robert Mc'Kay did not have it in his power to save the said firm of Clausen and Price any money in respect of the payment of said amount, and could not procure a discharge of the said firm of Clausen and Price from the said indebtedness of three hundred and fifty three dollars and eighty cents for the sum of one hundred and eighty dollars, and could not procure from the Water Register aforesaid a settlement in full of the said indebtedness for the said sum of one hundred and eighty dollars, and that he had no power to secure from the said Department and from the said Water Register a reduction of said indebtedness to the said amount of one hundred and eighty dollars; and whereas, in truth and in fact, the said Robert Mc'Kay had no employment, authority or power whatsoever in the premises, and had on the day and in the year aforesaid no connection whatsoever in any capacity with the said office of the Water Register or with the said Department of Public Works; and whereas, in truth and in fact, each and all the pretences and representations, so made as aforesaid to the said Charles C. Clausen and Walter J. Price by the said Robert Mc'Kay, was and were in all respects utterly false and untrue, to wit, on the day and in the year last aforesaid, at the Ward, City and County aforesaid; and whereas, in truth and in fact, the said Robert Mc'Kay then and there well knew said pretences and representations, so by him made as aforesaid to the said Charles C. Clausen and Walter J. Price, to be utterly false and untrue at the time of making the same.

0545

And so the Grand Jury aforesaid do say, that the said Robert Mc'Kay, by means of the false pretences and representations aforesaid, on the day and in the year aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly did receive and obtain from the said Charles C. Clausen and Walter J. Price the sum of one hundred and eighty dollars in money, lawful money of the United States of America and of the value of one hundred and eighty dollars, of the proper moneys of the said Charles C. Clausen and Walter J. Price, with intent feloniously to cheat and defraud them of the same; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New-York and their dignity.

JOHN MC'KEON,  
District Attorney.



0546

Bill entered

Counsel,  
Filed 2 day of Nov 3 188  
Pleads Not Guilty?

THE PEOPLE  
vs.  
Robert  
The State  
[cases]

JOHN McKEON,  
22 Nov 7. 1883 District Attorney  
Ordered to Court by Order &  
Hearings for trial,  
A True Bill.  
W. J. Menden  
Foreman.

Dec 5. To Dec 11 no day  
Dec 11. Judge Barrett absent, Caged No  
Dec 15 8:30  
Dec 15. Defendant to Dec 17 17:00  
Dec 17

Recd Feb 19 to 1887

U.S. 712493 & 537

0547

COURT OF GENERAL SESSIONS OF THE PEACE  
of the City and County of New-York.

-----X  
The People of the State of New-York :  
- against - :  
Robert Mc' Kay. :  
-----X

The GRAND JURY of the City and County of New-York, by this indictment, accuse Robert Mc' Kay of the Crime of OBTAINING MONEY by means of false pretences, committed as follows:

On the twenty-seventh day of September, in the year of our Lord one thousand eight hundred and eighty, Charles C. Clausen and Walter J. Price were engaged in business at the City and County of New-York aforesaid as brewers under the firm name and style of Clausen and Price; and on said day the said firm of Clausen and Price were indebted to the Mayor, Aldermen and Commonalty of the City of New-York in a large sum of money, to wit, in the sum of ten hundred and twenty three dollars and ten cents, for water furnished and supplied by the said the Mayor, Aldermen and Commonalty of the City of New-York to the said firm of Clausen and Price, and the said amount, so due as aforesaid, was then payable at the office of the Water Register, a Bureau in the Department of Public Works, the same being one of the Departments of the City government of the said the Mayor, Aldermen and Commonalty of the City of New-York; and the said Robert Mc' Kay, late of the First Ward of the City of New-York, in the County of New-York aforesaid, on the day and in the year last aforesaid, at the Ward, City and County aforesaid, with force and arms, with intent feloniously to cheat and defraud the said Charles C. Clausen and Walter J. Price, did then and there feloniously, unlawfully, knowingly and designedly falsely pretend and represent to the said Charles C. Clausen and Walter J. Price that he, the said Robert Mc' Kay, was then employed by the said the Mayor, Aldermen and Commonalty of the City of New-York in the office of the Water Register in the Department of Public Works aforesaid, and that he, the said Robert Mc' Kay, was authorized and had the power by virtue of his position as such employe to make arrangements for the payment of bills owing by consumers of water and for the payment for the amount due by the said firm of Clausen and Price, and that by virtue of his position as such employe he could arrange for the reduction of the amounts due by large consumers of water and of the amount due by the said Clausen and Price as aforesaid; and that it was the custom of the said the Mayor, Aldermen and Commonalty of the City of New-York and of the Water Register aforesaid to make such reductions of the amounts due by large consumers of water, and that if the said firm of Clausen and Price would let him, the said Robert Mc' Kay, pay the money due by it, the said firm, for water as aforesaid he, the said Robert Mc' Kay, had it in his power to save the said firm some money, and that if the said firm of Clausen and Price would give him, the said Robert Mc' Kay, the sum of six hundred and fifty dollars he, the said Robert Mc' Kay, could secure for that sum a discharge of the said firm of Clausen and Price from the said indebtedness of ten hundred and twenty three dollars and ten cents, so due and owing by the said firm as aforesaid, and could secure from the Water Register a settlement in full of the said indebtedness for the said sum of six hundred and fifty dollars;



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and that he, the said Robert Mc'Kay, had the power to secure from the said Department and from the Water Register aforesaid a reduction of the said indebtedness to the said sum of six hundred and fifty dollars.

And the said Charles C. Clausen and Walter J. Price, then and there believing the said false pretences and representations, so made as aforesaid by the said Robert Mc'Kay, and being deceived thereby, were induced by reason of the false pretences and representations, so made as aforesaid, to deliver, and did then and there deliver, to the said Robert Mc'Kay the sum of six hundred and fifty dollars in money, lawful money of the United States of America and of the value of six hundred and fifty dollars, of the proper moneys of the said Charles C. Clausen and Walter J. Price; and the said Robert Mc'Kay did then and there designedly receive and obtain the said sum of six hundred and fifty dollars in money of the said Charles C. Clausen and Walter J. Price, of the proper moneys of the said Charles C. Clausen and Walter J. Price, by means of the false pretences and representations aforesaid, with intent feloniously to cheat and defraud them of the same.

Whereas, in truth and in fact, the said Robert Mc'Kay, on the day and in the year aforesaid, was not employed by the Mayor, Aldermen and Commonalty of the City of New-York in the office of the Water Register in the Department of Public Works aforesaid; and whereas, in truth and in fact, the said Robert Mc'Kay then and there had no authority or power whatsoever to make arrangements for the payment of bills owing by consumers of water and for the payment of the amount due by the said firm of Clausen and Price, and the said Robert Mc'Kay could not arrange for the reduction of the amounts due by large consumers of water, and could not arrange for the reduction of the amount due by the said firm of Clausen and Price aforesaid; and it was not the custom of the said the Mayor, Aldermen and Commonalty of the City of New-York and of the Water Register aforesaid to make any reductions of the amounts due by large consumers of water; and whereas, in truth and in fact, the said Robert Mc'Kay did not have it in his power to save the said firm of Clausen and Price any money in respect of the payment of said amount, and could not procure a discharge of the said firm of Clausen and Price from the said indebtedness of ten hundred and twenty three dollars and ten cents for the sum of six hundred and fifty dollars, and could not procure from the Water Register aforesaid a settlement in full of the said indebtedness for the said sum of six hundred and fifty dollars, and that he had no power to secure from the said Department and from the said Water Register a reduction of said indebtedness to the said amount of six hundred and fifty dollars; and whereas, in truth and in fact, the said Robert Mc'Kay had no employment, authority or power whatsoever in the premises, and had on the day and in the year aforesaid no connection whatsoever in any capacity with the said office of the Water Register or with the said Department of Public Works; and whereas, in truth and in fact, each and all the pretences and representations, so made as aforesaid to the said Charles C. Clausen and Walter J. Price by the said Robert Mc'Kay, was and were in all respects utterly false and untrue, to wit, on the day and in the year last aforesaid, at the Ward, City and County aforesaid; and whereas, in truth and in fact, the said Robert Mc'Kay then and there well knew said pretences and representations, so by him made as aforesaid to the said Charles C. Clausen and Walter J. Price, to be utterly false and untrue at the time of making the same.



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And so the Grand Jury aforesaid do say, that the said Robert Mc'Kay, by means of the false pretences and representations aforesaid, on the day and in the year aforesaid, at the Ward, City and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly did receive and obtain from the said Charles C. Clausen and Walter J. Price the sum of six hundred and fifty dollars in money, lawful money of the United States of America and of the value of six hundred and fifty dollars, of the proper moneys of the said Charles C. Clausen and Walter J. Price, with intent feloniously to cheat and defraud them of the same; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New-York and their dignity.

JOHN MC' KEON,  
District Attorney.

0550

**Counsel,**

Filed 2 day of Nov 1883

Pleads Not Guilty

# THE PEOPLE

५३.

Robert

There will

6/20/27

JOHN, McKEON.

District Attorney

Ordered to read by  
Honorable J. B. Ryan &  
A True Bill.

*Stuck for*  
**A True Bill.**

W. H. Munster

**Foreman.**

Dec 5. To Greenfield, E. of D.

Dec 11, Public Lady-Judge Marshall

absent, adj. 18-50-7

Dec 15 - Dec 17, 1899

00110011-11000000

Obtaining money by  
false pretenses  
III R.S. 17-2493, 4537

0551

Brought forward  
John H. BettsSchwarzchild & Sulzberger  
A. Frank

Fleischauer &amp; Son

A. Frank  
W. G. Muegling Jr.  
George A. Earl

Koster &amp; Bial

E. Bodner  
J. Heidenrich  
Bolen & Byrne

7215	9722	55
4725		
5587		
10132	276	59
65712		
56379	1214	91
4965		
2242		
2617	98	24
390		
990		
1820		
3942	71	42
984	9	84
19130		
16665	357	95
6487		
6742		
3367		
3810	204	06
22020		
24039		
25922		
42360	1143	41
11960	119	60
17260		
11030	282	90
9383	93	83
Total	\$13595	30



0552

St. Vincent of Acers.

Walter Parnell, -

0553

J. &amp; L. F. Kuntz

1 Farley Bros.

v Blavigne &amp; Burr

3 Hermann Kochler

Louis Schuler

International Hotel

George Hall

Carried forward

211 77

418 52

257 27

492 20

29 10

7 27

16 65

35 40

39 45

56 45

497 40

290 99

211 12

138 37

194 02

641 16

432 89

1 336 90

495 89

615 37

1 183 60

1 057 81

81 34

96 45

65 35

3 75

188 05

161 40

147 90

65 85

39 07

105 82

113 77

1 379 76

127 87

2 462 40

4 683 57

747 09

497 35

324 57

9 722 55

0554

Schedule 3-

Statement of the accounts which, upon notification from the Department, have been admitted by the parties liable for the same, and payment of which has been promised



0555

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

THE PEOPLE OF THE STATE OF NEW YORK,  
against

Robert Mc Kay

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

Robert Mc Kay  
of the crime of GRAND LARCENY, in the  
The said Robert Mc Kay committed as follows:

late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the ninth day of May in the year of our Lord one thousand eight  
hundred and eighty-two 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), be-  
ing 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 unsatis-  
fied, 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 fifty cents each: one hundred and fifty silver coins (of the kind usually known as  
known as half dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually known as  
quarter dollars), 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. and one instrument and

writing, to wit: an order for the payment of money  
of the kind commonly called bank checks, the said  
being then and there unsatisfied, for the payment  
of and of the value of one hundred and seventy  
five dollars, and of the value of one hundred and seventy  
of the goods, chattels, and personal property of Charles C. Clausen and  
Charles C. Clausen 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.

