

0541

BOX:

400

FOLDER:

3715

DESCRIPTION:

May, Frank

DATE:

06/23/90



3715

0542

Witnesses:

Goodman

Counsel,

Filed

20 day of June 1890

Pleads,

Chapman

THE PEOPLE

vs.

Frank May
Grand Larceny, Second Degree.
[Sections 528, 531, Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A True Bill

Charles Higgins

Foreman.

James H. H.

Head of

Sentence not required

B.M. 30

0543

Police Court

District.

Affidavit—Larceny.

City and County } ss.:
of New York,George A. Morrissey
of No. 255 8th Avenue Street, aged 27 years,
occupation Manager being duly sworndeposes and says, that on the 17 day of June 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:a quantity of
Custom made clothing of the
value of about sixty dollars
\$ 60the property of Louis Spero and then in
deponent's careand 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 May, now here,
under the following circumstances:
The said goods were exposed for sale
in a show case in front of the
building No 1193 Broadway, about
6 30 P.m. on said date, and
at that time deponent caught the
defendant in the act of attempting
to steal the said property from the
said show case. The door of which
had been forced open and deponent
saw the defendant in the act of
forcing the said show case open, and
Samford B. Stifter now here, also saw
the said attempt at larceny by defendant

George A. Morrissey

Sworn to before me, this

18 day

1882

Police Justice.

0544

Sec. 198—200.

CITY AND COUNTY } ss.
OF NEW YORK,

2
District Police Court.

Frank May 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.

Frank May

Question. How old are you?

Answer.

21 Years

Question. Where were you born?

Answer.

New York

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

Answer.

105 Forsyth Street

Question. What is your business or profession?

Answer.

Bar tender

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

Frank May

Taken before me this

day of

June

1880

Police Justice.

[Signature]

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 Defendant

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 Janur 18 1890 E. J. Ryan Police Justice.

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

Dated.....*18*.....*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.....18.....*Police Justice.*

0546

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court---

2

941 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George A. Monney
vs. - 8" adv
Frank May

1 _____
2 _____
3 _____
4 _____

Office *Attended*
Lanery

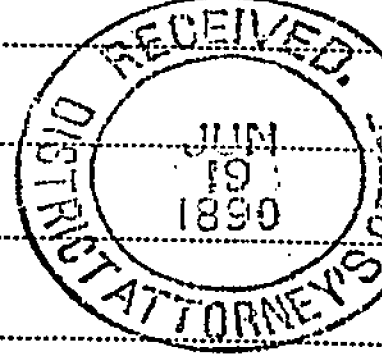
Dated *June 18* 1890
Hogan Magistrate.

Thompson Officer.

Witnesses *Samford B. Steffen*
No. *1193* Broadway Street.

No. _____ Street.

No. _____ Street.
\$ *500* to answer *G. S.*



Chen

attest
9/22

0547

N. Y. COURT OF GENERAL SESSIONS.

x - - - - - x

The People :

--against-- :

Frank May. :

x - - - - - x

PLEASE TAKE NOTICE that on the annexed affidavit of
AMBROSE H. PURDY, I will move the Court at General
Sessions in Part One, on Wednesday, the 25th day of
June, at the opening of the Court, to quash the indict-
ment herein.

*Purdy McLaughlin's
Counsel for Defendant
280 Broadway
City*

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N. Y. COURT OF GENERAL SESSIONS.

x - - - - - x

The People :

--against-- :

:

Frank May. :

x - - - - - x

CITY AND COUNTY OF NEW YORK, SS:-

Ambrose H. Purdy, being duly sworn, says:

That he is the attorney for the above named defendant; that on Monday, the 23rd day of June, said May was arraigned in Part Three for trial on a charge of attempt of Grand Larceny in the second degree. That thereupon a plea of guilty was interposed to said indictment. That thereupon the Court discovered what he judged to be a fatal error in the indictment. No action was taken upon the plea before the witness was directed by the District Attorney to go before the Grand Jury for the purpose of procuring a new indictment to ~~be~~^{Amel} the altered technical errors. Subsequently deponent heard the complainant in the case, state to the District Attorney that the Grand Jury had informed him that they did not require him, and hence deponent on information and belief, charges, and alleges to be the fact that no evidence was taken before the Grand Jury, on which this present indictment is founded. Deponent believes, the Grand Jury having heard evidence on which the other indictment was predicated, concluded that they could find

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this indictment without any evidence at all, but whether this fact is true or not, the evidence is in the possession of the District Attorney.

WHEREFORE, by reason of the premises, deponent prays that the indictment herein be quashed.

Sworn to before me

June 25/90

Fred P. Smith

Notary Public

N.Y.C.

A. J. Purdy

0550

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

being duly sworn, says that he resides at No. _____ Street, in the City of New York; that he is _____ years of age; that on the _____ day of _____ 18_____, at Number _____ in the City of New York, he served the within _____ on _____ the _____ by leaving a copy thereof with _____

Sworn to before me this
day of _____ 18 _____ }

County of New York
The People

Plaintiff,

against

Frank May
Defendant.

Office of Notary Public
of Andrew H. Purdy

PURDY & McLAUGHLIN,

Attorneys for

No. 280 BROADWAY, New York City.

Due and timely service of cop of the within

hereby admitted

this day of

18

Attorney.

To *John W. C. Adams Esq*
And City Clerk

0551

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Louis Spers

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

Louis Spers
of attempting to Commit the Crime
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said

Louis Spers

late of the City of New York, in the County of New York aforesaid, on the *seventeenth*
day of *June* in the year of our Lord one thousand eight hundred and *ninety*,
, at the City and County aforesaid, with force and arms,

*divers articles of clothing, of a
number and description to the Grand
Jury aforesaid unknown, of the
value of sixty dollars*

of the goods, chattels and personal property of one

Louis Spers

attempt to
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 R. Bellows,
District Attorney.*

Witnesses:

Geo A Morley

Counsel,

Filed *20* day of *June* 18*90*

Pleads, *Myself*

THE PEOPLE

[Signature]

Frank May

Attorney at Law
Grand Larceny, second degree.
[Sections 528, 531, Penal Code].

JOHN R. FELLOWS,
District Attorney.

A True Bill.

10-0-10

Chas Higgs

[Signature] Foreman.
10-0-10

0552

0553

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 May

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

Frank May of the crime of attempting to commit
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said

Frank May

late of the City of New York, in the County of New York aforesaid, on the *seventeenth*
day of *June* in the year of our Lord one thousand eight hundred and *ninety*,
, at the City and County aforesaid, with force and arms,

*divers articles of clothing of a
number and description to the
Grand Jury aforesaid unknown,
of the value of sixty dollars*

of the goods, chattels and personal property of one

Louis Spers

attempt to

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.

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SECOND COUNT—

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

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

The said

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

of the goods, chattels and personal property of one

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from 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, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0555

BOX:

400

FOLDER:

3715

DESCRIPTION:

Mayer, Joseph

DATE:

06/09/90



3715

0556

Witnesses:

M. A. Radtke

Counsel,

Filed

Pleads,

18

day of

Sept 12

THE PEOPLE

vs.

B
Joseph Mayer

Grand Larceny Second degree.
[Sections 528, 531, Penal Code].

JOHN R. FELLOWS,

District Attorney.

Sept 11/91
Spies & Co. requested

A True Bill.

Chas. H. Higgins

Foreman.

W

484.

COURT OF GENERAL SESSIONS, PART I.

-----X
 T h e P e o p l e

vs.

J o s e p h M a y e r .
 -----X

Before

Hon. Recorder Smyth.

Thursday, September 4th, 1890.

Indictment for Grand Larceny in the second degree.

Assistant District Attorney Jerome for the People.

Mr. Meyer, counsel for the Defendant.

A jury was empanelled and sworn.

W I L L I A M A. K A D D I E, sworn and examined.

Q (By Mr. Jerome) What is your business? A. Salesman for Henderson & Winter.

Q What is their business? A. Manufacturing jewellers.

Q Where in the City of New York do they carry on their business? A. No. 15 Maiden Lane.

Q On what floor of the building? A. The fourth floor, the whole floor.

Q Were you employed with them at the same place on the 16th of May of this year? A. Yes, sir.

Q Did you see the defendant there on that day? A. Yes, sir.

Q You have more than one room there? A. We have an office and a manufacturing shop.

Q That is on the north side of Maiden Lane? A. The north side, yes, sir.

Q And this office of yours is in front or the rear? A. The

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front.

Q Did you see the defendant in that office that day? A. Yes, sir.

Q What time of day did he come there? A. Between 1 and 1.30.

Q And who was there when he came there? A. The head of the house, James Henderson.

Q Were you there? A. No, sir.

Q You subsequently came in and found Mr. Henderson and the defendant together? A. Yes, sir.

Q Did Mr. Henderson say anything to you in the presence of the defendant? A. He told me to wait on the gentleman.

Q Then you turned to the defendant? A. Yes, sir.

Q Now state to the jury in order just what occurred, what you said to him and what he said to you, the whole transaction so far as it is within your own knowledge and observation?

A. When I came in I noticed the gentleman leaning over the tray.

By the Court:

Q Go on and state what you saw? A. The gentleman was leaning over the tray.

By Mr. Jerome:

Q Where was the tray? A. On the counter in front of the safe.

Q How wide is that counter? A. About 2 1/2 feet wide.

Q Is that safe one of those regular jewelers' safes shallow with drawers on the top? A. Yes, sir, large size.

Q The tray was one that was drawn out of the safe? A. Yes,

sir, that was on the counter; it contained diamonds, lace pins, earrings, scarf pins, miscellaneous goods; and Mr. Henderson called my attention to wait on the gentleman. I first made inquiry who he was of the defendant.

Q Tell us what you said to him? A. I asked the gentleman what kind of goods he would like to look at; he said he would like to look at some childrens' rings, and Mr. Henderson put back the tray of these goods and stepped out of the office and I showed him a tray of childrens' rings.

Q Did you take the tray out of the safe and put it on the counter? A. Yes, sir.

Q He was on one side of the counter and you on the other? A. I was on the inner side of the counter at the safe.

Q And the tray between you? A. Yes, sir, it had about 1200 rings in bunches of a dozen each.

Q Have you a bunch with you to illustrate the way in which they were tied? A. Yes, sir, I have that particular bunch.

Q The rings that you speak of were tied in a bunch? People's Exhibit 1 for identification. A. Yes, sir.

Q Continue. A. He looked over the goods and laid out two bunches on the counter between the tray and himself; he then made inquiry in regard to some goods with small diamonds in saying that the diamond rings we had were too small and he would like to have some larger. He was looking over the tray of the rings.

Q The tray you have spoken of was between you and the defendant? A. I noticed him making a motion with his handkerchief that way (witness illustrating) from his pocket, and

I noticed the handkerchief half way out of his pocket. He then in asking in regard to the other goods, the larger diamond goods, he took his handkerchief out of his pocket and laid it down on the edge of the counter and immediately slipped one of the dozen rings into his pocket.

Q I show you again People's Exhibit 1 for identification and ask you if ~~is~~ that is the dozen of rings he slipped into his pocket? A. Yes, sir, I identify that dozen, I let him have the dozen of rings in his pocket, I did nothing but watch him to see if he would continue. He made inquiry in regard to these higher priced goods and pointed to one dozen of rings at the further end of the tray and with the other hand he attempted to take another dozen.

By the Court:

Q Of those same rings? A. Yes, sir, similar goods, it may not be that style of ring but in that lot of rings.

By Mr. Jerome:

Q Tied in that fashion? A. Yes, sir, in that same tray. As I looked up to answer his question he threw them back into the tray. I answered his question by saying that we had not that style of ring in stock finished but our foreman would let me know whether he was finishing a lot and I stepped to the door. He said, all right; I stepped to the door and he waited until my return, I was partly out of the office and I rung the bell for one of the firm or some one to come and I immediately told them ----

Q You had some talk with them which you need not state, it was not in his presence? A. I had a conversation with them and then I returned to the office and asked the man --

- Q Before you went to the door and had this conversation with the member of the firm you have spoken of did you do anything to the tray? A. I returned it to the safe and put back the remaining dozen that lay on the table and the rest of the goods in the safe.
- Q Were there at any time on the table more than two dozen of rings that he took out himself? A. No, sir.
- Q And when you returned these rings to the tray and put them back in the safe there was but one dozen left there? A. One dozen left, I stepped to the desk and got out a revolver that we usually keep in case of emergencies and asked him to return ----
- Q What did you do with the revolver, did you display it or what? A. I took it out with my right hand and changed it to my left and put it in the left pocket.
- Q Was your back turned to him? A. Partly sideways.
- Q In what position, so that one could see it? A. Yes, sir, and I requested him to return my property.
- Q Tell us what you said to him? A. I said I would like to have those rings, my property. What property, he said? Why the goods you have belonging to us. Why you are mistaken he said smilingly. I said, now my dear sir, you might as well give me those goods before there is any trouble. By that time there was a footstep approaching the office and a door opened and he immediately threw the rings out of his pocket in that style (showing) behind him and they fell between the counter or the table and the railing and he went to get out and the young men came in the front

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door and stopped him,

Q What was the name of those young men? A. Charles Kramer and Edward Revelstone.

Q Those are the young men that are here? A. Yes, sir.

Q Did they take hold of him? A. Yes, sir.

Q What did he say? A. I was addressing him and I told the young men to hold him until I got an officer and he said you are mistaken, you will be sorry for this, I advise you not to do it.

Q Then you went out to get an officer? A. Then I consulted the firm whether I would press the charge.

Q In his presence? A. Yes, sir.

Q Mr. Henderson came in, did he? A. Yes, sir.

Q Tell us what Mr. Henderson said to you in the presence of the defendant? A. I told Mr. Henderson that I saw this man take a dozen of our rings, I saw him ~~pk~~ take them out of his pocket and throw them down, I asked Mr. Henderson if I would prefer, make a charge? He said yes.

Q What did the defendant say to that? A. He was quite excited and said, you will be sorry for this, now don't you do it, I can prove who I am, and that if I did I would be sorry for it.

Q You say you allowed him after you saw him take those rings, you allowed him to take them, you meant by that you assented to his taking the property? A. No, sir, to make sure to see if he would attempt to take any more.

Q You mean you made no demonstration to prevent him, you did not take hold of him? A. No, sir.

Q Then you went out for an officer and brought in the offi-

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cer? A. Yes, sir.

Q Was he searched there? A. No, sir.