JOHN MCKEON, District Attorney

0556

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

And The Grand Jury aforesaid, by this indictment *finds*  
*accuse the said Robert McKay*  
of the crime of GRAND LARCENY, *in* *degree*, committed as follows:

The said *Robert McKay*

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

\$175.40

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, and one certain instrument

and writing, to wit: an order for the payment of money of the kind commonly called bank checks, the same being then and there unsatisfied, for the payment of and of the value of one hundred and seventy-five dollars and forty-four cents

of the goods, chattels, and personal property of *the Mayor, Aldermen and Commonalty of the City of New York* 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.

JOHN McKEON, District Attorney



Bailed on six in.  
dictumants in \$5000 each  
to Norman Andrews  
509 East 116<sup>th</sup> Street

Bailed on six in. \$170.00

Counsel,  
Filed 2 day of Nov 1883  
Pleads Not Guilty

THE PEOPLE  
vs.  
Robert  
The State  
Grassie

Grand Larceny,  
Ill. R.S. 2496 & 63

JOHN McKEON,  
District Attorney.  
Ordered to Court by Order &  
Shuman per record.  
A True Bill.

W. H. Chudson

Dec 5. To Dec 11 1883  
Dec 11. People's Court, Judge Chudson  
Dec 15. Signed at Dec 17 1883

0557



0558

(McKay.)

Price.

McKay, whose first name is Robert, came to our place one day, and we inferred from him that, being large consumers and using meters, we were entitled to a discount; and he said if we paid our bills to him he would make a reduction. I had known him for <sup>the</sup> Department a long time. Sometimes we paid him by check and sometimes in cash; made several payments to him, and thought every thing was all right until we got a notice from the Water Board some weeks ago. We gave orders to our cashier, Conrad Broschen, to pay him whenever he came up.

Conrad Broschen, 302 East 58<sup>th</sup> St.

I have paid McKay for water rents for Clausen & Price; I did not take receipts; I suppose check no. 995, for \$6.50. was the amount of the bill; I did not see the bill; I don't know that it was in payment of a part of the bill and that McKay promised to take the whole thing out; I suppose I just handed him the check. I filed

0559

(McKay.)

in the body of the checks; McKay told  
me to fill them in payable to bearer;  
I can't say that the firm ordered me  
to do this; I don't personally know  
McKay

0560

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Robert Mc Kay

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

Robert Mc Kay  
of the crime of GRAND LARCENY, ~~in the~~ committed as follows:

The said Robert Mc Kay

late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the ~~twenty-fourth~~ day of ~~May~~ in the year of our Lord one thousand eight  
hundred and eighty-~~one~~

~~one~~ at the Ward, City and County aforesaid, with force and arms, ~~three~~  
\$190.- 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), be-  
ing 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 unsatis-  
fied, 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, and one instrument

and writing, to wit: an order for the payment of  
money of the kind commonly called bank checks,  
the same being then and there unsatisfied, for the  
payment of and of the value of one hundred  
and ninety dollars.  
of the goods, chattels, and personal property of ~~Walter J. Price and Charles~~  
C. Crawford 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.

JOHN McKEON, District Attorney



0561

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

THE PEOPLE OF THE STATE OF NEW YORK,

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

Robert McKean

of the CRIME OF Grand Larceny

committed as follows:

The said Robert McKean  
The said degree, committed as follows:

late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the twenty-fourth day of May in the year of our Lord one thousand eight  
hundred and eighty one 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 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 three 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 fifty cents each: one hundred and fifty silver coins (of the kind usually known as half dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually known as quarter dollars), 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.

writing, to wit: an order for the payment of money of the kind commonly called bank checks, the said being then and there unsatisfied, to the payment of and of the value of one hundred and sixty dollars

of the goods, chattels, and personal property of the Mayor, Alderman and Council of the City of New York 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.

JOHN McKEON, District Attorney

0562

Bill entered

Counsel,

Filed 2 day of Nov

1883

Pleads *Not Guilty*

THE PEOPLE

vs.

*Robert [unclear]*

*McKay*  
[bracketed]

JOHN McKEON,

*22 Nov 7. 1883 District Attorney.*

*Ordered to Court of Cyphers  
Thames for trial.*

A True Bill.

*J. A. McKeon*

*Dec 5 To Dec 11 one at 12. Foreman*

*Dec 11. Public Grand, Judge Court at 12.*

*Dec 13. To Dec 15 12. E. C. P.*

*Dec 15. To Dec 17 12. 17. 1883*

*Dec 17 Off Term made in 1883*

III U.S. No 2496 367

Grand Larceny.



0563

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Robert Mc Kay

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

Robert Mc Kay  
of the crime of GRAND LARCENY, in the degree committed as follows:

The said Robert Mc Kay

late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the ~~twentieth~~ second day of December in the year of our Lord one thousand eight

\$400. hundred and eighty 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.

and one written instrument, to wit: an order for the payment of money of the kind same money called bank checks, the same being then and there unsatisfied for the payment of the goods, chattels, and personal property of one Charles C. Clavson and Walter J. Price 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.

~~Robert Mc Kay~~



0564

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

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

Robert McKeon

of the Crime of Grand Larceny

committed as follows:

do as follows:

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the twenty second day of December in the year of our Lord one thousand eight hundred and eighty at the Ward, City and County aforesaid, with force and arms, \$400. 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 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 known as 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. and one written instrument

to wit: an order for the payment of money of the kind commonly called bank checks, the same being then and there unsatisfied for the payment of and of the value of four hundred dollars.

of the goods, chattels, and personal property of the Mayor, Aldermen and Commonalty of the City of New York 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.

JOHN McKEON, District Attorney

0565

Bill entered

Counsel,

Filed 2 day of Nov 188

Pleads Nov 4<sup>th</sup> 1887

THE PEOPLE

vs.  
Robert

The State

[6 cases]

JOHN McKEON,

Is Nov 7, 1887 District Attorney.  
Ordered to the Court of Appeals  
for review for trial.  
A True Bill.

W. A. Menden

Dec 5. To be 11 months Foreman  
Dec 11. People's jury, Judge General Calver  
Dec 15. To be 15 days  
Dec 15. To be 15 days To be 15 days

Grand Larceny,  
B.R.S. 11-2496 & 63



0566

DRS. WILLARD PARKER & D. M. STIMSON,

Office Hours, 8 to 12 o'clock, A. M.

41 EAST TWELFTH STREET,

New York, December 16<sup>th</sup> 1884

Dear Sir

As requested I called this  
P.M. to examine Mr. McKay of  
No. 61 Downing Street - I find in  
his case a rapid and weak pulse,  
rapid respiration, prolonged ex-  
piratory murmur on both sides,  
but more especially marked on  
the left, and considerable ema-  
ciation - While I cannot vouch  
for the truth of his statement in



0567

DRS. WILLARD PARKER & D. M. STIMSON,

Office Hours, 8 to 12 o'clock, A. M.

41 EAST TWELFTH STREET,

New York, ..... 188

regard to recent hemorrhages his  
physical symptoms are such as to  
make me regard his statements as  
worthy of belief -

Dr Thomas H. Allen, who has given  
me a certificate, is a physician of  
good standing -

Frank J. Swank does him injus-  
tice against him but an ex-  
amination has led me to think that  
in this case physical disability is not  
assumed - Very truly Willard Parker

0568

Return to  
41 EAST 12th STREET,  
NEW YORK.

Peter B. Olney Esq  
16 East 9<sup>th</sup> Street

0569

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA  
FOR A WITNESS TO ATTEND THE  
COURT OF OYER AND TERMINER.  
The People of the State of New York,  
To Payson Teller W. L. Bryant  
of Murray Hill Bank Cor. 47th St. & 3 Ave.  
WE COMMAND YOU, That all business and excuses ceasing, you appear in your proper person, before the Court of Oyer and Terminer, to be holden in and for the City and County of New York, at the New County Court House, in the Park of the said City, on the day of December 11 instant, at the hour of 10:30 in the forenoon of the same day, to testify the truth and give evidence in our behalf, against Robert Arc Kay in a case of felony, whereof he stands indicted. And this you are not to omit under the penalty of Two Hundred and Fifty Dollars.  
WITNESS, Hon. NOAH DAVIS, presiding Justice of the Supreme Court of the State of New York, at the City Hall in our said City, the First Monday of December, in the year of Our Lord 1884  
PETER B. OLNEY ~~DANIEL G. ROLINS~~, District Attorney.



0570

No 19 Park Street  
Dec 15 - 1887

I hereby certify that Mr.  
Robert McKay has been under  
my professional care for  
some years; that he has  
consumption and has dur-  
ing the past few weeks been  
freely from this lungs and  
is now in a very improved  
physical condition, having  
been confined to  
his home most of that time

0571

I am of opinion that it  
might induce another hem  
orrhage that would prove  
fatal were he now subject  
ed to such an excitement  
as attending upon Court

Thomas H. Allen M.D.

0572

City & County of New York ss.

Thomas H. Allen

of No. 14 Park Avenue in  
said City being duly sworn  
says that he is a practicing  
Physician in said City and  
has been such for the past  
ten years and more; that  
the statements contained in the  
annexed Certificate of him sub-  
scribed are true to the best of his  
knowledge and belief -  
Subscribed & sworn to }  
before me this 15<sup>th</sup> day of } Thomas H. Allen  
December 1884 }

Jas. H. Jones

Notary Public N.Y.C.



0573

District Attorneys Office.  
City & County of  
New York.

Presented

Hon. Peter B. Olney.

0574

District Attorney's Office.  
City & County of  
New York.

December 16

Dear Sir

I see by the  
Morning paper that you  
tried to bring me  
to the Bar, all well  
I have seen R. McRay  
almost every day for  
two months and it is  
all good about him  
very sick if I am  
any Judge it hardly  
will be for me and  
my friends to try to bring such  
man to Justice if such  
excuses are taken I have  
come of a sick sick to  
see you you can see him  
any day at Crook Arms  
Hall from 9 to 12

De Bunker Henry  
196 Hudson

0575

DRS. WILLARD PARKER & D. M. STIMSON,

Office Hours, 8 to 12 o'clock, A. M.

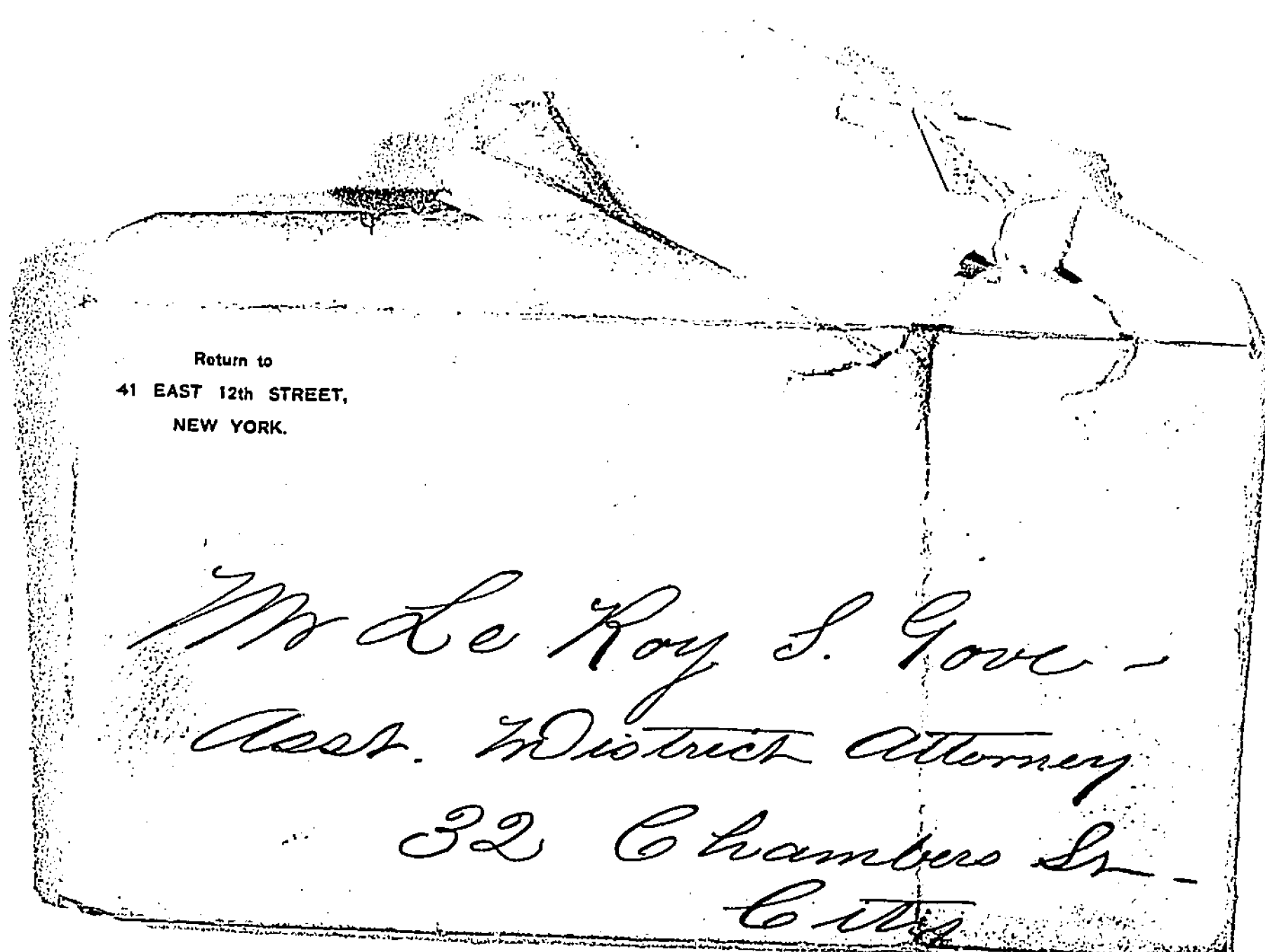
41 EAST TWELFTH STREET,

New York, Dec 17th 1884

Dear Sir  
While I cannot say  
positively that the ~~advantage~~  
of a trial would bring on her  
more charges in the case of her  
husband I consider his physical  
condition such that any ad-  
ditional ~~advantage~~ would  
jeopardize his life very truly  
Larry L. Hon & Willard Parker



0576



Return to  
41 EAST 12th STREET,  
NEW YORK.

Mr Le Roy S. Gove -  
Asst. District Attorney  
32 Chambers St -  
City

0577

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

THE PEOPLE OF THE STATE OF NEW YORK,  
against

Robert McKay

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

of the crime of GRAND LARCENY, ~~in the~~ degree, committed as follows:

The said Robert McKay

late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the fourth day of December in the year of our Lord one thousand eight

\$165 hundred and eighty-one 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 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.

and one written instrument, to wit: an order for the payment of money of the kind commonly called bank checks, the same being then and there unsatisfied, for the payment of one and sixty five dollars and value of one hundred and sixty five dollars of the goods, chattels, and personal property of Charles D. Clausen and Walter J. Price 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.

~~JOHN M. TILSON, District Attorney~~



0578

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

Robert Mc Kay

of the County of New York

committed as follows:

The said

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

of the crime of GRAND LARCENY, in the degree, committed as follows:

The said

Robert Mc Kay

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the fourteenth day of December in the year of our Lord one thousand eight hundred and eighty-one 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 known as 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.

and one written instrument to wit: an order for the payment of money of the kind commonly called bank checks, the same being then and there unsatisfied, for the payment of and of the value of one hundred and sixty five dollars

of the goods, chattels, and personal property of the Mayor, Aldermen and Commonalty of the City of New York 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.

JOHN McKEON, District Attorney



卷之八

1

Filed 2 day of Nov

Pleads Mrs Gentry

**'THE PEOPLE**

vs.

Robert  
B.  
vs.

Don't know

JOHN MCKEON,

*I & Nov 7, 1888. District Attorney.  
Ordered to Court of Pylen &  
Harrison for trial.  
A True Bill.*

# A True Bill.

Wm. Chudson

## Foreman

Dec 5. To Dec 11<sup>th</sup> mod. fine  
Dec 11. People angry. Intending to desert  
Dec 15. Dec 15. Eng. 13. a desert  
Dec. 15. Defiance. To Dec 17. mod. 14. Eng.

0580

BOX:

120

FOLDER:

1264

DESCRIPTION:

McKenna, John

DATE:

11/21/83



1264

#148.

**Counsel,**

Filed 2/ day of

## Pleads

# THE PEOPLE

22.

28. *Ph*

Ireland, the Strand  
 23. up.  
 of persons.

*Handwritten signature*

Miss JOHN McKEON,

Placed in  
P 2 Apr 27/23 District Attorney.

Alfred S. King, Jr.

# A True Bill.

Emm. Ref.

N. K. Cane

*Foreman*



0582

Police Court District.

City and County  
of New York, ss.:

of No. 83 Bayard Street, aged 46 years,

occupation Housekeeper being duly sworn

deposes and says, that the premises No. 83 Bayard Street,

in the City and County aforesaid, the said being a Grocery Store in

the rear of which deponent resides with her family

and which was occupied by deponent as Grocery Store & dwelling

and in which there was at the time of human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking

two panes of glass in the front

window of said store

on the 25th day of November 1883 in the Night time, and the

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

One Gold Watch and Chain and

One Suit of clothes all being

of the value of about One

Hundred dollars

the property of deponents Son Louis Barnett

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

John McHenna now present

for the reasons following, to wit: That about seven o'clock

on said night deponent left said

place the doors & windows being at the time

fastened and secured. That deponent

returned in about an hour & a half and

found the window glass broken and the

defendant in the rear part of the place which

deponent used as a dwelling. & also found the watch

chain on the floor & the trunk in which they were kept broken

the suit of clothes was taken from a rack and were on a bed

separately to carrying the same away

Sarah Barnett

0583

Sec. 100

CITY AND COUNTY  
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer.

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 I was  
drunk and do not remember  
anything about it*

*John McKenna*

Taken before me this

day of

188

Police Justice



0584

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 John McKeena

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Two  
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 Nov 7 3 188 Amos White Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_

\_\_\_\_\_ guilty of the offence within mentioned, I order h to be discharged.

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.



0585

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

*James Barnett*  
*453 Bayard St.*  
*John McKenna*

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

Dated *Nov 19* 188 *3*

*White* Magistrate.

*Danick Kelly* Officer.

*6* Precinct.

Witnesses \_\_\_\_\_

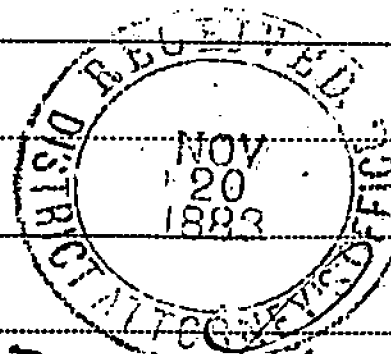
No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street,

No. \_\_\_\_\_ Street,

\$ *1077* to answer *General* Sessions.

*Com*



0586

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

John McKenna

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

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

The said John McKenna

late of the Sixth Ward of the City of New York, in the County of New York aforesaid, on the 16th day of November in the year of our Lord one thousand eight hundred and eighty-three with force and arms, about the hour of nine o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of

Sarah Barnett  
there situate, feloniously and burglariously did break into and enter,

~~whilst there was then and there some human being, to wit, one~~

~~within the said dwelling house, the said~~

John McKenna  
then and there intending to commit some crime therein, to wit: the goods chattels and personal property of the said Sarah Barnett in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

0587

SECOND COUNT.

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

— John McKenna —  
of the CRIME OF GRAND LARCENY IN THE First DEGREE, committed as follows:

The said John McKenna —

late of the Ward, City and County aforesaid, afterwards, to wit: on the said —  
16<sup>th</sup> day of November, in the year of our Lord one thousand eight  
hundred and eighty-three, at the Ward, City and County aforesaid, in the  
night time of said day, with force and arms, one watch  
of the value of fifty dollars, one chain  
of the value of twenty dollars, one coat  
of the value of twenty dollars, one vest  
of the value of five dollars, and one  
pair of trousers of the value of  
ten dollars —

of the goods, chattels and personal property of one Louis Barnett  
Sarah Barnett in the dwelling house of one  
there situate, then and there being found  
in the dwelling house 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.

John McKenna  
District Attorney



0588

THIRD COUNT.

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

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

The said

late of the Ward, City and County aforesaid, afterwards, to wit: on the said  
day of in the year of our Lord one thousand eight  
hundred and eighty- , with force and arms, at the Ward, City and County  
aforesaid,

of the goods, chattels and personal property of

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

unlawfully and unjustly did feloniously receive and have (the said

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 pro-  
vided, and against the peace of the People of the State of New York and their dignity.

**JOHN McKEON,**

*District Attorney.*

0589

BOX:

120

FOLDER:

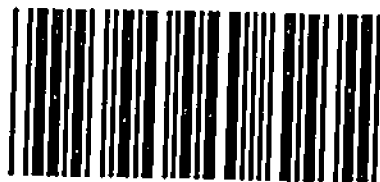
1264

DESCRIPTION:

McMahon, Frank

DATE:

11/21/83



1264

0590

#164.

Counsel,

Filed 21 day of Nov 1883

Pleads Nov 4<sup>th</sup> 1883

THE PEOPLE

vs.

R

Frank

The nation

INDICTMENT.  
Grand Jurors in the first degree.

[545284530]

JOHN McKEON,

District Attorney.

A True Bill.

N. H. Crane

Dec 3/83 Foreman.