Q What did he say when the officer came in or what was said in his presence when the officer came in? A. He did not seem to say much at all; to the best of my recollection the officer said he must ----

Q What did the officer say, if you recollect? A. He said you have got your goods, what more do you want.

By the Court:

Q He said that to you? A. Yes, sir.

By Mr. Jerome:

Q He said, you have got your goods, what more do you want?

A. What more do you want. I looked to Mr. Henderson and he gave me a recognizing glance that I should go ahead and make the charge.

Q What did you say then? A. I said to the officer, we will talk this matter over at the Tombs Police Court, that is the proper place, not here.

Q Then he arrested the defendant? A. He arrested the defendant and took him to the station house where he was searched.

Q Were you present when he was searched? A. Yes, sir, I was.

Q Did you see a pawn ticket taken from him? A. At my suggestion allow me he was searched and they had overlooked one pocket which I noticed, I called the Sergeant's attention to that particular pocket and they searched him and found a pawn ticket on his person.

Q I hand you now People's Exhibit No. 2 for identification

and ask you if that is the pawn ticket that was taken from him? A. That is, sir.

Q Did you have at any time any further conversation with him or was there anything else at any time said in his presence by any one that you recollect? A. The defendant?

Q Yes, sir. A. No, sir.

Q What is the value of each of those rings on there, People's Exhibit 1 for identification?

By the Court:

Q The market value? A. The market value \$2.50 each.

By Mr. Jerome:

Q And this bunch, People's Exhibit 1 for identification, is the one you say you saw him put in his pocket? A. Yes, sir.

Q He picked it up from the floor? A. I did, not on the floor, between the railing and the counter.

Mr. Jerome: I offer this in evidence People's Exhibit 1.

CROSS-EXAMINED by Mr. Meyer:

Q How long have you been employed, Mr. Caddie, with Henderson & Winter? A. Seventeen years.

Q Have you ever seen the defendant before in Messrs. Henderson & Winter's place to your knowledge? A. I think I did, I would not be positive, last holiday season.

By the Court:

Q In what month, in December? A. Yes, sir, December.

By Counsel:

Q How many salesmen does your firm employ? A. Employs one in New York.

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- Q I mean in the store in Maiden Lane how many salesmen have you, only one? A. Yes, sir.
- Q And at the time that Mr. Henderson left you two gentlemen were the only persons in the room, am I correct? A. Yes, sir.
- Q Now how long after Mr. Henderson left was it before you drew this revolver or got the revolver? A. 10 minutes.
- Q Then up to that time or prior to that time you and the defendant had been engaged in conversation and discussion about the relative merits of the rings, hadn't you? A. Yes, sir, the prices.
- Q Was there any discussion between you and the defendant about the carat of the gold rings? A. No, sir.
- Q Are you sure about that, Mr. Caddie? A. Yes, sir.
- Q What carat are those rings? A. 10 carat.
- Q Each? A. 10 carat each.
- Q Now look at them, you are sure about that, are you? A. 10 carat each.
- Q You mean by that 10 carat gold? A. 10 carat gold.
- Q Do you recollect the defendant having a discussion and saying it was not more than 8 carat? A. Not that ring.
- Q There was some discussion? A. I recollect that discussion.
- Q Then you did have a discussion about the carat of the ring? A. Not about those rings.
- Q How long after you engaged in conversation with Mr. Mayer, the defendant, did you see him use his handkerchief? A. A few moments.

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- Q A few moments? A. Yes, sir, three we will say.
- Q About three minutes? A. Yes, sir.
- Q At that time you had before him this large tray containing these 1200 rings? A. Yes, sir.
- Q You were facing him? A. Yes, sir.
- Q The counter only intervened? A. Yes, sir.
- Q Well people who have called upon you before and bought goods have used their handkerchiefs before, taken out their handkerchief? A. Yes, sir.
- Q So that was not anything unusual in taking out a handkerchief, was it? A. No, sir.
- Q Now how long after he took out his handkerchief was it that you noticed him covering the rings, as you describe it, I will come to that later? A. Within five minutes.
- Q Within five minutes? A. Yes, sir.
- Q Then he had been in conversation with you three minutes? A. Yes, sir.
- Q At that time he had used this handkerchief, am I correct? A. Two minutes following I should say after he used the handkerchief.
- Q Between the three minutes and the two minutes afterwards he used the handkerchief? A. Yes, sir, within five minutes.
- Q He used this handkerchief? A. Yes, sir.
- Q Have you got a handkerchief with you? A. I hope so.
- The tray is that height, the tray is in that shape gentlemen (illustrating) and the width of the table is about

2¹/₂ feet; the two dozen rings lay there and the tray here; in using his handkerchief he put his handkerchief there and was gradually covering the one dozen, leaving the one dozen out. I noticed that and in the conversation in asking me the price of the goods, calling my attention over there, he lifted his handkerchief up and put it down, then changed it to this hand and then back to that hand again and picked up the handkerchief to blow his nose and slipped the dozen of rings in his pocket leaving one dozen out; he put his handkerchief back in that pocket.

By Mr. Jerome:

Q The same pocket the rings were in? A. Yes, sir; in asking the price of the goods he called my attention to a dozen of rings over in that corner. What is the price of that lot of rings there? and attempted to take another dozen out of the tray. In calling my attention to that dozen of rings he attempted to take the dozen, he took a dozen out of the tray, leaving one dozen on the counter. I looked up to answer his question and he released his hold on the dozen and they went back into the tray with the one dozen lying on the counter.

By Counsel:

Q In answer to a question put to you by the District Attorney, that he attempted to take a second dozen, the testimony you have just given about him dropping this in the tray is what?

The Court: He is now illustrating what he intended to convey by answering the District Attorney.

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By Counsel:

Q You heard his Honor say that? A. Yes, sir -- the illustration is what I intended to convey.

Q This was done which you have illustrated when you were looking at him, the second attempt we will call it? A. The question he put to me at the opposite corner of the tray drew my attention to the tray to that particular corner and I avoided looking in that particular corner to see what action he made.

Q Well, then, if you avoided looking to the particular corner how could you see him lift it? A. I can watch the tray, the size of the tray I could cover.

Q I ask you if you looked at the corner of the tray which is not much larger than that legal cap how could you see him lift it? A. I could very easily see him.

Q Then you could ^{see} everything that he did? A. Yes, sir, by the size of the tray.

Q Your sight is perfect? A. With glasses on it is.

Q Can you see distinctly everything, can you see this pencil? A. Yes, sir.

Q You wore glasses that day? A. Yes, sir, never without them.

Q Now these two sets of rings were lying in front of the tray on the outside of the tray? A. Two dozen rings lay outside the tray.

Q You saw him take his handkerchief and cover one dozen with his right hand first? A. Yes, sir, he tried to cover one dozen and left one dozen exposed.

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Q He did cover one dozen, did he, with his handkerchief?

A. Yes, sir.

Q He did not try but he did it? A. He did it.

Q And passed it over then to his right, the handkerchief?

By the Court:

Q Did he pass the handkerchief to the right? A. From the left to the right ~~xxxx~~ and drew it out of his left pocket.

By Counsel:

Q He took it out of his left pocket? A. The left pocket, yes, sir.

Q And covered the dozen of rings with his right hand which contained the handkerchief, is that correct? A. Yes, sir.

Q You saw the rings in the handkerchief then, didn't you? A. No, sir.

Q You missed them? A. No, sir, I did not miss them then.

Q Then you saw him pass it from the right hand to the left hand, didn't you, the handkerchief? A. I do not quite understand, are you speaking of the rings or the handkerchief?

Q The handkerchief I said? A. At what particular action?

Q You saw two dozen of rings laying out of the tray, didn't you, on the counter, that is sure? A. Yes, sir.

Q You saw the defendant take the handkerchief out of his left hand pocket, is that it? A. Yes, sir.

Q He put the handkerchief into his right hand, that is sure? A. Yes, sir.

Q Then you have testified that you saw him take his handkerchief and lay it down on one dozen of rings, is that it?

A. Yes, sir, one dozen, that is correct.

Q And when he did that the handkerchief was in his right hand? A. Yes, sir.

Q You saw him raise his handkerchief, did you? A. Yes, sir.

Q And pass the handkerchief to his left hand? A. Not at that particular time.

Q How long afterwards do you think it was? A. After the first dozen was abstracted he did that action.

Q Well, now, which is it? A. Excuse me, the first dozen was taken in the act of wiping his nose.

Q In the act of wiping his nose? A. Yes, sir, the first dozen as he attempted to lift the handkerchief to wipe his nose he deftly slipped the dozen into his left hand pocket with his left hand.

Q Well, what I am getting at Mr. Caddie is, when you say you missed the first dozen of rings? A. On the action of wiping his nose.

Q And the time he wiped his nose you say you saw him take those rings out of the handkerchief? A. No, sir.

Q What did you see him do? A. I will have to go over it again. The two dozen lay on the table and in the act of wiping his nose he slipped one dozen into his pocket and then changed his handkerchief into his left hand and put it in his pocket.

By the Court:

Q Over this dozen of rings that he drew into the pocket?

A. Yes, sir.

By Counsel:

Q The rings never came in contact with the handkerchief, that was merely a subterfuge? A. On the second dozen that I thought he would take then that was where the handkerchief came in play with the rings.

Q That second dozen that he attempted to take was what you have illustrated here to the jury to-day, is that it?

The Court: He illustrated both.

The Witness: I illustrated both dozen at first. After one dozen was taken out there remained there only one dozen on the counter; I illustrated the action of taking the second dozen out of the tray with one dozen remaining on the counter. Now I cannot understand what you mean by --

By Counsel:

Q I will try and make myself plain if I can Mr. Caddie. You spoke first about the defendant using his handkerchief and putting it in his pocket, his right or left pocket, is not that so? A. Yes, sir, I spoke about that.

Q Now the handkerchief was in what pocket? A. The left pocket all the time.

Q At that time you were discussing the merits and the prices of the rings? A. The prices of the rings if I remember correctly.

Q At that time you noticed two dozen rings outside the tray? A. He took the two dozen out and I noticed it.

Q Now you then said that you saw the defendant take this handkerchief out of his left pocket? A. Yes, sir.

Q Now, at the time he took the handkerchief out of his left pocket the two dozen of rings were still on the table?

A. Yes, sir.

Q What next occurred after he took his handkerchief out of this pocket and the two dozen rings remaining on the table, on the counter? A. A conversation occurred which I cannot exactly recollect.

Q What is your best recollection? A. The best recollection is it was about the prices of the rings, garnet rings, not turquois rings. In the action he lifted the handkerchief from the counter so quickly.

By Mr. Jerome.

Q Counsel wants you to begin from the time he took the handkerchief out of his pocket. A. He took the handkerchief out of his left pocket and changed it in a general way while his arm rested on the table -- this hand, I really do not know where it was then, on the stool or something, he took the handkerchief from his pocket, changed it to his right hand and one edge of the handkerchief lay over the dozen of rings towards him. When he lifted his handkerchief to blow his nose very sharply and strongly he abstracted the dozen off the counter into his pocket.

By the Court.

Q And left one dozen on the counter? A. Yes. He then after blowing his nostrils quite hard changed his handkerchief into his left hand and put it in his pocket allowing part of the handkerchief to hang out.

Q Out of the left pocket? A. Yes, sir, where the dozen of

rings were secreted.

Q Now, where was the second dozen of rings at that point?

A. Lying on the table, they were never touched by him. There was not any attempt to take that second dozen that lay on the table, he did not attempt to take that dozen away.

By Counsel.

Q But you saw the handkerchief come in contact with the dozen of rings, didn't you, one of the two dozen which lay outside? A. Partly over.

Q Partly over? A. Yes, sir.

Q Did the handkerchief fully cover these rings? A. At times it covered and at times in the conversation by the moving of his body it came off.

Q It did and did not? A. Yes, sir, it did and did not.

Q When he raised his handkerchief you say then that he slipped and took his hand and took those dozen of rings and put them in his pocket with his hand, is that so? A. With his left hand when he blew his nose.

Q He blew his nose with what hand? A. The right hand, and with his left hand the dozen of rings was within an inch of the edge of the counter and he close to the counter and he quickly threw them in and changed his hand.

Q He put the handkerchief right over, that is what you want us to understand? A. Yes, sir.

Q Now how long after that was it before the officer came in?

A. About 12 minutes or 14.

Q Now after you saw him do that with the handkerchief and put this in the pocket you and the defendant had some dis-

cussion, didn't you? A. Yes, sir, conversation.

Q Was the discussion upon the prices at all, did he say you charged too high or ^{too} little? A. Yes, sir, about some goods that we did not have.

By the Court:

Q You spoke about asking the foreman? A. Yes, sir.

By Counsel:

Q When you went out to call the foreman you put then the tray back in the safe? A. Yes, sir.

Q And how long were you gone? A. Two minutes.

Q And when you left there was nobody in the room but the defendant? A. I hardly stepped out of the office, partly between the partition, one foot was in the office and the other foot in the factory proper.

By the Court:

Q One floor is it? A. Yes, sir.

Q There is a work room and the office? A. Yes, sir.

By Counsel:

Q You could see everything the defendant did where you stood? A. Yes, sir, when I was conversing I could.

Q That is on the same floor? A. Yes, sir, a partition only.

Q In the rear of the store? A. Only a board partition.

Q Now in pursuance of what you told the foreman did the officer come? A. No, sir.

Q How long after? A. I went for an officer.

Q You went for the officer? A. Yes, sir.

Q You first had a conversation with two young men? A. No, sir, I called the head of the firm, Mr. Henderson.

Q In what way did you call? A. I rung the bell, a signal which we have for calling, one for the boy and two for the head of the house, I rung one bell and the boy did not respond, I rung two bells and Mr. Henderson came in response to the second bell and I conversed with him on one side of the partition with one foot in the office and the other foot in the shop.

Q In pursuance of that conversation two young men came in?
A. Two young men went round to the front door and went out of our rear shop door into the hallway door, to the front door of the office to keep any one from getting out.

Q Now you say that you saw the defendant take these goods out of his pocket and throw them away, is that so? A. Yes, sir.

Q You saw him do that? A. Yes, sir.

Q Now was that before you went and had a conversation with Mr. Henderson or afterwards? A. After.

Q And in the meanwhile you had been gone about two minutes, is that so, talking with Mr. Henderson and giving these various signals? A. Yes, sir.

Q The defendant was then in the store alone? A. Yes, sir.

Q Now when you came back what was the first thing you said to the defendant after having seen Mr. Henderson? A. What I said or what I did?