Chas. J. Acquitted



0591

2 District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK

old 27 at Edward Kaffers & Andrew Gaffney  
of No. 1511 3 Avenue Street, cor 85 Street  
being duly sworn, deposes and says, that on the 19 day of November 1883

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 his person in the night  
the following property, viz :

Two fifty cent silver pieces  
Seven twenty five cent silver pieces  
Sixteen ten cent silver pieces  
Twenty pennies all sound  
and 1 lawful money of the  
United States

Sworn before me this

day of

together of the value of four dollars  
the property of Complainant

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 Frank Mc Mahon (now

present) from the fact that deponent  
coming over from Jersey City met said  
Mc Mahon on the boat which lands  
at the foot of Devores street north  
River. Said Mc Mahon came up to  
deponent, and said a friend of deponent  
wants me to take care of your  
deponent said come along and  
asked deponent shortly afterward

Peace Justice,

188

0592

to take a drink but said Mc Mahon  
took a cigar. This was in Desrosses  
street. Said Mc Mahon walked deponent  
up to South Siacum between Canal  
and Grand streets and then took  
deponent into a Restaurant. Deponent  
had all the money above described  
in the right hand vest and pantalons  
pockets said vest and pants  
being a part of deponents whole  
clothing. Deponent had the money  
when he went into the Restaurant.  
Deponent fell asleep for a second  
& being awakened found that  
Mc Mahon had left. Deponent  
looked for him but saw that he  
had got on the sidewalk and  
when deponent spoke to said  
Mc Mahon he commenced running.  
Meeting officer William Gibson  
of the 8 Greenish police he asked  
deponent what he was running  
for and deponent said Mc Mahon  
has taken my money, the officer  
seeing where Mc Mahon had  
hidden in a basement arrested

him to before me  
this 19 day of December 1882 Alcedo Taffey

*[Signature]*  
Police Justice

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

AFRIDAVALT-Larceny.

ss.

Dated 188

Magistrate.

Officer.

WITNESSES:

DISPOSITION



0593

**Sec. 198—200**

CITY AND COUNTY }  
OF NEW YORK. } ss.

2 District Police Court.

Frank M. Mahan 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:*

*Taken before me this*

day

## Police Justice



0594

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 \_\_\_\_\_

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

Dated Nov 19 188 3 J. J. Duffy Police Justice.

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

Dated \_\_\_\_\_ 188 . \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 . \_\_\_\_\_ Police Justice.

0595

BAILED.

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court 2 District. 873.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Andrew Gaffney  
1511 3<sup>rd</sup> St. (854)  
Frank McIlhenny

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

Dated Nov 19 1883

Wm. Gibson Magistrate.

Wm. Gibson Officer.

8 Precinct.

Witnesses \_\_\_\_\_

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

\$ 500 to answer G S



0596

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Frank McMahon*

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

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

The said *Frank McMahon*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *nineteenth* day of *November* in the year of our Lord one thousand eight hundred and eighty-*three*, at the Ward, City and County aforesaid, with force and arms, *in the night time of the said day, two silver coins of the United States of America of the kind known as half dollars of the value of fifty cents each, seven other silver coins of the United States of America of the kind known as quarter dollars, of the value of twenty five cents each, sixteen other silver coins of the United States of America of the kind known as dimes of the value of ten cents each, and twenty coins of the United States of America of the kind known as cents of the value of one cent each*

of the goods, chattels and personal property of one *Andrew Gaffney* on the person of the said *Andrew Gaffney* then and there being found, from the person of the said *Andrew Gaffney* 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.

JOHN McKEON, District Attorney.



0597

BOX:

120

FOLDER:

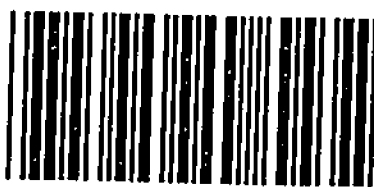
1264

DESCRIPTION:

McNally, John

DATE:

11/30/83



1264



0599

will be at No 245 East 7th St  
3rd District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK, } ss.

of No. 231 Mulberry Street, Kate Becker aged 24 years  
now at 245 East 7th St.

being duly sworn, deposes and says, that on the 14 day of November 1883

at the Bowery in 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 deponent, in the day time

the following property, viz:

one pocket book containing gold and lawful  
money of the issue of the United States  
consisting of two notes of the denomination  
and value of five dollars each and one  
note of the denomination and value of  
two dollars and silver & nickel coin  
of the value of fifty four cents, said  
property being in all of the value of  
seven dollars & fifty four cents

the property of deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken,

stolen, and carried away by John Mc Nally (now here)

from the fact that deponent was walking  
along the Bowery, when deponent had said  
pocket book containing said money in the  
pocket of the cloak then worn upon deponent's  
person, that deponent felt that said  
pocket book was extracted from her pocket  
and she saw said defendant running away  
from deponent with the pocket book in his hand,  
deponent gave an alarm and said Mc Nally



0600

was caught by officer John H. Pepper of  
the 10<sup>th</sup> Precinct Police who informs deponent  
that he found the pocket book (here shown)  
in the pocket of said defendant  
which pocket book deponent fully identifies  
as the one stolen from deponent

Sworn to before me this } Ruffi Becker  
15<sup>th</sup> day of November 1883 }  
J. M. Patterson  
Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT—Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0601

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 24 years, occupation John H. Reppert  
Police Officer of No. 10  
10th Precinct Police Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Walter Becker  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 15  
day of November 188 8 } John H. Reppert

J. M. Patterson  
Police Justice.

0602

Sec. 198-200

3

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*John Mc Nally* 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. *John Mc Nally*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *230 West 19 St., 5 months*

Question. What is your business or profession?

Answer. *Work at Picture frames*

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 found the pocket book, I did not steal it**John Mc Nally*

Taken before me this

15

day of

1883

Police Justice.



0603

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 John Mc Nally

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Seven  
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 Nov 15 1883 A. M. Patterson Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0604

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Nov 27 864  
Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Walter Brecker  
243 East 7<sup>th</sup> Street  
John M. Nally

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence Larceny from Person  
in day time

Dated November 15 1893

Patterson Magistrate.

Repper Officer.

10 Precinct.

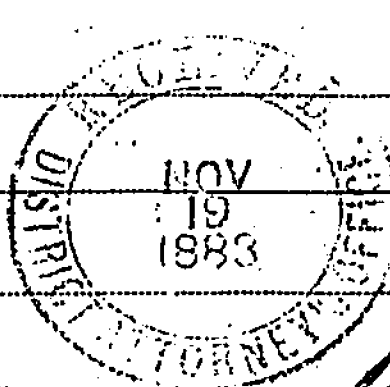
Witnesses Lucia officer

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

\$ 10000. to answer



G.S.  
Counsel

0605

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

John McNally

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

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

The said John McNally

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the fourteenth day of November in the year of our Lord one thousand eight hundred and eighty-three, at the Ward, City and County aforesaid, with force and arms, one pocket book of the

value of one dollar, two promissory notes for the payment of money of the kind known as Bank notes, the same being then and there due and unsatisfied. For the payment of and of the value of five dollars each, one other promissory note for the payment of money of the kind known as United States Treasury notes, the same being then and there due and unsatisfied. For the payment of and of the value of two dollars, and silver coins of the United States of America, of a number kind and denomination to the Grand Jury aforesaid unknown, of the value of fifty four cents

of the goods, chattels and personal property of one Kate Becker on the person of the said Kate Becker then and there being found, from the person of the said Kate Becker

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.

John Vincent  
JOHN MCKEON, District Attorney.



0606

**BOX:**

120

**FOLDER:**

1264

**DESCRIPTION:**

Meyer, John

**DATE:**

11/09/83



1264

22

## Day of Trial,

Counsel,

**Filed**

day of

1885

## Pleas

# THE PEOPLE

25

**BURGLARY—Third Degree, ~~and~~**

~~Hyperbolic Sine Curve~~

John Sweeney

JOHN McKEON,

Ex Nov 13/83 District Attorney.

Sheet 1 - (iron clad)  
with the square station to mark  
the fire bill.

*True Bill.*

on Darius to Muz

Edwards  
Care  
M. H.

*Foreman*

0608

Police Court 4 District.

City and County } ss.:  
of New York,

of No. 1005-6 Albion Street, aged 24 years,

occupation Lager Beer Saloon being duly sworn

deposes and says, that the premises No 1005-6 Albion Street,  
in the City and County aforesaid, the said being a Dwelling

and which was occupied by deponent ~~on the~~ first floor as a Lager Beer Saloon  
and in which there was at the time ~~there~~ human being, by name Mrs Steinke

and her Mrs Steinke  
were BURGLARIOUSLY entered by means of forcibly forcing  
opening the Basement door leading  
into deponent's Cellar and then breaking  
a Board in said Cellar leading in to deponent  
Saloon

on the 2 day of November 1888 in the night time, and the  
was attempted to be  
following property feloniously taken, stolen, and carried away, viz:

a quantity of cigars of the  
value of about four hundred  
dollars

the property of Frederick Heinsoth  
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

John Meyer Now present

for the reasons following, to wit: that about the hour  
of 3 o'clock this morning this  
deponent was informed by American  
Express Messenger Boy that his place  
was being Burglariously entered and that  
deponent went to his Saloon and opened  
the door and found the said deponent  
in his place and the deponent charged the  
said Meyer with Burglariously entering his Saloon and attempting  
to steal the above mentioned property J. Heinsoth

deponent before me on the 2nd day of November 1888



0609

Sec. 198-200

CITY AND COUNTY  
OF NEW YORK, ss.

District Police Court.

*John Meyer* being duly examined before the under-  
signed, according to law, on the annexed charge: and being informed that it is h<sup>is</sup> right to  
make a statement in relation to the charge against h<sup>im</sup>; that the statement is designed to  
enable h<sup>im</sup> if h<sup>is</sup> see fit to answer the charge and explain the facts alleged against h<sup>im</sup>  
that he is at liberty to waive making a statement, and that h<sup>is</sup> waiver cannot be used  
against h<sup>im</sup> on the trial.

Question. What is your name?

Answer. *John Meyer*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *No home*

Question. What is your business or profession?

Answer. *Barber*

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 guilty of the  
charge I only went in to get  
something to eat*

*John Meyer*

Taken before me this

day of *November*

188*5*

*William H. [Signature]*  
Justice

06 10

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Ten  
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 Nov 2<sup>d</sup> 1888

[Signature] Police Justice.

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

Dated \_\_\_\_\_ 188

\_\_\_\_\_  
Police Justice.

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

Dated \_\_\_\_\_ 188

\_\_\_\_\_  
Police Justice.

0611

BAILED.

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court 4 District. 84

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William Kinsolke  
1005 6<sup>th</sup> St.

John Mayer

Offence Burglary

Dated Nov 2 1883

G. H. Kinsolke Magistrate.

Thomas Doty Officer.

22 Precinct.

Witnesses \_\_\_\_\_

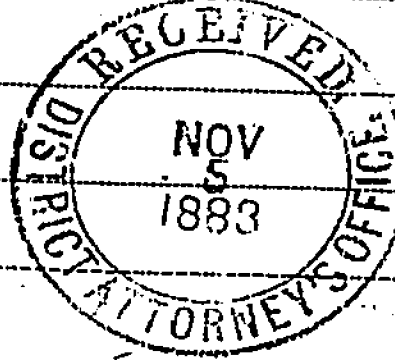
No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street,

No. \_\_\_\_\_ Street,

\$ 1000 to answer G. S.

Execd





06 12

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Meyer

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

John Meyer

of the CRIME OF BURGLARY IN THE THIRD DEGREE,

committed as follows:

The said

John Meyer

late of the 22nd Ward of the City of New York, in the County of New York, aforesaid, on the Second day of November in the year of our Lord one thousand eight hundred and eighty three with force and arms, at the Ward, City and County aforesaid, the saloon of

William Deminsoth

there situate, feloniously and burglariously, did break into and enter, the same being a part of 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

William Deminsoth

then and there being, then and there feloniously and burglariously to steal, take and carry away, and ten thousand

cigars of the value of four cents each

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

Deminsoth

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

John McKeon

District Attorney

06 14

BOX:

120

FOLDER:

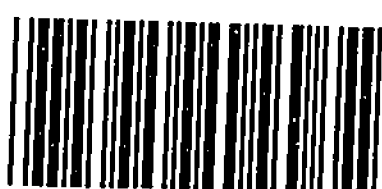
1265

DESCRIPTION:

Middlebrook, Egbert R.