Q If you did anything give us both? A. I stepped to my desk and got out a revolver and put it in my left pocket and then approached him in the same position.

Q How close was he to where the defendant was? A. About 6 feet, I approached the desk and took out the revolver and

put it in my left pocket and then approached him and made a demand for my goods.

Q Never mind what did you say? A. I wish those goods that you have. What goods he said? Our goods. Oh, you are mistaken, he said, you are quite mistaken and said it laughingly, smilingly. I told him that I did not wish to have any trouble, you might as well give me those goods, they belong to us, and he got indignant.

Q What did he say? A. You are mistaken young man, you are mistaken. I then took out the revolver and put it into my right hand in front of him. I did not point it at him, and he heard a footstep, or rather I heard the footstep approaching which I knew was Mr. Henderson. Mr. Henderson stepped into the office, I told Mr. Henderson; as the footstep was approaching and the door opening at the end of the office the defendant stepped forward to meet Mr. Henderson and threw the rings behind him which fell on the table between the counter and the rail.

Q Now when they fell down they made some little noise, didn't they? A. No, sir, very little noise.

Q You have got a carpet on the floor? A. No, sir, they fell on the table.

Q What is on the floor of your office? A. Boards.

Q Was Mr. Henderson walking on the boards at that time?

A. Yes, sir.

Q And the defendant moved towards him, which was towards the door, was it? A. Toward the exit; the workshop and office door are parallel with each other.

Q And he had his back then to you? A. He had his back to me.

- Q Am I correct? A. Yes, sir, walking toward the outer door.
- Q Walking toward the outer door with his back to you? A. Yes sir.
- Q And how close was he to you as he was walking away? A. Five feet.
- Q You saw him put his hand in his pocket? A. Yes, sir.
- Q And saw him lift his hand out of his pocket? A. Yes, sir.
- Q And saw him throw them down, saw that too? A. Backward.
- Q Backward? A. Yes, sir, toward me.
- Q And you within five feet of him? A. Yes, sir.
- Q Where did they fall? A. On the counter, he walked along the counter 14 or 15 feet, walking alongside of them as he threw them out, they slid along this counter and caught in the railing at the end of the counter.
- Q That is it? A. Yes, sir.
- Q Now when you drew this revolver on him you two were the only persons in the office, weren't you? A. I did not draw any revolver.
- Q Did you show him the revolver at all? A. I do not know whether he saw it, I had it openly enough for him to see it.
- Q You took it out of one pocket and put it into another? A. Into my hand.
- Q And that was done openly? A. Yes, sir.
- Q Did you have a sack coat on? A. Yes, sir.
- Q And lifted it from your side pocket into your hand putting it into the other pocket? A. Yes, sir.
- Q How close do you think the defendant was to you at that

time? A. About 8 feet.

Q Do you remember at any time the defendant saying that you lied about something and getting angry? A. No, sir.

Q Do you remember him telling you to be very careful as to what you were doing or going to do, don't you? A. Yes, sir.

Q You do not remember that he said you were mistaken or lied about something? A. He said I was mistaken but did not say I lied.

By Mr. Jerome:

Q These goods are the property of James Henderson? A. Yes, sir, Henderson & Winter.

Q James Henderson is a member of that firm in co-partnership, doing business there? A. Yes, sir.

Q What is the name of the young men? A. Charles Kramer and Edward Revelstone.

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REBUTTING EVIDENCE.

J A M E S H E N D E R S O N, sworn and examined:

By Mr. Jerome:

Q You are the senior member of the Firm of Henderson & Winter, doing business at 15 Maiden Lane in this City?

A. Yes, sir.

Q And were present at your place of business when the defendant came into your place on the 7th of July, of this year?

A. Yes, sir.

Q Will you state was anybody else in the salesroom or the office there when the defendant entered beside yourself?

A. No, sir.

Q Will you state what he said to you and what you said to him and what was done up to the moment of the entrance of Mr. Kaddie? A. He came in and he asked me if I had any diamond crescents and I told him no; then he asked what ~~xxxxxxkxxxx~~ quality in rings I had? I told him I had good rings; he asked me what I manufactured; I told him we manufactured rings; he said, could I see them? Then I asked him, do you belong to the trade? Says he, yes. Says I, in the City? Says he, yes. Says I, do you keep a store? He said, yes. Where is it said I? He told me it was in Park Row. Says I, is it that store opposite the Post Office, round from Ann Street? Says he, yes. Well, I thought it was all right and I showed him the goods.

///Q What character of goods did you show him? A. I showed him goods from \$3.00 to \$5.00 apiece.

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- Q What were they, diamonds or rubies? A. No, garnet and pearl rings.
- Q Were they in a tray? A. Yes, sir.
- Q You took a tray from the safe? A. I took the tray from the safe and put it right on the counter, one tray; he picked up one ring at a time and asked the price of it. I told him; he did not put it back in the tray but he always put it at the side of the tray and I picked it up and put it back in the tray myself. It looked rather suspicious.

Counsel: I move to strike that out.

The Court: Yes, strike it out.

The Witness: That was the reason I was cautious, I never allowed him to take more than one ring. About that time Mr. Kaddie came in.

- Q Mr. Henderson, how long have you been in business in New York? A. 18 years.
- Q In the jewelry business? A. I have been in business 18 years.
- Q For yourself? A. Yes, sir.
- By the Court:
- Q Altogether how long have you been connected with the jewelry business, 30 years? A. Yes, sir, I have been 42 years.
- By Mr. Jerome:
- Q Now, do you in your business have certain signals between yourself and clerk to indicate care and watchfulness in regard to particular customers? A. No particular signal.
- Q When Mr. Kaddie came in what did you do or say? A. I asked him if he would attend to this customer and in passing

him I touched him that way (illustrating).

Q And then you went out? A. I went to the workshop to attend to my work.

Q When you went out did you leave any tray there, and if so, how many? A. One tray.

Q Where was it? A. Right on the counter, never had been moved.

Q Did you put it there or leave it there? A. I left it there to the best of my knowledge with Mr. Kaddie.

Q To the best of your recollection? A. Yes, sir.

Q And the next thing you knew what was it about the transaction? A. Mr. Kaddie rung the bell for me to come in, I went in the passageway to the side door and he began to tell me.

Q You had some conversation with him? A. Yes, sir, very short.

Q In consequence of that what did you do? A. I went out to the workshop and told two of my men.

Q What did they do? A. They went out of the workshop by the workshop door to come into the office.

Q The partition between the workshop and this salesroom is it a heavy partition or what? A. No, sir, a light partition.

Q Sounds in one or other of those apartments are readily heard in the other one? A. Well not so very readily.

By the Court:

Q Does the partition run up to the ceiling or how? A. It runs up to the ceiling.

By Mr. Jerome:

Q Before Mr. Kaddie called you did you hear any sound, any

loud talking or altercation in the salesroom? A. No, sir.

Q After the men went out to the front door as you described it when did you do? A. I went in the other door.

Q What occurred when you got in there? A. Mr. Mayer was going out and Mr. Kaddie told me to stop that man.

Q Going out which way? A. Going right out facing me as if he was wanting to get out of the door, the door of the office.

Q The front door of the office? A. Yes, sir.

By the Court:

Q He was walking towards the front door? A. Yes, sir.

Q Which is the means of exit into the street? A. Yes, sir, that is it.

By Mr. Jerome:

Q What did you do or say? A. I said, you must stop until I know about this. Mr. Kaddie said, stop that man, he was going to steal, he was stealing a dozen of rings; with that the door opened and my two men came in.

Q You preceded them, you came in before them? A. I was ahead of them for they had a little further to go than I had.

Q When Mr. Kaddie said this, he was stealing a dozen of rings, what did the defendant say? A. I could not exactly say distinctly what he said, I think to the best of my recollection it was, it is a mistake; he wanted to push past me, it is a mistake; he wanted to get right out, he pushed me aside and the two men came in and prevented him.

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Q Did the defendant make any complaint to you that Mr. Kaddie had been insulting him? A. No, sir.

Q Did you hear Mr. Kaddie make use of any insolent and abusive terms towards him? A. No, sir, I could have heard it if it had been anything loud.

Q What occurred when you told him he could not go out?

A. Mr. Kaddie said, hold that man until I get a policeman, I am going to prefer a charge against him.

Q After you came in did Mr. Kaddie say in a loud abusive tone to this man he was a thief and was he abusing him? A. Not to my knowledge.

Q After Mr. Kaddie said he was going to call a policeman what did you do then? A. I staid there to prevent him going out. The policeman came and Mr. Kaddie said he wanted to charge that man with having stolen the rings. Of course there was a little excitement, and the policeman said, let us have order or something like that; what do you intend to do, do you intend to charge this man, or words to that effect. Mr. Kaddie said, yes, I want you to arrest him, I intend to prefer charges against him. He was arrested and taken off.

Q Did you know the defendant before? A. I never saw him.

Q These rings in question, People's Exhibit 1, you are familiar with, do you make a specialty of manufacturing rings of this character? A. No, sir, we do not.

Q Are you familiar with their value not only as selling them but their value in the trade generally and have been for

some years? A. Yes, sir.

Q What is the fair market value of those rings as they are sold in the trade in the City? A. We sell them at \$30.00 a dozen, that is what I consider a fair value. Other people may sell them cheaper, I do not question their right to sell things as they like.

Q Mr. Kaddie has placed the market value at \$30.00 a dozen and that is what you sell them at? A. Yes, sir.

Q You understand that as matter of fact their value in the trade is that, what they are commonly sold for? A. That is what we sell them at.

Q Do you know their value in the trade? A. Yes, that is a good solid ring, I do not know any person who makes that ring exactly.

Q Did you go to the station house? A. No, sir.

CROSS-EXAMINATION by Counsel:

Q You won't swear, Mr. Henderson, that these rings cannot be bought for less than \$30.00, will you? A. I cannot say what they can be bought for, that is what we sell them for.

Q Now, you say there was considerable excitement at the time the officer came in? A. Not considerable, I said there was a little excitement.

Q A little excitement? A. Yes, sir.

Q Was there not some little excitement before the officer was called too? A. No, sir.

Q Not a loud word was spoken? A. Not a loud word, nothing but quietness on either side.

Q Mr. Mayer was very quiet? A. Yes, sir, very quiet.

Q When he said it was a mistake he was quiet? A. He was not boisterous only he wished to push his way out.

Q Now, you did hear your clerk call him a thief or words to that effect?

By the Court:

Q Did you hear your clerk call him a thief? A. No, sir, I did not.

By Counsel:

Q Did you hear anything that your clerk said to him? A. Mr. Kaddie, you mean?

Q Yes, at the time that you were called in by Mr. Kaddie?

A. No, sir, I do not think Mr. Kaddie addressed him or charged him ~~with~~ at all, he spoke principally to me.

By the Court:

Q Before you came into the room did you hear Mr. Kaddie say anything to the defendant, and if so, what? A. No, sir.

By Counsel:

Q Did he say anything to him at all that you heard? A. No, sir, nothing further than saying that he had stole these goods, that was to me he said that, but nothing to him.

Q He said that loud enough for the defendant to hear it, didn't he? A. I would say so.

Q Mr. Henderson, have people come to your place inquiring for a diamond ring and afterwards bought a pin or a locket or something of that kind?

Objected to as immaterial.

Objection overruled.

A. No, sir, very seldom.

Q Have not people come to your place as a manufacturing jeweler and wanted to see some diamond rings and would go away if they could not get them? A. Decidedly.

Q You left the tray on the table when you left, didn't you?

A. To the best of my recollection I did.

Q What did that tray contain? A. Moon-stones, garnet and pearl rings and different things.

Q How many rings did that tray contain about? A. About 150 rings.

Q And that remained on the table when you told Mr. Kaddie to come and wait upon the defendant? A. I think so.

By Mr. Jerome:

Q Was it the tray that contained these rings? A. No, sir.

Q This tray that contained the diamonds that you spoke of?

A. He never saw any diamonds.

Q You did not show that? A. No, sir, I only showed him the one tray.

Q Did the defendant offer any explanation or say anything other than you have told us at the time? A. No, sir.

DANIEL ONEIL, sworn and examined:

By Mr. Jerome:

Q You are an officer of the Municipal Police of this City, are you? A. Yes, sir.

Q You arrested the defendant now at the bar on this charge?

A. Yes, sir.

Q You arrested him at 15 Maiden Lane at Mr. Henderson's place of business? A. Yes.

Q How did you come to go there? A. I was called in by Mr. Kaddie.

Q And when you went there whom did you find in the room?

A. I found the defendant and two other men, a man and a boy, and Mr. Kaddie also came in with me.

Q Now tell us to the best of your recollection what was said by everybody in the defendant's presence, what did you say when you got there? A. I went up and asked Mr. Kaddie for an explanation of the circumstances.

Q In the presence of the defendant? A. Yes, sir.

Q And what did Mr. Kaddie say in the presence of the defendant? A. He told me about this man moving the package of rings, he said he moved them with the handkerchief, he had a handkerchief in his hand and he took them with the handkerchief and ~~took~~ put them in his pocket. He denied having them until he forced him to the door. That was Mr. Kaddie's explanation to me. The defendant denied taking them, he asked him not to make any complaint, he begged him almost not to make any complaint against him. I asked Mr. Kaddie if he wanted to press the charge, if he wanted to make the complaint against him for the taking of those rings. He said yes; I told the defendant he would have to go to the station house and also Mr. Kaddie.

Q You went to the station house? A. Yes, sir, I searched him, I found a pawn ticket and two watch cases, that was all of any importance.

Q What else? A. I do not remember anything else.

Q Did you find any money upon him? A. I think he had a little change, about 70 or 80 cents in silver, that was all

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the money I found on him.

CROSS-EXAMINATION by Counsel:

- Q Are you sure you searched every pocket? A. I am positive, yes, sir, that I could find.
- Q His inside pocket and all? A. Yes, sir.
- Q Now when you went in, Officer, Mr. Kaddie said to you that he endeavored to take something with the handkerchief, is that so? A. He made the explanation that he had taken it with the handkerchief, he had the handkerchief in his hand at the time he took those goods and put them into his coat pocket and afterward brought the handkerchief out and used it on himself.

W I L L I A M A. K A D D I E, re-called:

By Mr. Jerome:

- Q Did you at any time during the course of the interview between yourself and this defendant at the store, 15 Maiden Lane, tell him he was a thief? A. No, sir.
- Q Did you abuse him in any way, shape or manner? A. No, sir.
- Q Did you have any altercation with him about the character of the goods or the carat of any particular rings?
A. None whatever.
- Q Did you say to him, you do not want to buy rings, you want to steal rings? A. No, sir.
- Q Were you present when the defendant was searched? A. Yes, sir.
- Q Did the officer search every possible pocket upon him?
A. He did.

Q Did you see anything found? A. Yes, sir.

Q What was it you saw found? A. Keys and a knife, and some small change, a pawn ticket, a memorandum book and pencil.

By the Court:

Q There was something about a watch case, did you see that?

A. I noticed a bunch of keys, some keys.

By Mr. Jerome:

Q Did you see a watch case? A. Yes, sir, two watch cases in a little white box.

Q Did you see any money other than this small change?

A. No, sir.

Q Now when you came in Mr. Henderson passed out, did you observe Mr. Henderson touch you? A. Yes, sir, I felt it.

By Counsel:

Q Is your recollection as clear about the conversation that you had with the defendant wherein he charges you with having called him a thief as it is with reference to the number of trays upon the counter? A. Yes, sir.

Q You are equally as positive to-day that there was but one tray upon the counter? A. One tray, sir.

Mr. Jerome: The People rest.

The Jury rendered a verdict of not guilty.

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vesting in the Case

Joseph Meyer

filed June 1890

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Police Court

District.

Affidavit—Larceny.

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

William A. Kaddie
of No. *15 Maiden Lane* Street, aged *30* years,
occupation *Salesman* being duly sworn
deposes and says, that on the *16th* day of *May* 189*0* 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:

*Twelve gold rings of the value
of thirty dollars*

the property of *Henderson and Winter* and in
care and charge 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 *Joseph Mayer* (now here) for the
reason *that deponent saw the affiant
take, steal and carry away said
property*

Wm A. Kaddie

Sworn to before me, this *16* day
of *May* 189*0*

Alfred W. Cannon
Police Justice.

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Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *Joseph Mayer*

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. *327 East 6th St. 263 E. 71st St. 6 years*

Question. What is your business or profession?

Answer. *Jeweler*

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*
Joseph Mayer

Taken before me this *16*

day of *May*

1890

John H. McManis Police Justice.

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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.....

..... *defendant*
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 *May 16* 18*90* *John J. Horner* Police Justice.

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

Dated *May 16* 18*90* *John J. Horner* 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..... 18..... Police Justice.

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Police Court---

164 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William A. Kaddie
15 Madison Lane
Joseph Mayer

Office
Grand Jurors

BAILED,

No. 1, by Charles Sullivan
Residence 345 E. 67 Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated May 16 1890

Gorman Magistrate.

Oato & Nugent Officer.
1st Precinct.

Witnesses Officer Daniel O'Neil

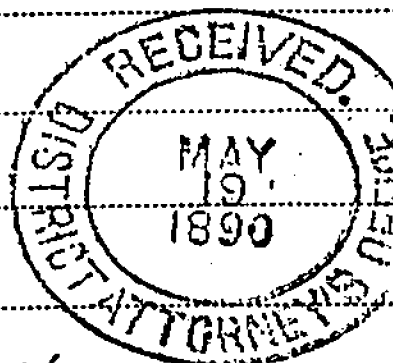
No. 123 Street.

No. _____ Street.

No. _____ Street.

\$ 400 to answer.

Bailed g & 2



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Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Joseph Mayer

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

Joseph Mayer

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

The said

Joseph Mayer

late of the City of New York, in the County of New York aforesaid, on the *sixteenth* day of *May* in the year of our Lord one thousand eight hundred and *ninety*, at the City and County aforesaid, with force and arms,

twelve finger rings of the value of two dollars and fifty cents each

of the goods, chattels and personal property of one

James Henderson

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 R. Fellows
District Attorney

0596

BOX:

400

FOLDER:

3715

DESCRIPTION:

McCabe, John

DATE:

06/20/90



3715

0597

Witnesses;

[Signature]

DeCaselli

W. H. Haring
Business **340**

Counsel,

Filed *20* day of *June* 18 *90*

Pleads, *C. H. Kelly*

56 **THE PEOPLE**

vs.

John Mc Cabe

Grand Larceny & second degree
[Sections 528, 531, 532, Penal Code.]

JOHN R. FELLOWS,

Dist. Atty.
Dist. Attorney.
tried and convicted of
Robt Larceny with force & arms

A TRUE BILL.

Francis Higgins

Foreman.

June 27

City Prison
June 30 1890

E. S. Hall

July 2

0598

Police Court—4th District.

Affidavit—Larceny.

City and County }
of New York, } ss.Le Conte Vaselliof No. 5 E 41- Street, aged 28 years,occupation Vice Consul being duly sworn
or about - 7thdeposes and says, that on the 7th day of May 1890 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:

Six cloth coats, Four vests
and five pair of pantaloons
all of the value of Four
hundred dollars

the property of deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by John McCabe (narrow)

from the fact that deponent
found part of said property
in the possession of said
defendant

Le Conte Vaselli

Sworn to before me, this 16 day
of June 1890

John J. Peck
Police Justice.

0599

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

John McCabe 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.

I am not guilty
John McCabe

John

Taken before me this

day of

188

Police Justice.

0600

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 Hyndant

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 June 16 90 188 Don J. Caffery Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0601

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court

944 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Le Conte Vaselli
John McCabe
3108 East 41 St

3
4

Dated

June 16 1890

Magistrate

Officer.

23 Sub Precinct.

Witnesses

No.

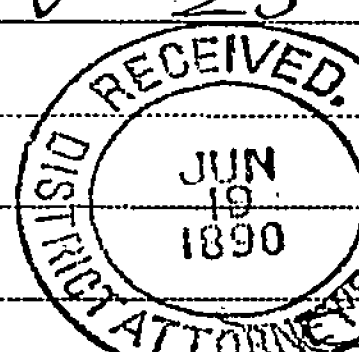
Detective McNamee
232 Sub

No.

No.

\$ 1000

to answer



COMMITTED, 9/2

0602

COURT OF GENERAL SESSIONS.

The People	Before
against	Hon. James Fitzgerald
John McCabe.	and a Jury.

Tried June 30th, 1890

Indictment filed June 20, 1890.

Indicted for grand larceny in the second degree.

APPEARANCES.

Assistant District Attorney Bedford for the People.

JEROLEMAN NASSELI, the complainant, testified that he was the Vice-Consul of the Italian Government in the City of New York, and lived at 5 East 41st Street. It was a boarding house. When he went to the house, he put his summer clothes in a trunk and gave the trunk to the landlady. In the trunk were six coats, five vests and five pairs of trousers. The clothes were worth fully \$300. He saw the clothes last about two months and a half before the defendant's arrest. He saw them in the trunk in the basement. He went there to look at the contents of another trunk and, at the same time, he looked into the trunk in question, containing the wearing

0603

2

apparel in question. About a month before the defendant was arrested he found the trunk broken open. He found only one vest in the trunk, and this vest was mixed up with a number of pieces of linen that had been used to wrap up the clothes that had been left in the trunk. He made this discovery about the middle of April, 1890, and he at once informed the landlady. On May 7th, 1890, he saw a coat and vest that had formed a part of the clothing that he left in the trunk. He saw the vest on the person of the defendant, and the coat was hanging in the kitchen, where the defendant had left it.

Under cross-examination the witness testified that he brought the stolen clothing to the United States when he came to the United States, about seven months before the trial; he purchased the clothing in Italy, in Egypt, in Paris and in other countries. When he first arrived in New York he stayed at a hotel for several days, and then he went to board at 5 East 41st Street. It was then Winter, and he packed his summer clothing away in a trunk and asked the landlady to take care of the trunk for him. She said that she would put it in a safe place in the basement, and cover it with carpet or something that would conceal it. On the day of the defendant's arrest, the landlady told him that the de-

0604

3

fendant had returned and asked her to re-employ him in his old position. Then the landlady sent for a police officer and the defendant was brought into the dining room and he, the complainant, saw a vest upon the prisoner's person that he, the complainant, identified as his own, and he, the complainant, found one of his coats hanging up in the kitchen, where the defendant had placed it. Then he asked the defendant if he knew anything about his trunk being broken open and the defendant said that he had seen a man break the trunk open, when the man went down into the cellar to get a trunk for a lady boarding in the house, and had seen the man take the clothes out. The landlady then said to the defendant, "Why didn't you tell me this? You know that I am liable to this gentleman." The defendant said "It was not my business." When the police officer came he, the complainant, asked the defendant where he got the coat, and the defendant remained silent for a moment, and then he said, "The chef gave it to me."

OFFICER JAMES FOHE testified that he was attached to the 23rd sub-precinct. He arrested the defendant on May 7th. The complainant pointed out the defendant. The defendant was in the kitchen, washing dishes. The complainant made his charge against the defendant, and said that the defendant

0605

4

then had on his vest. The defendant said that he had got the vest from the chef and that he did not know that it was stolen, or he would not have worn it. The complainant did not care to make a complaint, but he, the witness, said that he would not arrest the defendant unless the complainant would go to the station house and make a complaint. The defendant said that the chef who gave him the coat and vest had gone to the Murray Hill Hotel, but Detective McArdle, the precinct detective, had been unable to find any such person there. The defendant could not give any other name for the chef than "John". The landlady gave the defendant a good character, and expressed surprise at his being charged with theft.

Under cross-examination the witness testified that the defendant said to him, the witness, that the chef, "John" had said to him, "Here is an old coat and vest that have laid around the house, and it will do you around the house." The defendant did not tell him that he saw the chef break open the trunk.

OFFICER HENRY McARDLE testified that he was a detective attached to the 23rd sub-precinct. He asked the defendant in the station house, on the day of his arrest, where he got the stolen coat and vest, and he said that he got them from

0606

5

a cook named "John", and that the cook had gone to work at the Murray Hill Hotel. He, the witness, took the defendant to the hotel, but the defendant could not identify any of the employees there. The steward and the head cook of the hotel said that they had never had any such person as the defendant described in their employ. On their return to the station house he, the witness, asked the defendant how the cook came to get possession of the clothes and the defendant said that he and the cook were moving a trunk in the cellar and that the complainant's trunk burst open, and that a lot of clothing fell out, and that the cook helped himself to them, and he, the witness, asked the defendant whether he had gone up stairs and reported this occurrence to the landlady and the defendant said that he had not. After the cook had helped himself, the defendant added, the cook gave him the coat and vest that he had in his possession at the time of his arrest. He, the witness, was not sure whether the arrest took place on May 7th or 17th or 16th, but whatever date appeared in the Police Court complaint was the correct date.

For the defense JOHN McCABE, the defendant, testified that he was twenty-six years of age and that he went into the employ of Madam Legendre, the landlady of the board-

0607

6

ing house at 5 East 41st Street, about the middle of April, 1890. There were five maid servants, the cook and himself employed there. He remained there until May 17th, and left there because of a quarrel with Mr. Fairley, Madam Legendre's manager. He went to work in Newark for Father Leonard, a Catholic priest, as a man of all work. In Mrs. Legendre's house he was a general laborer, cleaning windows and washing dishes. When he was in Mrs. Legendre's employ the cook was named "John". The cook did not remain there more than a week, and left about the 10th of May, a week before he, the defendant, left. He, the defendant, helped the cook in the kitchen. The cook gave him the coat and vest, saying that he did not have any use for them. The coat and vest were dirty, and he, the defendant, cleaned them. He left Father Leonard, at about the time of his arrest, and returned to Madam Legendre's employ. He did not steal the coat and vest or any other part of the complainant's clothing and did not see "John", the cook, steal any part of it. When John gave him the coat and vest, John said, "I have got a coat and vest in the cellar. If you want it, you can put it on. It is a little better than the one you are wearing." The Cook also gave him a pair of shoes. He, the defendant, mentioned to one of the girls in the house, whom they called "French Mary" the fact that the cook had given him the coat, vest and shoes.

0608

MEMBER OF THE ST. JAY

2225.

CHAS. DENTON, President.

GEORGE B. MEAD, Jr. Vice Pres't.

FRANK WELLS, Cashier.



In

Brewsters, N.H. June 26 Mfg

Mr D E Kimball

135 East Fifteenth Street New York

My Dear Sir

Your telegram is received and I have sent out and identified Michael McCabe as I have always known him and not John or Jerry as he seems to be called now — This young man comes of honest industrious parents and no one of the family ever showed any tricky or dishonest disposition — I do not believe that Michael has stolen a coat and vest any more than that I have — The family training would not lead him that way — I was sorry to see the Elder Brother Engaged in the hotel and liquor business ^{some years since} and it is possible that Michael may have become addicted to drink but if so I never knew it — I think that the natural integrity of the family should be considered in this matter — These qualities are inherited and acquired from early — the earliest associations — These things should make this man honest — If he is discharged as I trust he may be, and has no money — please get him a ticket to Brewster — If you have a fund which may be applied to that purpose I shall be glad — if not I will pay for the ticket — This man's Elder Brother William worked in a newspaper office for me 15 years ago

Respectfully
F. Wells

0609

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 McCabe

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

John McCabe

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

The said

John McCabe

late of the City of New York, in the County of New York aforesaid, on the *seventh*
day of *May* in the year of our Lord one thousand eight hundred and *ninety*.
, at the City and County aforesaid, with force and arms,

*six coats of the value of forty
dollars each, four vests of the value
of fifteen dollars each, and five pair
of trousers of the value of twenty
dollars each pair*

of the goods, chattels and personal property of one *Le Comte Naselli*

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.

05 10

SECOND COUNT—

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

John Mc Cabe
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

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

six coats of the value of forty dollars each, four vests of the value of fifteen dollars each and five pair of trousers of the value of twenty dollars each pair

of the goods, chattels and personal property of one

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

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

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

JOHN R. FELLOWS,
District Attorney.

06 11

BOX:

400

FOLDER:

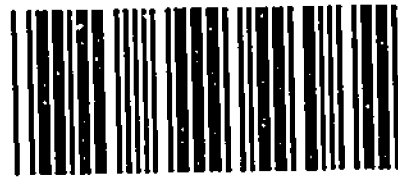
3715

DESCRIPTION:

McCue, Thomas F.

DATE:

06/03/90



3715

Witnesses:

Geo. J. Hunt

Counsel

Filed

Pleads,

day of June 1890

Guilty &

THE PEOPLE

vs.

Thomas J. Moore

VIOLATION OF EXCISE LAW.
(Selling to Minors.)
[Section 290, Penal Code, sub. 8.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Thomas J. Moore

Foreman.

Complaint sent to the Court
of Special Sessions,

Term III, ... June 9, 1890.