DATE:

11/27/83



1265



06 15

Wilton & Belmont  
Counsel  
Filed by *[Signature]* day of *Nov* 1883  
Pleads *Chattel Mortgage* (30)

THE PEOPLE  
vs.  
*[Signature]*  
Gilbert R.  
Middlebrook

John Vincent  
District Attorney  
I do *Feb 20/84*  
Subt & acquitted  
A True Bill.

*W. H. Green*  
Foreman  
*Monday*

FORGIVE THE THIRD DEGREE  
ENDORSEMENT, ETC.  
IN THE COURT OF THE  
JURY



0616

New York, August 1st 1882

Messrs. H. O. Runk &amp; Co.

UNITED STATES  
BONDED WAREHOUSES,  
68 & 70 FRONT STREET,  
61, 63, 65 & 67 WATER STREET,  
New York.

To ROBERT SHAW, Jr.

Bills rendered Quarterly on  
Goods in Store.

OFFICE, 65 WATER STREET.

DATE	ARTICLE.	MARK.	Mo's	Rate.
1881				
March 21	1 cask Rum	cc	cc	Hamborough July 6/82
April 20	1 cask Rum	cc	cc	Delivered 3/4 1.40
17 Oct	"	"	"	cc Rumada
June 20	1 Oct	"	"	cc
July 15	1 cask	"	"	cc
Oct 20	1 Oct	"	"	cc
Nov 20	1 Oct	"	"	cc
Jan 15	1 Oct	"	"	cc
July 3	6 cask Brandy	cc	cc	cc
Aug 3	3 cask Sherry	cc	cc	cc
June 1	6 Oct	"	"	cc
July 1	1 cask	"	"	cc
Aug 1	1 cask	"	"	cc
May 3	1 cask Brandy	cc	cc	cc
May 3	1 cask	"	"	cc
May 3	1 cask	"	"	cc
July 1	1 cask	"	"	cc
Aug 3	1 cask	"	"	cc
April 3	1 cask	"	"	cc
Aug 3	1 cask	"	"	cc

0617

1882				Forward	51	67
March 3 10	10	Gases Gds, I & C	to Labrador	Feb 3/8		
			Delivered	3		20
March 3 10	10		to France	"		
Dec 19 100	100	Whisky 72	to Ethiopia	3		20
Feb 19 100			Labon	3	3	1
			Delivered	1	6	1
					9	1
					11	1

would like to  
know what lots  
there were

Chas  
Ost 16/82  
Received  
Ost 16/82  
Ost 16/82

Chas  
Ost 16/82



06 18

2 District Police Court.

Affidavit - Larceny.

CITY AND COUNTY  
OF NEW YORK, } ss.

aged 64 of No. 65 Water Street,

Robert Shaw

being duly sworn, deposes and says, that on the 6 day of October 1882

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 :

*Sixty one dollars and 2/100 dollars  
(the same being a check drawn  
by Hayford B Kirk and Company  
to the order of Mr. Robt Shaw  
on the Fulton National Bank  
and dated New York October 6  
1882 Numbered 23377)*

Sworn before me this

day of

together of the value of Sixty one 2/100 dollars  
the property of Complainant

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 *Robert R Middlebrook*

*(purpresent) from the fact that said  
Middlebrook was in deponent's employ  
as Managing Clerk, the sum of  
Sixty one dollars and 2/100 dollars  
was due deponent from the firm  
of H B Kirk Company for storage  
the bill rendered said firm is  
hereto annexed, Said Middlebrook  
received payment of bills during*

Before Justice,

188



06 19

deponent's absence on the 6 day of October 1882. as heretofore stated. Said Middlebrook in the course of his employment received a check as above described from said firm of H. B. Kirk Company and afterwards without the authority of deponent endorsed deponent's name on said check and negotiated the same to and had the same cashed by the firm of Nieto & Lindley Company doing business at number 17 South Street. Deponent is further informed by one Robert A. Sharkey a clerk in deponent's employ that he handed to said Middlebrook the check hereto annexed which he had received from said firm of H. B. Kirk Company and receipted for. and further deponent knows of his own knowledge that said Middlebrook never handed the said check nor the avails thereof over to deponent but converted the said sum of money to his own use.

Subscribed and sworn to before me this 13 day of November 1883.

Robert Sharkey

*[Signature]*

District Police Court.

AFRIDAVID - Larceny

THE PEOPLE, & C.,  
ON THE COMPLAINT OF

vs.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0620

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

POLICE COURT, 2 DISTRICT.

Robert A. Sharkey

of No. 673 Van Buren Brooklyn Street, being duly sworn, deposes and says,

that on the 6 day of October 1882

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

Deponent was in the employ of Robert Shaw on the above date deponent collected the amount of bill from I. B. Kirk & Co., and received in payment thereof a check numbered 23377 and drawn payable to the order of Robert Shaw on the Fulton National Bank City of New York. And in the course of such employment

Sworn to before me, this

188

day

Police Justice

0621

handed the check to Egbert  
R Middlebrook then manager  
of said business for the  
said Robert B Shaw  
Sum to before me of Robert A. Barker  
this 10 day of November 1883  
*[Signature]*  
Police Justice

POLICE COURT— DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

AFFIDAVIT.

vs.

Dated

188

Magistrate

Officer.

Witness,

Disposition



0622

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

POLICE COURT, 2 DISTRICT.

Peter J L Searing

of No. 208 West 130 Street, being duly sworn, deposes and says,

that on the \_\_\_\_\_ day of \_\_\_\_\_ 188-

at the City of New York, in the County of New York, He is in the employ

of H B Kirk and Company doing  
business as liquor dealers at  
number 69 Fulton Street New  
York city as cashier and  
Book keeper, that on the  
6 day of October 1884 the  
firm of H B Kirk & Co in  
the sum of Sixty one <sup>2</sup>/<sub>100</sub> dollars  
that the annexed is a bill  
of said indebtedness. that on  
said day said H B Kirk & Co

Sworn to before me, this \_\_\_\_\_

188-

day

Police Justice

0623

by deponent as their attorney  
drew the annexed check on  
the Fulton National Bank to  
the order of Robert Shaw for  
the sum of Sixty one  $\frac{21}{100}$  dollars  
and then delivered the same  
to one Robert A. Sharkey in payment  
of said indebtedness to said Shaw  
and that said check was thereafter  
paid by said Bank.

POLICE COURT— DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

AFFIDAVIT.

vs.

Dated

1883

Magistrate.

Officer.

Witness,

Disposition

Subscribed and sworn to before me  
this 13<sup>th</sup> day of September 1883  
J. H. Searing  
Notary Public

0624

C. G. BURGONNE, Law Case Printer, 29 Rose St., N. Y.  
(Law Telephone No. 590.)

*Police*  
*2nd District*

Court.

*The People etc on complaint of*  
*Robert Shaw*  
*vs*  
*Egbert R. Middlebrook*

Before *Huffy*  
*Magistrate*

New York, *Nov 16* 1883

Index.

WITNESSES.	Direct Ex'n.	Cross Ex'n.
<i>Robert Shaw</i>	<i>1</i>	<i>3</i>
<i>Samuel A. Keighler</i>	<i>17</i>	<i>17</i>
<i>John E. Wright</i>	<i>20</i>	<i>21</i>
<i>Robert A. Sharkey</i>	<i>23</i>	<i>24</i>
<i>Peter J. R. Searns</i>	<i>27</i>	

Law Telephone 387

CARSTEN WENDT,  
Stenographer and Law Reporter,  
20 NASSAU STREET,  
Room 72.  
NEW YORK.



0625

Police Court Second District.

The People vs. on the Complaint  
of Robert Shaw

vs.  
Egbert R. Middlebrook

Offence  
Grand  
Larceny

New York, Nov. 16. 1883  
Before Huffy Magistrate

The Stenographer, Carsten Wendt was first  
duly sworn

Robert Shaw having been first duly sworn  
and being examined says:

By Mr. Black:

Q Are you the Complainant in this matter  
against Egbert R. Middlebrook? A Yes.

Q What is your business?

A United States Bonded Warehouse.

Q For how long have you conducted said  
business?

A From July 1<sup>st</sup> 1879 up to the present time

Q Do you know Egbert R. Middlebrook?

A Yes, sir.

Q Did you have any business relations  
with him in the year 1882?

A I had a written Contract with him.

0626

2 (Paper shown witness) Is this the Contract<sup>2</sup> which you refer to? A Yes, sir, it is. Said paper is offered in evidence and marked "Complainant's Ex. 1. Nov. 16, 1883." It is agreed that a copy be used with same force and effect as the original.

2 Did Mr. Middlebrook work for you under that Contract? A Yes, sir,

2 Have you ever seen the check now shown you, being check attached to charge herein?

A I have

2 When did you first see it - about when?

A Since the 1<sup>st</sup> of January 1883. Sometime, I could not say just now when I saw it without referring to my memorandum book.

2 You have not seen it previous to that time?

A No, sir.

2 Will you look at the endorsement of that "Robert Shaw" - is that your signature?

A It is not.

2 Who wrote it? A It is in Mr. Middlebrook's handwriting.

2 Did you ever receive the money from Mr. Middlebrook or any person for that check?

A I did not.

2 Up to what time did Mr. Middlebrook's

0627

employment under that contract continue?  
A Up to the 31<sup>st</sup> of December 1882.  
Roose examined:

Q How long have you been in the warehouse business? A Since July 1<sup>st</sup> 1882.

Q You are still in that business? A Yes.

Q How long have you known Mr. Middlebrook?  
A I could not say; a good many years.

Q Was he engaged in the warehouse business at the time that you went into this place that you speak of? A No, Sir, I believe not.

Q Was it not through him that you started the business there?

A He brought the business to my notice.

Q Was it not through an agreement between you and him as to purchasing the business and carrying it on there?

A No, Sir.

Q Is it not a fact that you and he entered into the business there as partners?

A No, Sir.

Q He receiving a portion of the profits as compensation for his services against your capital - his talents and experience being offset against your money?

A No, Sir.

Q Has been Mr. Middlebrook at any time prior to the 6<sup>th</sup> day of October 1882 been



0628

a partner of yours?

A He never was a partner of mine.

Q Was he in your employment in any capacity?

A He had the supervision of the warehouse business for a portion of the time; he was not out there all the time.

Q How was he to be paid for his services?

A Objected to on the ground that the contract speaks for itself.

Q He was the general manager of the business was he not?

A He had the care and supervision of it.

Q You kept books of account thereof cash receipts?

A There should have been a cash book, but I cannot find any cash book.

Q Has Mr. Middlebrook ever signed any check by your authority? A No sir.

Q Or endorsed your name on checks?

A No sir.

Q To one whatever?

A He never was authorized to endorse a check.

Q When was the first that you saw this check?

A I saw it when I got it from Burke P.

Q When did you get it?

0629

- 5
- A I could not give you the exact date. It was sometime after the first of January 1883.
- Q You kept books in reference to the goods stored in your warehouse? A Yes, sir.
- Q And for whom they were stored? A Yes.
- Q Who had charge of these books from the time of the commencement of this contract down to the time that Mr. Middlebrook left your employment?
- A Mr. Middlebrook for a portion of the time; there was a book keeper there for a portion of the time, and then Mr. Sharkey had charge of the books but under Middlebrook's directions.
- Q Do you know when this check was paid?
- A I can tell by reference to the books.
- Q To what book?
- A To my invoice book. I presume that Mr. Middlebrook entered it.
- Q If it is not entered there you cannot tell whether the money was turned into the Cashier or treasurer of the establishment?
- A I was supposed to receive all the checks.
- Q Are you willing to state under oath that you can tell whether the proceeds from that check were paid into your business or not?
- A I can tell that they never were.