06 12

06 13

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 F. Mc Cue

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

accuse

Thomas F. Mc Cue

of a MISDEMEANOR, committed as follows:

The said

Thomas F. Mc Cue

late of the City of New York, in the County of New York aforesaid, on the

twenty-second day of *May* in the year of our Lord
one thousand eight hundred and ninety

, at the City and County aforesaid,

certain strong and spirituous liquors, and certain wine, ale and beer, to wit: One gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury
aforesaid ~~unknown, unlawfully did sell, and cause and procure and permit to be sold to one~~

John Flynn

who was then and

there a child actually and apparently under the age of sixteen years, to wit: of the age of

twelve years, 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 R. FELLOWS,

District Attorney.

06 14

BOX:

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FOLDER:

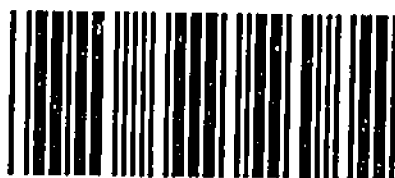
3715

DESCRIPTION:

McGivern, John

DATE:

06/04/90



3715

06 15

BOX:

400

FOLDER:

3715

DESCRIPTION:

Goldberg, Simon

DATE:

06/04/90



3715

06 16

BOX:

400

FOLDER:

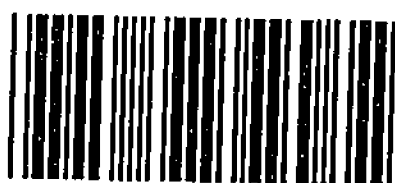
3715

DESCRIPTION:

Rollins, Elijah

DATE:

06/04/90



3715

0617

17
Counsel, *17*

Constitution
Filed *4* day of *June* 189*0*
Pleads *Guilty* *6*

3/26/91
THE PEOPLE
vs.
B
John Mc Givern,
B
Simon Solaberg
by way of
B
Elijah Rollins
(12 cases)

POLICE.
[SS 343 and 344, Penal Code].

John M. Bellows,
RANDOLPH B. MARTINE,
June 13/90
Chas 1st
District Attorney.

Plead Guilty on
A True Bill. *first count*
101 *Sentence suspended*
June 13/90 *\$100* *P.B.M.*
Foreman.

12/9
Plead guilty
Sentence suspended *indict* *P.B.M.*

06 18

POOR QUALITY
ORIGINAL

Witnesses

A. Constock

17

Feb. #17

Counsel,

Filed *4* day of *June* 18*90*

Pleads *Not Guilty*

3/1/90

THE PEOPLE

vs.

John Mc Givern
Simon Solaberg
and
Elijah Rollins

POLICE.

[§§ 343 and 344, Penal Code].

John R. Bellows,
RANDOLPH B. MARTINE,
Attorneys.

Chas. J. ...

Plead Guilty on

A True Bill.
1st Count
1st Sentence suspended
2nd Sentence 1/3rd
3rd Sentence 1/3rd
4th Sentence 1/3rd
5th Sentence 1/3rd
6th Sentence 1/3rd
7th Sentence 1/3rd
8th Sentence 1/3rd
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Chas. J. ...

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96th Sentence 1/3rd
97th Sentence 1/3rd
98th Sentence 1/3rd
99th Sentence 1/3rd
100th Sentence 1/3rd

06 19

Sec. 192.

1 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before John J. Gorman a Police Justice
of the City of New York, charging Elizah Rollins Defendant with
the offence of

Selling Lottery Policy

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We, Elizah Rollins Defendant of No. 287

610 3rd Street; by occupation a Lavender

and Jacob C. Mund of No. 539 2nd

Street, by occupation a Greener Surety, hereby jointly and severally undertake that
the above named Elizah Rollins Defendant

shall personally appear before the said Justice, at the 1 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Five
Hundred Dollars,

Taken and acknowledged before me, this 19th 2nd North

day of April 1888

John J. Gorman POLICE JUSTICE.

0620

CITY AND COUNTY } ss.
OF NEW YORK, }

Sworn to before me, this 19th day of March, 1881
John W. Munn
Justice

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth Seven Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of House & lot of land

situated at 326 East 56th St
valued at \$20,000.00 Mortgaged
for \$1000.00.

Jacob C Munn

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

Taken the day of 188

Justice.

0621

Sec. 192.

1 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.
OF NEW YORK,

An information having been laid before John J. Gorman a Police Justice
of the City of New York, charging Simon Goldberg Defendant with
the offence of

Selling Lottery Policy

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We, Simon Goldberg Defendant of No. 223

E 107 Street; by occupation a Cigar maker

and Jacob C. Wund of No. 529 Second Ave

Street, by occupation a Broker Surety, hereby jointly and severally undertake that
the above named Goldberg Defendant

shall personally appear before the said Justice, at the 12 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of five
Hundred Dollars.

Taken and acknowledged before me, this

day of

April

1898

19 Simon Goldberg
70 Jacob C. Wund
John J. Gorman POLICE JUSTICE.

0622

CITY AND COUNTY } ss.
OF NEW YORK,

Sworn to before me, this
day of June
1881
John W. Martin
Justice

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth *Ten* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of

House & lot of land
at 326 E 26 St valued at
\$20,000.00 mortgaged for
\$4,000.00

Jacob C. Mund

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Underlying to appear
during the Examination.

Taken the day of 188

Justice.

0623

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before John Gorman a Police Justice
of the City of New York, charging John McGovern Defendant with
the offence of filling outting Policy

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned.

We, John McGovern Defendant of No. 38

631st Street; by occupation a Carpenter
and Jacob Wund of No. 539 9th

Street, by occupation a Green Surety, hereby jointly and severally undertake that
the above named. John McGovern Defendant

shall personally appear before the said Justice, at the 1 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of five
Hundred Dollars.

Taken and acknowledged before me, this 19 John McGovern.

day of April 1889 Jacob Wund

John Gorman POLICE JUSTICE.

0624

CITY AND COUNTY } ss.
OF NEW YORK, }

Sworn to before me, this

1900
Police Justice.

the within named Jacob Wund Bail and Surety being duly sworn, says, that he is a resident and free
holder within the said County and State, and is worth 200 Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of Conserlotzplatz at

326 5/8 ft valued at \$ 20,000.00
mortgaged for 9,000.00.

Jacob Wund

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear
during the Examination.

188

day of

Taken the

Justice.

0625

CITY OF New York COUNTY OF New York } ss.
AND STATE OF NEW YORK.

BEx apl 18

10 16 45

~~10~~ 34 15

9 16 45

482

-1-2-3-

23 40 53 482

24 40 53

481

-2-15-52

481

-4-7-11 482

-5-9-11 482

-7-9-11 482

-4-5-7-9

-11 29

20 41

-4-5-5-4

482

56 65 61

481

-1-1-41

-2-1-41

-1-x 41 20

25 29 74 481

-7-17-77

-7-17 71

-7-70 77

488

7 41 41

41 41

0626

Bought April 18th
of McEwen, 1788 3rd ay
Price 55 cents.

Charles Fendler

0627

CITY OF New York COUNTY OF New York
AND STATE OF NEW YORK.

Anthony Brutocto

of 150 Nassau Street, New York City, being duly sworn deposes and says, he is more than 21 years of age, and is employed as chief agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, ~~that~~ and charge, that John McEivern, Simon Goldberg, and Elijah Rollins here present whose real name unknown, but who can be identified by

did, at the city of County of and State of New York, on or about the 18th day of April 1880, unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage as ~~a dealer or game keeper~~ in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided.

Deponent further says, he has just ~~cause~~ ^{cause} to believe, is informed and verily does believe from personal observation and from statements made by, John McEivern Simon Goldberg, and Elijah Rollins

to deponent that the said John McEivern, Simon Goldberg and Elijah Rollins aforesaid, did have in their possession, at in and upon certain premises occupied by them and situate and known as number 1788 Third Avenue

in the city of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

0628

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, chips, deal boxes, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this

18th day of April 1890.

Anthony J. Smith

John J. Smith Police Justice.

CITY OF New York AND COUNTY OF New York ss.

Charles Jenkins, of 215 East 97th Street

29 years of age

being ~~in~~ sworn deposes and says that on the 18th day of April 1890,

deponent visited the said premises, named aforesaid, and there saw the said John McEivern, Simon Goldberg, and Eliaz Rollins aforesaid, and had dealings and conversation with them as follows:

Deponent upon entering from the street saw Simon Goldberg in the front room, and was admitted through a door where there was a spring lock and a cord running back of the partition or counter in the front room. Deponent found John McEivern and Simon Goldberg present in back room, and deponent purchased the paper hereto annexed from the said McEivern, in presence of Eliaz Rollins and paid said McEivern of the sum of fifty five cents for the same. Deponent has frequently visited said premises, during the past few weeks

0629

and bought policy ^{at} of the said premises
from the said Rollins and Goldberg
present, and deponent always entered
& left said premises through the room
& door occupied and kept by the said
Rollins and Goldberg aforesaid, and
never purchased of the said McEivern
until this morning -

Subscribed and sworn to before me
this 18th of April 1890
John J. McEivern
Police Justice

Charles Jenkins.

0630

THE PEOPLE

ON COMPLAINT OF

AGAINST

Violation Sec. 344, P. C.
Gambling and Policy.

Affidavit of Complaint.

WITNESSES:

Austyn Courtods,
Charles Jenkins.
215 E. 97th St.
Room 13.

Police Justice.

Subscribed and sworn to before me this)
day of _____ 188__)

0631

Sec. 108-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Elijah Rollins 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.

Elijah Rollins

Question. How old are you?

Answer.

66 years

Question. Where were you born?

Answer.

207 East 103 Street 9 years New York

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

Answer.

207 East 103 Street 9 years

Question. What is your business or profession?

Answer.

Labourer

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. Rollins

Taken before me this
day of *April* 1891

Police Justice.

0632

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

John McGovern 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 McGovern*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *308 East 31. Street 2 years*

Question. What is your business or profession?

Answer. *Carpenter*

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*
John McGovern

Taken before me this *18*
day of *March* 189*2*

Police Justice.

0633

Sec. 198—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Simon Goldberg 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.

Simon Goldberg

Question. How old are you?

Answer.

59 years

Question. Where were you born?

Answer.

Germany

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

Answer.

223 East 107 Street 3 years

Question. What is your business or profession?

Answer.

Cigar Merchant

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

Simon Goldberg

Taken before me this *16*
day of *April* 189*7*

Police Justice.

0634

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

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

Dated *May 23* 18*91* *John Flanagan* Police Justice.

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

Dated *May 23* 18*91* *John Flanagan* Police Justice.

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

Dated.....18..... Police Justice.

0635

\$500 bail for
2 P.M. April 24/

City. May 7. 2 P.M.
14 =
23 2 P.M.

BAILED,

No. 1, by Jacob C. Munn
Residence 539 2nd Ave Street.

No. 2, by same
Residence _____ Street.

No. 3, by same
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

The Magistrate presiding
in this Court will hear
and determine the
within case by reason
of very change
John J. Norman
Police Justice

B.O. #17
Police Court--- District. 825

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1 Anthony Cantor
2 John E. Givern
3 Simon Glatberg
4 Elija Rollins

Dated April 18 1890
Givern Magistrate.
August Officer.
COP Precinct.

Witnesses _____
No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.



No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

0636

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 Govern, Simon
Goldberg and Elijah Rollins.

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

John McGovern, Simon Goldberg and Elijah Rollins
of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES,
committed as follows:

The said *John Mc Govern, Simon*
Goldberg and Elijah Rollins, all
late of the *Twelfth* Ward of the City of New York in the County of New
York aforesaid, on the *eighteenth* day of *April* in the year of our
Lord one thousand eight hundred and eighty *ninety*, at the Ward, City and County
aforesaid, with force and arms, unlawfully did keep a certain room in a certain building, there
situate, to be used for gambling purposes, to wit: to be used for the purpose of therein con-
ducting a certain gambling game commonly called "policy," where money and property was
dependent upon the result, against the form of the Statute in such case made and provided,
and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

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

John Mc Govern, Simon Goldberg and Elijah Rollins
of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING
LOTTERY POLICIES THEREIN, committed as follows:

The said *John McGovern, Simon Goldberg and Elijah Rollins, all*

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year
aforesaid, at the Ward, City and County aforesaid, unlawfully did keep a certain room
in a certain building there situate, to be used for the purpose of therein selling and
offering to sell what are commonly called Lottery Policies, and divers writings, papers,
and documents in the nature of bets, wagers and insurances upon the drawing or drawn
numbers of certain public and private lotteries, and of therein endorsing and using books
and other documents for the purpose of enabling divers persons to sell and offer to sell
lottery policies and other such writings, papers and documents, 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.

0637

THIRD COUNT.

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

John McGovern, Simon Goldberg and Elijah Rollins,
of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A
LOTTERY POLICY, committed as follows:

The said *John McGovern, Simon Goldberg and Elijah Rollins,* all

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

one *Charles Jenkins*

a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper,
instrument and writing, called a Lottery Policy, is as follows, that is to say:

Box Apr 18
10 16 45 - 2-15 52 - 4-5-54 2 - 7-17 71
9 15 - 4-7-11 981 - 6 65 61 - 7-10 77
9 16 45 - 5-9-11 82 - 1-1 41 - 498
- 1-2-3 - - 2-1-41 - 7, Sat 41
2 3 40 53 2 - 7-9-11 42 - 1-1-41 20 - 474
2 4 40 53 2 - 4-5-7-9 - 25 29 74 981
- 11 39 9 41 - 7-17-77

(a more particular description of which said instrument and writing so commonly called a
Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the
form of the Statute in such case made and provided, and against the peace of the People of the
State of New York and their dignity.

FOURTH COUNT.

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

John McGovern, Simon Goldberg and Elijah Rollins
of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET
AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said *John McGovern, Simon Goldberg and Elijah Rollins,* all

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

one *Charles Jenkins*

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a
certain lottery, the same being a scheme for the distribution of property by chance among
persons who had paid or agreed to pay a valuable consideration for such chance (a more par-

0638

particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say:

B Ex Apl 18 -2-15 52 981 -4-5-54 92 -7-17-71
 10 16 45 4915 -4-7-11 92 56 65 61 77
 7 16 45 92 -5-9-11 92 481
 -1-2-3 -7-9-11 92 -1-1-41 98
 23 40 53 492 -4-5-7-9 -1-4-65 920
 24 40 53 481 -11-29 25 29 74 981 7 Sad 41
 20 9 41 -7-17-77 CSJ 4

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), 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,

FIFTH COUNT.