0630

Q How can you tell that the #612<sup>1</sup> was not paid in?

A Well, my books tell a part and I can tell the rest. What was paid in and what Mr. Middlebrook did not receive Mr. Shaskey received and the checks were either handed over to me or they were put in the cash drawer and somebody took them.

Q Ask you whether you are willing to state under your oath that you know of your own knowledge that the proceeds of that check - #612<sup>1</sup> - was not turned into the Cashier or treasurer of your business?

A I am perfectly satisfied that it was not.

Q Are you willing to swear that it was or was not paid in?

A I know it was not paid in.

Q You keep books in reference to your receipts in the warehouse?

A There should have been a cash book, but Mr. Middlebrook did not see fit to keep a cash book. I have a book which tells every check and what was done with it.

Q I am asking you if you keep a cash book there?

A I keep a cash book of the receipts taken in.

Q Was there at the time of the making of this check a cash book?



0631

- Q There was no regular cash book, at least  
I can not find any. I do not know that  
there was a cash book
- Q Who had authority to receive money in  
payment of storage at your warehouse  
at that time?
- Q The book keeper whoever it was.
- Q Can you name the person?
- Q Mr. Sharkey and Mr. Crowe.
- Q The only book keepers you had there were  
Mr. Sharkey and Mr. Crowe.
- Q Yes sir. those two and there was Mr.  
Middlebrook besides.
- Q Had Mr. Middlebrook authority to re-  
ceive money for storage?
- Q Had he authority? Of course he did  
collect money, although I never sup-  
posed that he did collect any bills  
until I found it out.
- Q Subsequent to the date of this check when  
did you first keep regular accounts  
of the transactions?
- Q On the 24<sup>th</sup> day of April 1883.
- Q Then am I to understand from that that pre-  
vious to the 24<sup>th</sup> day of April 1883, no  
regular cash book was kept?
- Q Well, I cannot find any
- Q Consequently you cannot tell now from whom

0632

8  
moneys were received for the use of your  
garages?

Q I had an account of all checks that I re-  
ceived and I always supposed that I  
received every check. I did not suppose  
that Mr. Middlebrook ever received a check  
until I found bills had been paid to him.  
By Mr. Vinton.

Q You entered into this storage business about  
1879 I understand?

Q The 1st of July 1879

Q You had known Mr. Middlebrook previous  
to that? A Yes sir.

Q What had been your own business pre-  
vious to that?

A I had been one of the firm of Wm. H. Lyne & Co.

Q Did they do any business of a character  
similar to the storage business? A Yes.

Q How came you to leave Wm. H. Lyne & Co.  
and go into the storage business?

Q I left them in 1873 on account of my  
health.

Q You were not able at that time to  
attend to business with them, in 1873?

A That is the reason that I went out  
of the firm on account of my health.

Q Your health had improved so much be-  
tween 1873 and 1879 as to enable you



0633

to go into the new business?

A So it seems.

Q What was the fact?

A My health was better of course, although I was not well.

Q It had so much improved as to enable you to go into new business? A Yes, Sir.

Q And to take entire charge of it?

A I never took entire charge of the warehouse business. I was there nearly every day. Mr. Middlebrook had charge under my direction.

Q How much did you know about the storage business on the 1<sup>st</sup> of July 1879?

A Nothing.

Q What did you do on July 1. 1879 to take an interest in the business?

A Well, Mr. Middlebrook brought the business to my notice. He said it was a good business and that there was money in it.

Q Did he remark any thing about capital being necessary?

A I knew that Capital was necessary; that business could not be done had without a certain sum of money. I bought the business out for a sum of money.

Q That was on July 1. 1879? A Yes, Sir.



0634

10  
Q How much did you pay for it?  
A I paid \$9.00  
Q During the remainder of the year 1879 how frequently were you at the office?  
A Almost every day  
Q Did you take a summer's vacation that year? A Yes, sir.  
Q For how long?  
A Several weeks. I could not say how long now.  
Q Several consecutive weeks? A Yes.  
Q Who attended to the business while you were absent?  
A Mr. Middlebrook had the supervision, the same parties were there as when I bought the business of Foster  
Q Did you store any goods during that time?  
A Yes, sir, a good many  
Q Was any money received from the people for whom they were stored?  
A Certainly  
Q Who took that money? A I believe very little money was paid in during my absence.  
Q Who took the money?  
A Who ever was in the office.  
Q What did they do with it?  
Q Well bills were rendered every three months so that very little money was paid in,

0635

but a good deal of money was paid<sup>11</sup>  
out.

Q If any money was paid in what  
was done with that?

A Mr. Middlebrook had direction if there  
was any money paid in, to send it up  
to the old firm of Wm. H. Lyne & Co.

Q Where did the money come from for  
expenses of the office?

A Mr. Middlebrook had authority to draw  
money from them.

Q Did Mr. Middlebrook work at the  
office for nothing during this period  
of 1879?

A No, Mr. Middlebrook had very little  
to do at the office - simply supervision  
because there was a regular book-  
keeper there and a foreman, and he  
simply supervised there and I al-  
lowed him a certain sum which he  
professed to be very grateful for.

Q How much did you allow him?

A I allowed him \$250

Q For the year's attendance?

A For the balance of the year.

Q During the period of 1879 who taught  
you this strange business?

A Who taught me? I was not taught



0636

12  
Q I don't understand the business now,  
In this Contract which you have  
introduced in evidence you say that  
you purchased the business by and  
with the aid of Mr. Middlebrook - is  
that true?

A Whatever that Contract says is so, it  
was his suggestion that I bought it at.  
He brought the business to my notice. That  
is all the aid he rendered me.

Q Is what this Contract says true?

A It is to be presumed that it is true.

Q Will you swear that it is not true?

A No Sir, I will not.

Q Will you swear that what it says is true?

A Of course, it is true.

Q During the period from the 1st of January  
1881 to the date of this Contract to the 28th  
day of December 1881, was Mr. Middle-  
brook still in charge of this business?

A He had the supervision of the business.

Q Was there any Contract in writing  
during that time specifying what his  
remuneration should be? A No.

Q Was there any Contract during that  
time specifying what his powers  
should be?

A There was no written Contract.



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Q How do you know how much money Mr. Middlebrook received from the 1<sup>st</sup> of July 1879 to the 28<sup>th</sup> day of December 1881.

A I do not know that he collected any money. As to his salary the understanding was if I may be allowed to state it, that if Mr. Middlebrook came there and devoted his whole time to the business - that was previous to this contract - he was to have the same salary that he was getting where he then was. If he did not devote the whole of his time, why, of course, that was to be agreed upon. There was no contract about it, but I allowed him for the balance of 1879 \$450. In 1880 when Mr. Rowe, the bookkeeper left and Mr. Sharkey came in Middlebrook of course had to show Mr. Sharkey what to do and I allowed him and paid him \$500 for his services.

Q How did you pay him that? In cash?

A Yes sir.

Q When? A I cannot state without reference to my memorandum book.

Q Can you give any idea of the date when you paid him?

0638

- 144
- A I cannot tell you now.
- Q This Contract was to expire by its terms at the election of either party on the first of January last. Did either party collect & cancel it?
- A I selected to cancel it and I did.
- Q In what way did you signify your election?
- A I gave Mr. Middlebrook written notice.
- Q When? A The time mentioned I believe was 60 days. I gave him 60 days' notice.
- Q Did Mr. Middlebrook after the 1st of January 1883 continue to come to the office?
- A He did.
- Q And continue to transact business there?
- A He came there & yes.
- Q How long did he stay there I mean during what period of time did he continue to come there?
- A He came there up to the 24<sup>th</sup> day of April and I had to call in a policeman to get him out of the office.
- Q You called a policeman and had him taken out?
- A He refused to go out and I called in a policeman and the policeman refused to take him out unless I made a charge against him.



0639

2 What charge did you make against him? <sup>15</sup>

Objected to as irrelevant and immaterial. Objections sustained  
Exception

2 Did Mr. Middlebrook commence a suit against you for false imprisonment?

Same objections. Objections overruled  
Exception.

A Yes, sir.

2 When you discovered that this check had been endorsed and that the bill of these people had been paid, why did you not have Mr. Middlebrook arrested for subornation?

Same objection. Objections overruled  
Exception.

A I do not remember the time about that check. I cannot specify when I discovered that check.

By the Court: Why didn't you have him arrested then?

A When I made the discovery first I discovered there were two checks amounting to nearly \$600, and I spoke to Mr. Middlebrook about it, and I felt very badly about it. Then he acknowledged what he had taken (the two checks), and I asked him, Is that all? and he said:



0640

"Yes." Then we arranged to endorse it and entered it on the back of the note. When I discovered there were so many checks I made up my mind it would not do.

2 How many of such checks did you discover?

A In the neighborhood of \$2500.

By Mr. Vinton: Who first suggested to you to take these proceedings against Mr. Middlebrook?

Same objection and further it may be a Confidential Communication.

Objection Sustained. Exception.

2 After the 1st of January 1883 were you and Mr. Middlebrook negotiating for terms in reference to the transaction of the storage business?

Same objection. The Court for its own information admits the question.

A For a short time we were.

By Mr. Black: In whose handwriting is Ex. 10 the agreement? A In Mr. Middlebrook's.

Sum to be for use  
This 17 day of November 1883

Robert H. Carter  
John D. Carter

0641

Samuel A. Feighler having first been duly  
sworn and being examined says:  
By Mr. Black:

Q Have you ever seen this check, being attached  
to the charge herein, before? A Yes.

Q Can you state about what date you  
saw it? A On the 10th of October, 1882

Q Under what circumstances?

A It was handed to me for endorsement  
in the course of business

Q By whom? A By our Cashier.

Q What was done with the check?

A The check after I endorsed it was returned  
to him to be deposited in the Bank

Q Do you know anything about its being  
deposited?

A I cannot state of my own knowledge.

Q You say that endorsement of Field List  
key is yours? A Yes, sir. I endorsed  
it for the firm.

Q Cross examined: You do not know who  
brought this check to your establishment?

A No, I can't positively swear who  
brought that to our office because  
it was not handed to me to be cashed.

Q Can you state anything in reference  
to its payment?

A No, sir; I am not the Cashier



0642

I cannot swear that that <sup>20</sup>  
check was cashed by our firm

James Knight

Sum to Refr me  
this 18 day of November 1882

John G. Wright having been first duly sworn  
and being examined says:

By Mr. Black: What is your business?

A Cashier for Field, Lindley & Co.

Q Do you know the business of the witness  
that just preceded you?

A Yes, sir, he is the general manager of  
the same office.

Q I show you the check attached to the  
charge herein. Have you seen that  
check before?

A Yes, sir, I have  
Q Can you state under what circum-  
stances you saw it?

A It was presented to me by Egbert R.  
Middlebrook, the party against whom  
the charge is made, with the request  
to give him currency for it. I gave  
him currency for it to the amount  
of the face \$61.21

Q Do you know what date that was?

A On the 10<sup>th</sup> of October 1882



0643

Q What did you do with the check? 21

A I cashed it and deposited the same in our bank having had it endorsed by Mr. Keybler first, and it was paid in due course.