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

John McGovern, Simon Goldberg and Elijah Rollins
 of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE
 OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows:

The said *John McGovern, Simon Goldberg and Elijah Rollins*, all
 late of the Ward, City and County aforesaid, after ward, to wit: On the day and in the year
 aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to
 one *Charles Jenkins*

a certain paper, writing and document in the nature of an insurance upon the drawing of a
 certain lottery, the same being a scheme for the distribution of property by chance among
 certain persons who had paid or agreed to pay a valuable consideration for such chance (a
 more particular description of which said lottery is to the Grand Jury aforesaid unknown, and
 cannot now be given), which said paper, writing and document is as follows, that is to say:

B Ex Apl 18 -2-15 52 981 -4-5-54 92 -7-17-71
 10 16 45 4915 -4-7-11 92 56 65 61 77
 7 16 45 92 -5-9-11 92 481
 -1-2-3 -7-9-11 92 -1-1-41 98
 23 40 53 492 -4-5-7-9 -1-4-65 920
 24 40 53 481 -11-29 25 29 74 981 7 Sad 41
 20 9 41 -7-17-77 CSJ 4

(a more particular description of which said paper, writing and document is to the Grand Jury
 aforesaid unknown, and cannot now be given), 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 L. Fellows,
RANDOLPH B. MARTINE,

District Attorney.

0639

BOX:

400

FOLDER:

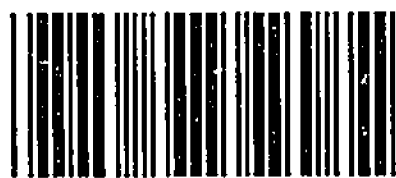
3715

DESCRIPTION:

McGovern, Gilbert

DATE:

06/17/90



3715

Witnesses;

Eda Thompson

J Mc Donough

Counsel,

Filed

17 day of

June 1890

Pleads,

Wm. H. H. H.

THE PEOPLE

vs.

R

Silbert Mc Govern

Forgery in the Second Degree.
(Sections 511 and 521, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

Discharged by Ct

July 1/90

A True Bill.

after reading the
within withdrawal
and affidants of
Excellent Character of
defendant, I desire
to give a chance to
him for reformation
and therefore ask
that the prisoner
be discharged on his
own recognizance.

June 30 1890 J. S. H.
Prison Granted July 1 1890

Character in

Have all returned Foreman.

San Diego July 1st 1890

J. H. H.

0640

0641

M. M. M.	No.	New York June 11. 1890
	Lenox Hill Bank <small>S.W. COR. 72ND ST. & THIRD AVE.</small>	
	Pay to the order of John W. Gordon or Bearer	
	Eleven 17/100	Dollars
	\$ 11 17/100	S. M. O'Donoghue
<small>Payle & Co. Engrs. Manufacturing Stationers, 59 & 61 Maiden Lane, N.Y.</small>		

0642

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

Police Court, 5 District.

of No. 166, E. 84th Street, being duly sworn, deposes and

says, that on the 11th day of June 1890

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

Gilbert M^r Gorman (nowhere) did feloniously make utter and forge with the intent to cheat and defraud. the annexed instrument in writing. which purports to be a check on the Lenox Hill Bank for Eleven & 17/100 dollars payable to the order of John M^r Gorman or bearer. signed by S. M^r Donagh. and dated June 11 1890. as deponent verily believes from the fact that on said date deponent cashed said check for the said defendant giving him the full face value of said check which was the said sum of Eleven dollars. and seventeen cents. Deponent is now informed by Stephen M^r Donagh of no 1321. 3rd Avenue whose name is signed to said check. that he never signed said check or authorized any other person to sign said check for him. and that the signature to said check is false, forged, and fraudulent. Wherefore deponent charges the said defendant with forgery. and prays he may be held and dealt with according to law. Anna A. Thompson

Subscribed to before me

this 13th day of June 1890

Police Justice

0643

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 37 years, occupation Liquor dealer of No. 1271-3 Avenue Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Sam A Thompson
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 13

day of June 1891

Stephen M. O'Donoghue

P. J. Duffy
Police Justice.

0644

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY
OF NEW YORK ss.

Gilbert McGovern 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. *Gilbert McGovern*

Question. How old are you?

Answer. *22 years old*

Question. Where were you born?

Answer. *New York State*

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

Answer. *No 162 East 84th St. One year*

Question. What is your business or profession?

Answer. *Cigar Clerk*

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 do not know
anything about it*

Gilbert M. McGovern

Taken before me this
day of

Deputy Justice.

0645

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

Defendant
Levi 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, Jan 13 1890 [Signature] Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

0646

Police Court---

5

931 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel A. Thompson
166 Ford St
Gilbert W. Gorra

2

3

4

Offense
Forgery

Dated, *June 13* 1890

Duffy Magistrate.

Doyle & Doran Officer.

Stephen W. Donoghue Precinct.

Witnesses

No. *1331-37* Street

No. Street.

No. Street.

\$ *1000* to answer.

Committed

BAILED,

No. 1, by

Residence Street.

No. 2, by

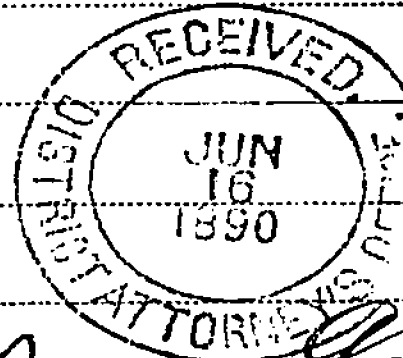
Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.



0647

COURT OF GENERAL SESSIONS

----- x
THE PEOPLE :
against :
GILBERT MC GOVERN. :
----- x

City and County of New York, ss:

PHILIP McGOVERN, being duly sworn, deposes and says:

That he is the father of the above named defendant
That he resides at No. 162 East 84th street, in the City
of New York, and is by occupation a journeyman painter.
That he is in the employ of one, P. Martin, whose place
of business is on 117th street, near Third Avenue, in
the City of New York.

That the defendant has always been a good son and
a boy of good character. That for the past year the
said boy has not been engaged in any business owing to
the illness of his mother, whom he has been obliged to
remain at home with and take care of while deponent and
his other two sons have been at their business, as they
had regular employment, and defendant had not. That
deponent's said wife has been seriously ill for over a
year last past and is now seriously ill, with inflamma-
tory rheumatism and ^{deponent} ~~deponent~~ has been almost constantly
with her during that time, as deponent is a man in moderate
circumstances, and has not been able to employ a nurse
and it has been necessary for his said wife to have some
with her almost constantly. That defendant is a young

0648

man who has always been at home at night, even when employed during the day time and has always contributed the moneys he has earned, toward the support of his family and whatever spending money he has had deponent had allowed him out of the moneys he has brought in from his wages.

That the defendant has never had any bad associates but as heretofore set forth, has spent most of his time at home with his family, and deponent verily believes from what he knows of his character and disposition, he would be incapable of committing the crime charged against him in the indictment herein. *That he has never been*

arrested before
Sworn to before me this :

25th day of June, 1890. :

Gilbert McGovern

John X. Tracy

Stunt & Feeds
My city & Co.

0649

COURT OF GENERAL SESSIONS.

----- x
THE PEOPLE :
against :
GILBERT MCGOVERN
----- x

City and County of New York, ss:

FRANK C. TURNER being duly sworn, deposes and
says:

That he is 27 years of age and resides at No.
1696 Third Avenue in the City of New York.

That he is engaged in business as Cashier for
William Proctor, who has a restaurant at No. 3 and 5 Pine
Street in the City of New York, and that he has held
said position for the past *four* years.

That deponent has known the defendant Gilbert
McGovern, for over Twenty years, they having been brought up
together as boys. That he has had frequent business
transactions with said defendant, and knows his reputa-
tion among his neighbors and friends. That such repu-
tation has always been good and defendant has always been
spoken of by those who knew him in the highest terms.

That from deponent's intimate knowledge of defen-
dant's character and habits, he can truthfully say, that
he believes said defendant to be a young man of good
moral character, strictly honest and upright and incapa ble

0650

of committing the crime charged against him in the indictment herein.

Sworn to before me this : *Frank L. Turner*
25th day of June, 1890. :

John J. [unclear]
Commissioner of Records
W. G. City & Co.

0651

COURT OF GENERAL SESSIONS.

----- X
THE PEOPLE :
against :
GILBERT Mc GOVERN. :
----- X

City and County of New York, ss:

SAMUEL LEVON, being duly sworn, deposes and says:

That he resides at No. 151 East 47th street in
the City of New York, and is engaged in a general brokerage
business with Offices at No. 245 Broadway, in the City
of New York.

That he has known the defendant herein for the past
Fifteen years, and is thoroughly familiar with his
character and has had numerous transactions with him
in which he has trusted defendant with considerable sums
of money. That defendant has frequently gone for
deponent to the National Park Bank of the City of New
York, where deponent has now and has had for many years
an account, and has taken checks to said bank for depo-
nent, had the same cashed and returned the money to de-
ponent. That said checks in some instances have been
for as large sums as \$500. That in all these transac-
tions deponent has implicitly trusted defendant and
would so trust him again, and does not believe him capable
of committing the crime charged against him in the indict-
ment herein.

Sworn to before me this :
25th day of June, 1890 :

Samuel Levon
John J. Tracy, Commissioner of Records
N.Y. City & Co.

COURT OF GENERAL SESSIONS.

----- X
 THE PEOPLE :
 against :
 GILBERT MC GOVERN. :
 ----- X

City and County of New York. ss:

FREDERICK J. EIGEN, being duly sworn, deposes and says:

That he resides at No. 191 William Street in the City of New York, and is by occupation an Officer of the Police force of the City of New York, and is attached at the present time to the Fourth Precinct. That he has been on said force for the past Five years.

That he has known the defendant herein, since he was a boy, and that he has always known him to bear a good character among his friends and acquaintances. And deponent verily believes from his knowledge of the character of defendant, that he, said defendant, would be incapable of committing the crime charged against him in the indictment herein.

Sworn to before me this :
 25th day of June, 1890. :

John Tracy
 Commis of Deeds
 N.Y. City & Co.
Fred. J. Eigen

0653

COURT OF GENERAL SESSIONS.

----- X
THE PEOPLE
against
GILBERT Mc GOVERN.
----- X

City and County of New York, ss:

WILLIAM PROCTOR, being duly sworn, deposes and says

That he is doing business, as a Restaurateur doing
business at No. 3 & 5 Pine Street in the City of New York.

That he has known the defendant herein for about one year
and that defendant was in his employ for about seven months
having charge of his Cigar counter in his said restaurant.

That he knows nothing about the character or antecedents
of the said defendant, but that while he was in his employ
he regarded him as a bright, intelligent and good mannered
youth, who attended faithfully to the business he was
in charge.

Sworn to before me this :

26th day of June, 1890. :

Wm B Proctor
John Gray
Deputy D. of Recds
N.Y. City & Co.

0654

COURT OF GENERAL SESSIONS.

----- x
THE PEOPLE :
against :
GILBERT Mc GOVERN. :
----- x

City and County of New York, ss:

Samuel A. Thompson, being duly sworn, deposes
and says:

That he resides at No. 1488 Third Avenue in the
City of New York, and does business at that place, as a
dealer in liquors. That he is the complainant in the
above entitled action, and the person from whom the de-
fendant received the moneys on a certain check mentioned
in the indictment herein. That deponent has no other
knowledge of the facts and circumstances connected with
said check, except that defendant presented said check
to him for payment; that deponent cashed said check for
defendant and that said check thereafter proved to be
fraudulent and the signature thereto a forgery. That
defendant is a young man of 22 years of age; that de-
ponent has never known him to be in any difficulty before
That he has made restitution to deponent, and deponent
is willing under all these circumstances, if he is per-
mitted so to do by the Court, to withdraw the charge he
has made and his complaint herein.

Sworn to before me this :

26th day of June, 1890 :

John J. Peacy
Clerk of Peace
N. Y. City & Co.

0655

COURT OF GENERAL SESSIONS.

----- X
THE PEOPLE :
against :
GILBERT Mc GOVERN.:
----- X

City and County of New York, ss:

STEPHEN McDONOUGH being duly sworn, deposes and
says:

That he resides at No. 1331 Third Avenue in the
City of New York, and does business at said place, as
a dealer in liquors. That he is the party whose name
is signed to the said check, contained in the indictment
herein; That all deponent knows of the facts and circum-
stances relating thereto, is, that the signature to said
check is a forgery, and that the money was obtained
therefrom from Mr. Thompson whose affidavit is hereto
annexed.

That deponent is acquainted with the family of
defendant and knows them to be people of worth and re-
spectability. That he has known the defendant for a
period of five years and has never known him to be ar-
rested or to be in a difficulty of this kind before .

Sworn to before me this :

26th day of June, 1890.:

Stephen McDonough
John J. Gray
Cumir & Sons
City & Co.

0656

Order of Geo. Ste.

the people

against

Gilbert & Co. (Goreau)

Affidavit

ANSON BEEBE STEWART,

att'y for def.

137 BROADWAY,

NEW YORK CITY.

Due service of a copy of the within is hereby admitted

this

day of

189

To

for

0657

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Gilbert Mc Govern

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

Gilbert Mc Govern

of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said Gilbert Mc Govern

late of the City of New York, in the County of New York aforesaid, on the
eleventh day of June — in the year of our Lord
one thousand eight hundred and ninety, with force and arms, at the City and
County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly
act and assist in the forging a certain instrument and writing, to wit: an
order for the payment of money of
the kind called bank cheques
which said forged bank cheque
is as follows, that is to say:

No. New York June 11. 1890
Lenox Hill Bank
240 Cor. 72nd St. & Third Ave.
Pay to the order of John McGovern or Bearer
Eleven 17/100 — Dollars
\$11 17/100
S. McDonough

with intent to defraud, 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.

0658

SECOND COUNT—

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

Gilbert Mc Govern
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said

Gilbert Mc Govern

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, *to wit: an order for the payment of money, of the kind called bank cheques—* which said forged *bank cheque* is as follows, that is to say:

No. *New York June 11. 1890*
Reno Hill Bank
S.W. Cor 72nd St & Third Ave.
Pay to the order of John McGovern or Bearer
Eleven 17/100 ————— Dollars
\$11 17/100
S. McDonough

with intent to defraud, *he*

Mc Govern

the said

Gilbert

then and there well knowing the same to be forged, 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 R. FELLOWS,

District Attorney.

0659

BOX:

400

FOLDER:

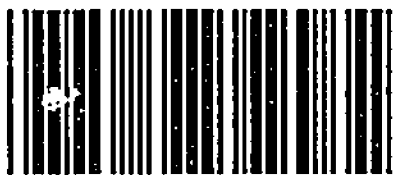
3715

DESCRIPTION:

McGrath, Charles

DATE:

06/24/90



3715

0660

Witnesses:

Gilbert Ingerson

Off Corney

Counsel,

Filed

Pleads,

1890
June 1

THE PEOPLE

vs.

I

Charles McGrath

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Charles McGrath

Foreman.

June 25/90

James J. May

S. P. 2458 1/6 mo
P. M.

Inventory in the Third degree,
Not done by receiving
Stolen Goods,
[Section 498, 506, 528, 532 & 550]

0661

Police Court—Forth District.City and County } ss.:
of New York,of No. 110 Wall Street / John A. Baker Entirely Company Street, aged 43 years,
occupation Captain of ScowDeposes and says, that the premises No. Scow No 35 while moored and
being duly sworn
ted to the pier at the foot of East 73rd Street on the waters of the East River
in the City and County aforesaid he said being aand which was occupied by deponent as a Scow to load and deliver stone and dirt
and in which there was at the time no human being, by namewere BURGLARIOUSLY entered by means of forcibly breaking and
removing five iron bars in front of a window
opening into the cabin and hold of said Scow
and then raising and opening said windowon the 16th day of June 1890 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:One Carpenter's Saw, One Pair of
Rubber Boots all of the value
of Three of 1.00 Dollars — (\$3.00)the property of deponentand 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 byCharles McGrath (now here) and two other persons
unknown to deponent and not yet arrested,
and while acting in concert with each otherfor the reasons following, to wit: that at about the hour of 12 M.on June 15, 1890 deponent securely fastened said
window and said bars in front of said window
were secure and unbroken and at about the
hour of 6 A.M. on the morning following
deponent saw said defendants in company
with said two other unknown persons on said
scow near said window which was open
and the said bars broken as aforesaid, and said

0662

defendant and said other two persons immediately ran away when they saw deponent.

Deponent further says that he is informed by ^{one} Peter Matthews that he, Matthews, caught and apprehended said defendant and that said defendant did then deliver and give to him, Matthews, the ~~Saw~~ ^{Saw} which was part of the property which had been so taken, stolen and carried away as aforesaid.

Deponent therefore charges said Charles McGrath and said other two unknown persons while acting in concert with each other with having committed said Burglary and Larceny and asks that he may be dealt with as the law may direct.

Sworn to before me this
16 day of June 1890

George H. Gilbert
Police Justice

Dated _____ 188_____ Police Justice.

guilty of the offence mentioned, I order he to be discharged.

There being no sufficient cause to believe the within named

Dated _____ 188_____ Police Justice.

I have admitted the above named

Dated _____ 188_____ Police Justice.

of the City of New York, until he give such bail.

Hundred Dollars _____ and be committed to the Warden and Keeper of the City Prison

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

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, _____ District, _____	Offence—BURGLARY.
THE PEOPLE, &c., on the complaint of	
1.	
2.	
3.	
4.	
Dated _____ 188_____	Magistrate.
	Officer.
	Clerk.
Witnesses.	
No. _____	Street.
No. _____	Street.
No. _____	Street.
\$ _____	to answer General Sessions.

0663

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 25 years, occupation Watchman of No. 528 East 74th Street, being duly sworn deposes and

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

Sworn to before me, this

day of

16th June 1890 Peter Matthews

D. J. Murphy
Police Justice.

0664

Sec. 198-200.

4th

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Charles McGrath 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.

Charles McGrath

Question. How old are you?

Answer.

20 years

Question. Where were you born?

Answer.

New York

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

Answer.

No 73 East 115th Street about 6 months

Question. What is your business or profession?

Answer.

Paster

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 did not have anything to do with it. I saw two men have the saw and Boots in their possession and I saw where they hid and concealed the saw and I showed Peter Matthews where the saw was Chas, McGrath

Taken before me this

day of

June

1897

Police Justice.

0665

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 Defendant

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 June 16 18890 W. J. C. Kelly Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0666

Police Court 4-943 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Gilbert Forsgren
110 Wall St.
Chas McGrath

Offence Burglary

2
3
4

Dated June 16 1890

O'Reilly Magistrate
Matthew Crooney Officer.

25 Precinct.

Witnesses Peter Matthew

No. 526 East 74 Street.

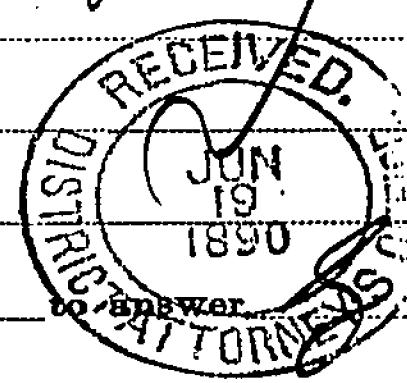
Call the Officer

No. Street.

No. Street.

No. Street.

\$ 1000 to answer



Committed

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0667

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles McFadden

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

Charles McFadden

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

The said *Charles McFadden*,

late of the *nineteenth* Ward of the City of New York, in the County of New York, aforesaid, on the *sixteenth* day of *June*, in the year of our Lord one thousand eight hundred and *ninety*, with force and arms, at the

Ward, City and County aforesaid, a certain building there situate, to wit: the *residence* of one *William Torgersen, the same being a room then being and being in the waters there known as the East River,*

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said

William Torgersen,

in the said *residence*, 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.

0668

SECOND COUNT—

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

— Charles Melgath —

of the CRIME OF *Petit* LARCENY —

committed as follows:

The said *Charles Melgath,*

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

*one pair of the value of one dollar and
fifty cents, and one pair of rubber
boots, of the value of one dollar
and fifty cents.*

of the goods, chattels and personal property of one *William Torgersen,*

in the vessel of the said *William Torgersen,* the same
*being a row boat lying and being in the
waters there, known as the East River,*

~~there situate,~~ then and there being found, *in the row* 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.

0669

THIRD COUNT—

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

— *Charles McLaughlin* —

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

The said *Charles McLaughlin*,

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

*one pair of the value of one dollar
and fifty cents, and one pair of
rubber boots of the value of
one dollar and fifty cents,*

of the goods, chattels and personal property of one *Lillian Sorensen*, —

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *Lillian Sorensen*, —

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

— *Charles McLaughlin* —

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

JOHN R. FELLOWS,
District Attorney.

0670

BOX:

400

FOLDER:

3715

DESCRIPTION:

McIntyre, Mary

DATE:

06/12/90



3715

W. H. H. H. H.

off Malone

After a full examination of this case I recommend that a plea of guilty of assault in the third degree be accepted and in that that sentence be entered. The depth is the mother of the prisoner and her maternal feelings for the better of her husband. Besides no physical harm or injury was done to the officer. John W. Goff Sept 24/90 Arch Dist Ct

Cody, # 18
Filed 12 day of June 1890
Pleads, Chas. H. H. H. H.

THE PEOPLE

vs. Mary Mc Intyre

Assault in the Second Degree (Resisting Arrest) (Section 218 Penal Code.)

JOHN R. FELLOWS,
District Attorney.

A TRUE BILL.

Chas. H. H. H. H.
Sept 2 - Sept. 24, 1890, Foreman.
Ready against Third Degree.
Sentence suspended R.B.M.

0672

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 4 DISTRICT,

Thomas Malone
of No. the 21st Precinct Street, aged years,
occupation Police Officer being duly sworn deposes and says
that on the 31 day of May 1890
at the City of New York, in the County of New York

Mary McIntyre (now here), did
aid and assist a prisoner
in attempting to escape from
the lawful custody of deponent.
That at about 9³⁰ O'clock P.M.
O'clock while deponent was
in the discharge of his duty and
conveying one James Foley through
East 28th Street charged with feloniously
abducting and stabbing his stepfather
John McIntyre, in the right side

Sworn to before me, this

188

Mary

Police Justice.

0673

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated

188

Magistrate.

Officer.

Witness,

Disposition,

of the body with a knife then and
there held in his hand. Said
defendant Mary M. Salyer followed
defendant from 28th street near First Avenue
to 35th street and 2d Avenue and attempted
to aid the escape of said Foley from
defendant's custody.

Thomas Malone

Thomas Malone
Sallyer from 1889
Police Court

0674

Sec. 198-200.

H District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Mary M. Intyre
mark

Given before me this

day of

1884

Police Justice.

0675

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 defendant

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 June 5 1888 D. J. O'Brien Police Justice.

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

Dated June 2 1888 D. J. O'Brien Police Justice.

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

Dated _____ 1888 _____ Police Justice.

0677

Telephone Call

523 21st Street

S. Stewart.

COAL & WOOD,

Post Office Address

and Coal Wharf
Foot of 28th St. E. R.

New York, Sept 24, 1890

To whom it may concern,

I have known Mrs Mary McIntyre for the past seven years, which time she has been in our employ. We have always found her to be a hard working woman. We have never known any thing to be brought against her before, and can vouch for character. Her husband has been in our employ for the same number of years as foreman for us, a very responsible position.

Yours Very truly
S. Stewart

0678

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Many Mc Intyre

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

Many Mc Intyre

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows.

The said *Many Mc Intyre*,

late of the City of New York, in the County of New York, aforesaid, on the *21st*
day of *May*, in the year of our Lord one thousand eight hundred and
ninety at the City and County aforesaid, with force and arms, feloniously made
an assault in and upon one *Thomas Malone*

then and there being, a *patrolman* of the Municipal Police of the City of
New York, and as such *patrolman* being then and there engaged in the lawful
apprehension of *one James Foley upon a*
charge of helping to commit a felonious assault,

and the said *Many Mc Intyre*,
him, the said *Thomas Malone*,
then and there feloniously did beat, strike, wound and otherwise ill-treat, with intent
then and there and thereby to prevent and resist the lawful *apprehension*
of *the said James Foley* 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 R. FELLOWS,

~~District Attorney.~~

Second Count:

And the Grand Jury aforesaid, by this Indictment further accuse the said many McEntyre of the crime of aiding and assisting a prisoner in attempting to escape, committed as follows:

The said many McEntyre, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid did feloniously aid and assist one John Foley who was then in the lawful custody of one Thomas Malone, a patrolman of the Municipal Police of the City of New York upon a charge of felony, to wit: felonious assault, in attempting to escape from the lawful custody of the said Thomas Malone; 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 R. Mallon,

District Attorney

0680

BOX:

400

FOLDER:

3715

DESCRIPTION:

McIntyre, Stephen

DATE:

06/19/90



3715

Dr. Inge

Filed

Pleads.

THE PEOPLE

vs.

Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

A True Bill

Charles Higgins
June 25/90 Foreman.

Addressed January 2nd
S. P. H. Ws. B.M.

0601

0682

Police Court—44 District.

City and County { ss.:
of New York,

of No. 419 East 28th Street, aged 55 years,
occupation Seamster being duly sworn

deposes and says, that on 31 day of May 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Stephen M. Intyre (Bumbers) alias
James Foley who cut and
stabbed deponent in the
right side of the body with
a pocket knife then
held in his hand

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

Wherefore this deponent prays that the said assailant may be ~~apprehended and~~ bound to answer
for the above assault, etc., and dealt with according to law.

Sworn to before me, this 9 day of June 1889 } John T. McIntyre
of his mark
G. Skinniford Police Justice.

0683

Sec. 198-200.

H District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Stephen McIntyre 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. Stephen McIntyre

Question. How old are you?

Answer. 45 years

Question. Where were you born?

Answer. New York City

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

Answer. No 419 East 8th St 14 years

Question. What is your business or profession?

Answer. Truck driver

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

Answer. I am not guilty and demand an examination

✓ Stephen McIntyre

Taken before me this

day of

1884

Police Justice.

0684

June 5-90
John M. Tutyn was
discharged from Hospital
at about two days
ago. at his own request
his wound not being
very serious

J. D. Newack
H. W. Surgeon

0685

The patient Mr. J. M. J. is unable to appear in Court today, or until it has been ascertained whether the abdominal wound is penetrating or not.

G. D. Stewart.

Bellevue June 1. 30. 90

0686

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, DISTRICT.

of No. 21st Precinct Street, aged years,
 occupation Police Officer being duly sworn deposes and says
 that on the 31 day of May 1887
 at the City of New York, in the County of New York he arrested

James Foley (now here upon Complaint
 of John M. Dwyer charging said Foley
 with stabbing him in the right side
 of the body with a pocket knife then
 and there held in his said Foley's
 hand, and causing serious injury to said
 M. Dwyer and from which result he is now
 confined to Bellevue Hospital. Dependent
 further says that said M. Dwyer
 identified said Foley in dependent presence
 as the person who cut and stabbed him
 Bernard Malarky

Sworn to before me, this

of June1887

day

Police Justice.

0687

Police Court--

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

James Foley

AFFIDAVIT.

Dated

June 1

1880

Magistrate.

Maloney & Maloney Officers

Witness,

June 9 2 P M

Disposition,

learn to await
result of injury

The magistrate
presiding at this
Court will please
hear and determine
this case by reason
of my absence
John W. Ford
Police Justice

0600

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 Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Fifteen 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 June 9 188 James P. [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 he to be discharged.

Dated 188 Police Justice.

0589

1000. bail for E
June 15th 2 PM
22-237 11-15 1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000

BAILED, by *Malone*

No. 1, by *Malone*

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court *929* District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John McIntyre
419 vs. East 28th

Stephen McIntyre
Alias James Foley

2 _____

3 _____

4 _____

Dated *June 9* 18*90*

Malone Magistrate

Malone Officer.

Precinct. *21*

Witnesses *Call the Officer*

No. _____ Street.

No. *2* _____ Street.

No. *Dr. Stewart* _____ Street.

No. _____ Street.

\$ *1500* to answer

Malone

Malone

Malone

Malone

Malone

Malone

Malone

Malone

Malone

Malone

Malone

Malone

Malone

Malone

Malone

Malone

Malone

Malone

Malone

0690

John W. Intype, being sworn says
I am a teamster and live at 449
East 28th Street. On the 31st of May
about 9 P.M. the defendant, who
is my son, came to my house drunk
and I put him out. He went
away and smashed the man's lights
that watches the dock and I was
afraid he would do the same to
my boss's property and when
he saw me he ran at me with a
knife and stabbed me in the
right side once. Then I went
to the hospital, two boys brought me
there. I got my wounds dressed
there and stayed there three days.