Re-examined. You are the Cashier for Field, Lindley & Co.?

A Yes, sir.

Q And you have been for a number of years?

A Yes, sir, ever since the business has been organized.

Q You are familiar with the signature of Mr. Shaw?

A I am not.

Q Are you familiar with the signature of Mr. Middlebrook?

A I am

Q You have had many checks from him bearing Mr. Shaw's name and his endorsement?

A I doubt recollect that I have.

Q Did you ever receive any other checks than that from him?

A I have received other checks from Mr. Middlebrook.

Q With Middlebrook's endorsement or handwriting on it?

A Yes,

Q And with Mr. Shaw's name on it?

A Not that I know of.

Q At what time he was in Mr. Shaw's employment?

A I never knew anything about his

0644

engagements with Mr. Shaw, ser.

2 Are you able to state whether you accepted any check made payable to Shaw's order endorsed by Mr. Middlebrook?

A Yes sir. I could not say anything about it; I have no recollection of any.

2 You could not say whether you did or did not?

A Yes sir.

2 You are not willing to swear that you have not accepted other checks bearing Shaw's name and endorsed by Mr. Middlebrook?

A Yes sir.

By Mr. Black: Do you know whose endorsement that is "Robert Shaw" in whose handwriting?

A It looks like Mr. Middlebrook's handwriting; but I would not like to swear that it was.

John H. Wright

Sworn to before me

this 18 day of November 1880

P. G. Dwyer  
Police Justice



0645

Robert A. Sharkey having first been duly sworn  
and being examined says:

By Mr. Black: What is your business?

A Clerk or General manager of Mr. Shaw's  
warehouse.

Q In 1882, during the year, what was  
your business?

A Clerk with Mr. Shaw.

Q Have you ever seen this bill before,  
being attached to the charge herein?

A Yes, Sir; I made out that bill myself.

Q What did you do with it?

A I handed it to Mr. Middlebrook who  
entered it on the Customary books  
and I presume delivered it to Hicks & Co.

Q When did you next see it?

A When I made the collection of the bill.

Q What date did you collect it?

A On October 6, 1882 in the afternoon  
between two and four.

Q What happened then?

A I received a check for it and I receipted the bill.

Q You received the check annexed to the  
charge herein? A Yes, Sir.

Q What did you do with the check?

A I gave it to Mr. Middlebrook.



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- 24
- Cross examined. How long do you say you have been in the employment of Mr. Shaw? Since April 1888.
- Q Was Mr. Middlebrook engaged there in that time?
- A Since that time up to April 24, 1888.
- Q You say you gave him this check?
- A Yes, sir.
- Q Were you in the habit of giving him checks collected for storage in the establishment?
- A Yes.
- Q Can you tell how many different checks that you gave to him while you were engaged there?
- A No, I could not tell you, some I gave to him and others I put in the safe but they all went through his hands.
- Q Can you give any idea whether it was ten, two or one hundred?
- A No, sir, in fact everything went through Mr. Middlebrook's hands at the warehouse, he had entire charge.
- Q Likewise this check went through his hands?
- A Yes, sir.
- Q Did you ~~keep~~ keep any cash book there?
- A He kept a memorandum book in which he made entries in lead pencil

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and imitate.

2 Was that kept by Mr. Middlebrook himself?

A Yes, sir.

2 Did anybody else keep accounts of cash receipts?

A I kept accounts during the week and rendered them to him to show that my cash was correct.

2 Are you prepared to swear that this money was not paid into the treasury of the office?

A No, sir; I will not swear to that. I do not know anything about that. I do not know what business matters passed between Mr. Shaw and Mr. Middlebrook.

By Mr. Vinton: Did you ever take any checks to the H. Lynde & Co.?

A I do not think I did, but I have been quite often there to draw money.

2 To draw money on checks?

A On drafts or checks signed by Mr. Shaw quite frequently, and several times during the summer months by Mr. Middlebrook during Mr. Shaw's absence.

2 Did you ever go to Field, Lindley & Co. and get checks cashed there?

A No, sir; I did not.

2 Did you ever go there and get money?

A I did not go to Field, Lindley & Co., but



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Q To Mr. Middlebrook who was there  
Q What did you get the money for -  
for expenses of the office?  
A I would run short in cash and if  
Mr. Shaw was not at the warehouse  
I got money from Mr. Middlebrook  
to meet the expenses of the office.  
Q You were a subordinate of Mr. Middle-  
brook at the office?  
A I was under his direction, and subject  
to his orders.  
Q Did Mr. Shaw ever say anything to  
you about your being under Mr.  
Middlebrook's directions?  
A I believe the second or third day that  
I was there Mr. Shaw told me in all  
cases where I was in doubt, that  
is in reference to the general transactions  
of business, not to bother him, but to  
see Mr. Middlebrook and he would  
abide by what Mr. Middlebrook said.  
Q Who employed you? A Mr. Middlebrook.  
By Mr. Black: What was that bill for? A For storage

Sworn to before me, Robert D. Harkins  
This 18 day of September 1882  
J. J. Harkins  
Notary Public



0649

Peter J. Searing having been first duly sworn and being examined says:

By Mr. Black: What is your business?

A Cashier and book keeper for H. B. Kuhn & Co.

Q How long have you been there?

A Seven years.

Q You are there now? A Yes, sir.

Q Look at the bill and check attached to the Complaint herein and say what you know about it.

A That is a bill for storage that we owned Mr. Shaw and that is the check I drew for it.

Q Drew it on the date of it?

A Yes, sir, on the 6<sup>th</sup> of October 1882

Q When did next see the check?

A When it was returned from the Bank.

Q It was charged against your account and paid by the Bank? A Yes.

By Mr. Vinton: Where do you reside?

A At 208 West 130<sup>th</sup> Street

Sum to before me P. J. Searing  
this 17 day of September 1882

P. J. Searing  
Notary Public  
Examination closed.

Application made for reduction of bail to \$500  
Magistrate reduced bail to \$1500

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*Compliments  
Sept 1,  
Nov 16, 83*

AGREEMENT

made this 20th day of December,  
A.D. 1881, between Robert Shaw and Egbert R. Middlebrook,  
both of the City of Brooklyn, N. Y.

WHEREAS, said Shaw is the proprietor of a United States Bonded Warehouse and Free Storage business in the City of New York, and said Middlebrook is engaged in other business and purposes to devote a portion of his time to said Warehouse and Storage business,

NOW, therefore, it is agreed, by and between the parties, as follows:

1. Said Middlebrook shall give and devote so much of his time to the care and management of said Storage and Warehouse business under the advice and direction of said Shaw as shall be necessary for the proper and efficient conduct thereof.

2. Said Shaw shall pay to said Middlebrook as compensation and salary for his said services (so long as said Middlebrook shall have other employment) twenty-five per centum of the first received four thousand dollars net profits of said business and the whole of the next received five hundred dollars net profits of said business in each year.

3. This agreement shall continue for two years from the first day of January, A.D. 1882, unless either party shall elect to cancel it at the termination of the first year which may be done by the party so desiring to cancel it, giving notice to that effect in writing to the other party at least sixty days before the first day of January, A.D. 1883.

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4. WHEREAS, said Shaw purchased said business by and with the aid of said Middlebrook, therefore said Shaw agrees that if said business is sold on or before the expiration of five years from the 1st day of January, A.D. 1882, he will pay to said Middlebrook one-third part of the cash consideration received therefor. And if said business is not sold within said term of five years said Shaw hereby promises and agrees to pay said Middlebrook at the expiration of five years from January 1st, 1882, the sum of Three thousand dollars for his aid aforesaid.

5. If said Middlebrook shall at any time decide to relinquish his other employment and devote his whole time and attention to said Storage and Warehouse business his compensation therefor shall be increased as the parties hereto shall agree.

IN WITNESS WHEREOF, said parties have hereto set their hands the day and year first above written.

In presence of

Edward G. Black.

Robert Shaw,

E.R. Middlebrook.

City and County of New York, ss:

On this 28th day of December, A.D. 1881, before me personally came Robert Shaw and Egbert R. Middlebrook, each to me known and known to me to be the same person described in and who executed the foregoing instrument and acknowledged to me that they executed the same.

Edward G. Black,  
Notary Public,  
City and County of New York.



0652

Robert Shaw

with

Egbert R. Middlebrook.

AGREEMENT.

0653

*Police*  
*2nd District* Court.

*The People on complaint of*  
*Robert Shaw*

*vs.*

*Egbert R. Middlebrook*

TRANSCRIPT OF  
Stenographer's Minutes,  
*New York, Nov 16 1883*

TESTIMONY OF

*Shaw.*  
*Keighler*  
*Wright*  
*Sharkey*  
*Searns*

Adjourned to

CARSTEN WENDT,  
Stenographer and Law Reporter,  
20 NASSAU STREET,  
Room 72. NEW YORK.  
Law Telephone 387.

0654

of a partner, but was subject to the orders of his employers. He had nothing to do with losses, except as they affected the profits out of which he was to be paid; and he was only to take a share of the profits in the lieu of wages or as a mode of getting compensation for his services.

I shall not go over the cases where this question has been considered, nor examine the nice distinctions which may be found in the books; for so far as this Court is concerned, it has been settled, that a mere agent or servant, who is to obey orders, and has no interest in the capital stock, will not be a partner even as to third persons merely because he is to be compensated for his services by receiving a share of the profits, which may arise from the business in which he is employed.

(Vanderburgh v. Hall, 20 Wend. 70.

Story on Part. 14. 56. 72

Collyer on Part. 14. 18. "

On appeal and final  
hearing of this case in the Court of



0655

Appeals, 3 Comstock, 136, Gardner, J.,  
delivering the opinion of the Court, says:

"Was Eckart shown by the other  
evidence in the cause to be a member  
of the firm of Gibbs & Co.? This point  
was fully considered when this  
cause was before the Supreme  
Court after the first trial. (1 Denio 341-2)

I concur fully in the reasoning  
and conclusions reached by the  
learned judges who delivered the  
opinion of the Court."

0656

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0657

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and conclusions reached by the  
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opinion of the Court."



0658

Burnett v. Snyder, 87 N.Y. 531.

This was an action by a creditor seeking to hold a person as copartner. It appeared that one partner with the knowledge and concurrence of his associates made an agreement with an outside person to give the latter a share in the profits and losses in the firm which should fall to the partner making such agreement. Held: — no partnership.

Andrews J. p. 554:— "In *Grace v. Smith* (12 Wm Bl. 998) and *Waugh v. Barrow* (2 N. Black 235) the doctrine was declared and was deemed settled by these cases, that a participation in the profits of a trade made one liable as a partner to third persons by operation of law although he was not ostensibly a partner and although the partnership relation was excluded by the terms of the agreement between himself and his associates. This doctrine was followed in England and was regarded as the true test of partnership as to third persons, until the case of *Lox v. Hickman* (8 N. of L. Cas. 301) in which the doctrine was strongly impugned, if not

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wholly overthrown x x x x. But we have in this state adhered to the general doctrine established by the earlier English cases, and although it proceeds upon reasons which have not been considered entirely satisfactory, it was applied by this Court in the recent case of *Leggett v. Hyde* (58 Ck. 272). But the participation in the profits of a trade which makes a person a partner as to third persons is a participation in the profits as such under circumstances which give him a proprietary interest in the profits before division, as principal trader. (Ex parte Hamper 17 Vesey 404; Story on Part. § 49; Parsons on Part. 74) and the right to an account as partner and a lien on the partnership assets in preference to individual creditors of the partner. (*Champion v. Postwick* 18 Wend. 184; 3 Kent 25. 1 Smith Lead. Cases 984) It is not every participation in the profits which will make one a partner. Numerous exceptions to the rule have been established (see *Vandervburgh v. Hull* 20 Wend. 70. *Buckle v. Eckart* 3 Comstock 132; *Richardson v. Hughitt* 76 Ck. 55.)"

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Richardson v. Hughitt, 76 N.Y. 55.

In this case H. made an agreement with B. Bros & Co. whereby the latter were to manufacture and deliver to him 200 lumber wagons, he to advance \$50. on each, to sell them and to receive  $\frac{1}{4}$  of the profits and his advances, with interest at  $5\frac{1}{4}\%$ .

Held: H. was not a partner even as to third persons.

Miller, J. (p. 57) "The general rule no doubt is that to constitute a partnership, there must be a community of interests inter sese and that the parties should share the profits and losses.

(3 Kent 23: Pattison v. Blanchard, 1 Selden 186)

This, however, is not without exception, and where there is an agreement for sharing in the profits of a business, in some cases it is sufficient to establish a partnership as to third persons. See Manhattan Brass & Mfg Co. v. Sears, 45 N.Y. 797. And here comes in another exception to the rule last stated, which is, that where the person has no interest in the capital or business, and is to be remunerated for his services, by a compensation



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*Donklin v. Barton*, 43 Barb. 435.  
*Miller J.* (p. 438) "Although Backman  
 was interested in the profits of the con-  
 cern, he had, I think, no such interest  
 as made him a partner. A partici-  
 pation in the profits of a business  
 by a party as a compensation for his  
 labor or services, without having an  
 interest in the principal stock or in  
 the profits as such, or any right to  
 control the business, does not make  
 him a partner, something more is  
 essential. He must have an interest  
 in the stock, with a right to control,  
 and thus have a right to the profits as  
 the result of the capital and industry  
 in which all concerned are interested  
 and not as a measure of compensation  
 merely: and must be liable for losses."

(*Ogden v. Astor* 4 Sandf. 311

*Buckle v. Eckhart* 3 Coms. 132

*Collyer on Part.* §§ 22. 45 & notes

3<sup>d</sup> Amer. Ed. *Story on Part.* 930)"

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Buckle v. Eckhart 1 Denio 341.

Bronson, Ch. J. — "Now according to this evidence, Eckhart was not a member of the house of Gibb & Co.

But as the house required assistance in the out-door part of their business, they employed Eckhart to attend to the purchasing and forwarding of western produce, and a remuneration for his trouble, he was to receive one-fourth part of the profits coming to Gibb & Co. from that branch of their business. He acted in all matters connected with the business under the orders of Gibb & Co. He exercised no ownership over the property purchased and was never looked upon or considered as a partner.

It is quite clear that there was no partnership as between the parties to this arrangement; and I think there was none in relation to third persons. There was no community of interest in the capital stock; and Eckhart did not act as a principal trader but only as the agent or servant of Gibb & Co. He was not clothed with the usual powers, rights or duties

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is given him as "compensation" for his "services".

There is not an ambiguous line or phrase in the contract when read in the light of the authorities cited.



0664

The distinction must be kept in mind between two classes of cases, one where a creditor seeks to hold a person as copartner and the other where the question arises between parties claiming to be partners together.

In the first the English rule was that whoever took a share in the profits, lessened the fund which was to pay the debts and was therefore as to creditors to be made to bear his share of the losses - in a word, as to creditors he was a partner.

In *Burnett v. Snyder*, 81 N.Y. 551, it is said, this rule prevails in New York, but the court point out that the interest in the profits must be a proprietary interest before division as principal trader, with a right to an accounting as partner and a lien on the partnership property, in preference to individual creditors.

Tried by this rule and its qualifications, Middlebrook would not be, as to creditors, a partner.

Where the question arises between the parties themselves,

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the Court look at the facts or at the written contract to see whether the elements of a partnership are present.

Is there a community of interest in the capital? Do the parties have equal rights and powers, or is one subordinate to the other? Do they deal with the property as joint owners?

These tests are set out in

Richardson v. Hughitt, 76 N.Y. 55.

Buckle v. Eckart, 1 Denio 341

Conklin v. Barton 43 Barb. 435.

These cases lay down the rule that where the person owns no interest in the stock in-trade and receives a share of profits ~~merely~~ as compensation for services he is not a partner.

In the Middlebrook Shaw agreement, it appears that Shaw is sole owner of the business; it appears that Middlebrook is to devote his time under the direction of Shaw;— here certainly is no community of interest and no equality of position.— it is the position of master and servant. Further it is distinctly stated that the share of profits

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from the profits or measured by  
the profits; or what is to depend,  
as in the case of seamen, or other  
voyages, upon the result, it has no  
application. Where there one is  
only interested in the profits of a  
business as a means of compensation  
for services rendered, he is not a part-  
ner.

Leggett v. Hyde 58 N.Y. 272, 280.

Smith v. Bodine 7th Id. 30

Vanderburgh v. Hull, 20 Wend. 70.

Buckle v. Eckart. 1 Denio 337,

On appeal 3 Comst. 132.

Fitch v. Hall 25 Barb. 13.

Lamb v. Grover 47 id. 317.

1 Smith Lead. Cases 5 Amer. Ed. 292.



0667

In the Matter of

Robert Shaw

and

E. R. Widdellbrook

Brief

0668

Sec. 151.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss

In the name of the People of the State of New York; To the Sheriff of the County of New York, or any Marshal or Policeman of the City of New York:

Whereas, Complaint on oath, has been made before the undersigned, one of the Police Justices in and for the said City, by Robert Shaw

of No. 65 Water Street, that on the 6 day of October

1888 at the City of New York, in the County of New York, the following article to wit:

Sixty one dollar and 21/100 dollar  
(The same being a check drawn by

Harford B. Rusk and Company to the order  
and cashed by Robert Shaw on the Fulton National Bank  
together of the value of Sixty one 21/100 dollar numbered 233771

the property of Complainant Dollars,

w as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Egbert R. Middlebrook

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 2 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 14 day of November 1888

[Signature]  
POLICE JUSTICE.

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POLICE COURT. DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Robert Shaw

vs.

Egbert R. Middlebrook

Warrant-Larceny.

Dated Nov 14 1883

Duffy Magistrate

Mullin Officer

Egbert R. Middlebrook  
The Defendant

taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

S. M. Mullin Officer.

Dated 188

This Warrant may be executed on Sunday or at  
night.

Police Justice.

REMARKS.

Time of Arrest, Nov 13 1883

Native of N.Y.

Age, 48

Sex

Complexion,

Color White

Profession, Clerk

Married Y

Single,

Read, Y

Write, Y

520 1st  
Brooklyn



TORN PAGE

0670

CITY AND COUNTY  
OF NEW YORK, ss.

2 District Police Court.

*Egbert R Middlebrook* 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.

*Egbert R Middlebrook*

Question. How old are you?

Answer.

*48 years*

Question. Where were you born?

Answer.

*New York*

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

Answer. *420 1st Street Brooklyn (resided there 3 yrs)*

Question. What is your business or profession?

Answer.

*Storage*

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 -*

*E. R. Middlebrook*

Taken before me this 13

day of August 1913

Police Justice.

0671

POOR QUALITY  
ORIGINAL

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 \_\_\_\_\_

*Egbert R Middlebrook*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Two*  
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.

*March 19 1883*

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

Dated \_\_\_\_\_ 188 . \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 . \_\_\_\_\_ Police Justice.

0672

POOR QUALITY  
ORIGINAL

Received Check  
of \$13.15  
from of Lloyd Pine  
Robert H. H. H.  
att. for Oltz

BAILED,

No. 1, by

Parak G. Coles

Residence

100 and 102 Forsyth Street.

No. 2, by

Residence

Street.

Residence

Street.

No. 4, by

F. M. Wells

Residence

193 Canal St  
New Orleans

John H. H. H.

335 Broadway

James O. Carpenter

335 Broadway

Algeron H. Smith

483 Broadway

M. H. H.

Jersey City Night

to Complaint

Police Court

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Robert H. H. H.  
15 Water St.

Egbert H. H. H.

2

3

4

Dated

1883

Magistrate.

Officer

Squad

Prisonet.

Witnesses

Peter H. H. H.

No. 208 W. 130 Street.

Robert H. H. H.

No. 673 Van Buren Street.

Samuel H. H. H.

No. 1000 to answer

Witness Over



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Court of General Sessions of the City and County of New York.

THE PEOPLE OF THE STATE OF  
NEW YORK,

against

Egbert R. Middlebrook

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

Egbert R. Middlebrook

of the crime of Forgery in the third degree,

committed as follows:

The said Egbert R. Middlebrook

late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the Sixth day of October in the year of our Lord one  
thousand eight hundred and eighty two at the Ward, City,  
and County aforesaid, having in his custody and possession a certain instrument and  
writing, to wit: an order for the payment  
of money, of the kind commonly  
called bank checks  
which said bank check is as follows, that is to say:

No. 23377

New York Oct 6<sup>th</sup> 1882

Truett National Bank

Pay to the order Mr Robert Shaw

Sixty one  $\frac{21}{100}$

Dollars

\$61  $\frac{21}{100}$

Harford B. Kirk & Co  
P. J. Searing, atty

the said Egbert R. Middlebrook

afterwards, to wit, on the  
day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid,  
feloniously did falsely make, forge and counterfeit, and did cause and procure to be falsely  
made, forged and counterfeited, and did willingly act and assist in the false making, forg-  
ing and counterfeiting on the bank check of the  
said bank check a certain instrument and writing  
commonly called an endorsement which said false, forged and  
counterfeited instrument and writing, commonly called an endorsement  
is as follows: that is to say, Robert Shaw

with intention  
to injure and defraud one Robert Shaw

and divers other persons; to the Grand Jury aforesaid un-  
known; 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.

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And the Grand Jury aforesaid do further accuse

the said Egbert R. Middlebrook of the crime of Forgery in the third degree, committed as follows:

The said Egbert R. Middlebrook

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, at the Ward, City and County aforesaid, having in his custody and possession a certain instrument and writing, to wit: an order for

the payment of money, of the kind commonly called bank checks

which said bank check

is as follows, that is to say:

No. 23377

New York Oct 6<sup>th</sup> 1882

Fulton National Bank

Pay to the order of Mr Robert Shaw

Sixty one  $\frac{2}{100}$

Dollars

\$61  $\frac{2}{100}$

Stanford B. Kirk & Co.

C. G. Searling Atty

and on the back of which said bank check was then and there written a certain false, forged and counterfeited instrument and writing, commonly called an endorsement of the said last mentioned bank check which said false, forged and counterfeited instrument and writing, commonly called an endorsement is as follows, that is to say:

Robert Shaw  
the said Egbert R. Middlebrook

then and there well knowing the premises last aforesaid, and that the said endorsement was false, forged and counterfeited, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously did utter and publish as true, the said false, forged and counterfeited endorsement of the said last mentioned bank check with intention to injure

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and defrauded Robert Shaw

and divers other persons, to the Grand Jury aforesaid unknown; he the said Egbert R. Middlebrook at the time he so uttered and published the said false, forged and counterfeited endorsement of the said last mentioned Bank check then and there well knowing the said Endorsement to be false, forged and counterfeited, 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.

John Vincent, District Attorney.