The defendant being sworn testified
as follows:

I took too much drink and I was
crazy and went home and wanted to
sleep and he kicked me out of the
door and knocked my head off. I
had a number of a house in stock
street where I was to take some
stuff and I took my knife only
to sharpen my pencil to put the
number down and my father ran
up to me and hit me again. Some

0691

One said ~~that~~ somebody was
going to hit me from behind and
Iran and heran against the
knife. I never pulled a knife on
my father in my life

Correct transcript

Jacobson Stenographer

0692

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Stephen McIntyre

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

Stephen McIntyre
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

Stephen McIntyre

late of the City of New York, in the County of New York aforesaid, on the
thirty-first day of *May* in the year of our Lord
one thousand eight hundred and *ninety*, with force and arms, at the City and
County aforesaid, in and upon the body of one *John McIntyre*
in the Peace of the said People then and there being, feloniously did make an assault
and *him* the said *John McIntyre*
with a certain *knife*

which the said

in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent

him the said *John McIntyre*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided; and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

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

Stephen McIntyre
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Stephen McIntyre

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said *John McIntyre* in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault; and *him* the said

with a certain

John McIntyre
knife

which the said

in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully strike, beat, cut, stab and wound, 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 R. Fellows,
District Attorney

0693

BOX:

400

FOLDER:

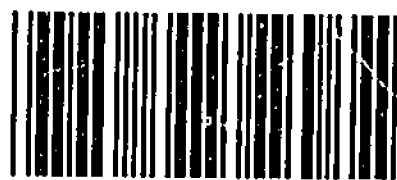
3715

DESCRIPTION:

McLaughlin, Frank

DATE:

06/18/90



3715

Witnesses:

Off Burns

Counsel,

Filed

18

day of

June 1890

Pleads,

Myself as

THE PEOPLE

vs.

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1883, Sec. 21 and
page 1880, Sec. 6.]

Frank McLaughlin

Sept 20/90

*Noted for trial by return
of writ of habeas corpus
granted*

JOHN R. FELLOWS,

District Attorney.

A. True Bill.

Amos Higgins

Foreman.

0694

0695

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 McLaughlin

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

Frank McLaughlin
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said

Frank McLaughlin

late of the City of New York, in the County of New York aforesaid, on the *twenty-fourth* day of *June* in the year of our Lord one thousand eight hundred and *eighty-eight*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one *James Burns*

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Frank McLaughlin
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Frank McLaughlin

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure and suffer and permit, to be open, and to remain open, 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 R. FELLOWS,

District Attorney.

0696

BOX:

400

FOLDER:

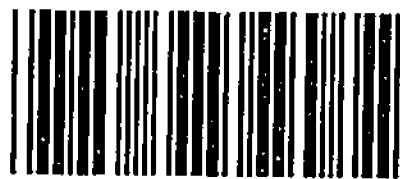
3715

DESCRIPTION:

McLoughlin, Cormack

DATE:

06/12/90



3715

Witnesses;

P. Whelan

Many efforts have been made to find the complainant in this case, but with no success. (See affd of subpoena served).

I recommend the dismissal of this indictment.

Apr. 3, 1891.

Veram M. Davis
Asst.

Counsel,

Filed

12 June 1890

Pleads,

Magdalen 13

THE PEOPLE

vs.

B
Cornack McLaughlin

Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

Jan 2 - April 3, 1891
On motion of District Attorney
Indictment dismissed

A True Bill.

Chas. H. Huggins

Foreman
Witnesses not present. Compt. not found.

0697

8690

Sec. 192.

4th

District Police Court.

Under taking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before

of the City of New York, charging

Defendant with

the offence of

Charles O'Neil
James McLaughlin
James McLaughlin

and he having been brought before said Justice for an examination of said charge, and it having been made to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hearing thereof having been adjourned,

We, *James McLaughlin* Defendant of No. *3743*

Street; by occupation a *driver*

and *John McLaughlin* of No. *3743* Street 39th

Street, by occupation *James McLaughlin*

the above named *James McLaughlin*

shall personally appear before the said Justice, at the

District Police Court in the City of New York,

during the said examination, or that we will pay to the People of the State of New York the sum of

Hundred Dollars.

Taken and acknowledged before me, this

James T. 90

James T. 90 day of

James T. 90

James T. 90

James T. 90 Police Justice.

0699

CITY AND COUNTY } ss.
OF NEW YORK, }

day of June 1890
John Prodenick
Justice.

Sworn to before me, this

the within named Bail and Surety being duly sworn, says, that he is a resident and
holder within the said County and State, and is worth Five Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of the house and lot

No 945-10 Avenue, worth fifteen
thousand dollars above mortgage
John Prodenick

4 District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Underlying to appear
during the Examination.

vs.

Conrad McLaughlin

Taken the

7 day of

June 1890

Justice.

O'Reilly

0700

Police Court—4—District.City and County { ss.:
of New York,

Pierce Whelan

of No. 125-W 49 Street, aged 26 years,
occupation Grocer being duly sworndeposes and says, that on 5th day of June 1899 at the City of New
York, in the County of New York,he was violently and feloniously ASSAULTED and BEATEN by CornickMc Laughlin who wilfully

and maliciously struck

deponent on the head

and ~~on~~ hand with aniron ~~axe~~ ^{wrench} ~~axe~~ ^{and there}

held in his hand cutting

^{my} ~~my~~ ^{injury} ~~injury~~ ^{him} ~~him~~ ^{severely}with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without
any justification on the part of the said assailantWherefore this deponent prays that the said assailant may be apprehended and bound to answer
for the above assault, etc., and dealt with according to law.Sworn to before me, this 6 day } his
of June 1899 } Pierce + WhelanD. J. [Signature] Police Justice. made

0701

Sec. 198—200.

H District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Conner M Laughlin 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.

I am not guilty

Conner M Laughlin

Taken before me this

day of

188

John J. Connelley Police Justice.

0702

Sec. 151.

Police Court, 4 District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*
OF NEW YORK, } *of New York, or 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 Pence Whelan

of No 125 W 49 Street, that on the 5 day of June

1890 at the City of New York, in the County of New York,

and feloniously Conrick McLaughlin
he was violently Assaulted and Beaten by

of 545 W 59

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 York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring L
forthwith before me, at the 4 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 6 day of June 1890
D. J. McLaughlin POLICE JUSTICE.

0703

Police Court.....District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant A & B.

Dated June 6 1890

Magistrate.

The Defendant

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

Dated June 7 1890

This Warrant may be executed on Sunday or at
night.

Police Justice.

having been brought before me under this Warrant, is committed for examination to the WARDEN
and KEEPER of the City Prison of the City of New York.

Dated.....188

Police Justice.

The within-named

Cse 41. Prekm no 348 W. 6th St

0704

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 defendant

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 June 7 18890 Lo J. O. Kelly Police Justice.

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

Dated June 8 18890 Lo J. O. Kelly Police Justice.

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

Dated _____ 188 _____ Police Justice.

0705

BAILED,

No. 1, by

John Broderick

Residence

545 W 59th Street.

No. 2, by

John Broderick

Residence

545 W 59th Street.

No. 3, by

John Broderick

Residence

545 W 59th Street.

No. 4, by

John Broderick

Residence

545 W 59th Street.

Police Court

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Pierce Whalen
162 E 88th St
James J. Laughton

2

3

4

Offence

Dated

June 7 1890

Magistrate

Officer

Precinct

Mrs Whalen 543 W 59th St
Witnesses Gray 527 W 59th St

Witnesses

\$500 & June 8

Street.

No.

Mrs Halpin 59th Street.

No.

Mrs Quinn 59th Street.

No.

Mrs Halpin 59th Street.

\$

500 to answer

Bailed

Asst.

0706

Court of General Sessions

The People vs

Sept.

Cornack McLaughlin

City & County of New York

Ambrose H. Purdy

being duly sworn says that he
is Counsel ^{that he has received his fee as such Counsel} for the defendant herein.

That this action is upon the day
Calendar for trial in Part I of this
Court today.

That deponent is actually engaged
in the Court of Sessions in Kings Co.
in the defence of Charles McElvain
on trial for Homicide and will
therefore be unable to attend today
to defend this action.

Sworn to before me this

25th day of September 1890

Ambrose H. Purdy

Wm. L. Clifford

Notary Public

per Co

0707

Court of General Sessions

The People

agst
Comack M Laughlin

Affidavit

0708

PART II.

THE COURT ROOM IS IN THE THIRD 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 GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York.

To Pierce Whalen
of No. 162 E 88 Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 3 day of April, 189 / at the hour of 10 1/2 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Cornack M. Laughlin
Dated at the City of New York, the first Monday of April,
in the year of our Lord 189

DE LANCEY NICOLL, *District Attorney.*

0709

Court of General Sessions.

THE PEOPLE

vs.

Connaert McLaughlin

City and County of New York, ss:

sworn, deposes and says: I reside at No.

Louis Leavitt
132 White Street

being duly

Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the *2* day of *April* 189*1*

I called at

No 162 East 88th Street, in the City of New York.

the alleged

residence

of

Purce Whalen

the complainant herein, to serve him

with the annexed subpoena, and was informed by

one of

the Brightons, on account of the house being locked, that there was no such person living there as Purce McLaughlin Whalen.

I then

called again at 10-30 P.M. and found no person on the said premises, and consequently was unable to secure any information regarding said Purce Whalen, or where he could be found

Sworn to before me, this

3

day

of

April

189*1*

Louis Leavitt

Subpoena Server.

Thos. G. McGinnis
Commissioner of the City of New York

0710

New York
1898
July 10th

Mr. Parker
I now wish to inform
you that i have
changed my
Residence to number
162 East 88 st

New York
Perce Wheeler

I am Enright Watch
man in Mr Maena
mara stable no 69 and
71 East 89 st

0711

Please find it as soon
as you can and
you would oblige

Peirce Whelan

0712

COURT OF GENERAL SESSIONS OF THE PEACE.

SUBPŒNA.

County of New York, ss.

In the Name of the People of the State of New York,

To

Maggie Munn.

[L.S.]

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, to be holden in and for the said City and County of New York, at the City Hall of the said City, on *Monday* day, the *18th* day of *Sept*

instant, at the hour of ELEVEN O'CLOCK, in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Conrad M. Laughlin

Dated at the City of New York, *17th* day of *Sept* 18*90*.

PURDY & McLAUGHLIN,
Counsel for Defendant,

By order of the Court

Stewart Building, 280 Broadway, N. Y.

JOHN SPARKS, Clerk of Court.

Part I.
The Court is held in the Court House, 32 Chambers St.

0713

Court of General Sessions
of the City & County of New York

The People of the State of
New York

agst.

Cormack McLaughlin

City & County of New York, ss:

Cormack McLaughlin

being duly sworn says that he is
the defendant in this action; that
Claggie Murray is a necessary and
material witness for the defence in
this action & he having witnessed
the whole occurrence upon which
the charge against deponent is based.

That said Claggie Murray is now
in Saratoga and will remain there
until the middle of October next.

That deponent did not receive notice
that his case would come on for
trial until after ten o'clock last
night and it was therefore impossible
for him to procure the attendance

of said Claggie Murray
Sworn to before me this 18th day of September 1890
Cormack McLaughlin
Henry Horngren Notary Public
N. Y. Co.

Court of General Sessions

The People of the State

of New York

vs.

Cornack McLaughlin

Affidavit of
absence of witness

Quady McLaughlin

Atty for Deft

109 80 Broadway

New York

0714

0715

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Cormack McLaughlin

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

Cormack McLaughlin
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

Cormack McLaughlin

late of the City of New York, in the County of New York aforesaid, on the
fifth day of June in the year of our Lord
one thousand eight hundred and ninety, with force and arms, at the City and
County aforesaid, in and upon the body of one Pierce Whelan
in the Peace of the said People then and there being, feloniously did make an assault
and him the said Pierce Whelan
with a certain wrench

which the said Cormack McLaughlin
in his right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,

with intent him the said Pierce Whelan
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
Cormack McLaughlin
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Cormack McLaughlin

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said Pierce Whelan in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and him the said
Pierce Whelan

with a certain

wrench

which the said Cormack McLaughlin
in his right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully strike, beat, ~~cut, stab~~ and wound, 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.

0716

THIRD COUNT—

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

Cormack Mc Loughlin
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Cormack Mc Loughlin

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said
Pierce Whelan in the peace of the said People then
and there being, feloniously did wilfully and wrongfully make another assault, and
him the said *Pierce Whelan*

with a certain *wrench*

which *he* the said *Cormack Mc Loughlin*
in *his* right hand then and there had and held, in and upon the *head*
and hand of *him* the said *Pierce Whelan*
then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-
fully inflict grievous bodily harm upon the said *Pierce Whelan*

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 R. FELLOWS,
District Attorney.

0717

BOX:

400

FOLDER:

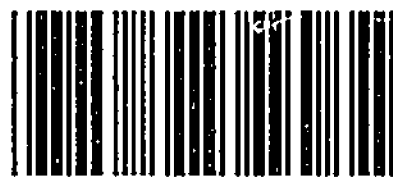
3715

DESCRIPTION:

McMahon, James

DATE:

06/25/90



3715

0718

POOR QUALITY
ORIGINAL

Witnesses:

Amstchied

Counsel

Filed

25

day of

June

1890

Pleads,

THE PEOPLE

vs.

James McMahon

James

JOHN R. FELLOWS,

District Attorney.

VIOLATION OF EXCISE LAW.
(Seizing to Motor)
[Section 290, Penn. Code, sub. 5.]

A True Bill.

Amstchied

Foreman.

0719

POOR QUALITY
ORIGINAL

Witnesses:

Amstchied

Counsel

Filed *25* day of *June* 189*0*

Pleads,

THE PEOPLE

vs.

B
James McMahon

June 9 90

JOHN R. FELLOWS,

District Attorney.

VIOLATION OF EXCISE LAW.

(Selling to Nixon).

[Section 290, Penal Code, sub. 3.]

A True Bill.

Francis Higgins

Foreman.

0720

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

James McMahon

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

accuse

James McMahon
of a MISDEMEANOR, committed as follows:

The said

James McMahon

late of the City of New York, in the County of New York aforesaid, on the

twenty-third day of *August* in the year of our Lord

one thousand eight hundred and ~~ninety~~ *eighty-eight* at the City and County aforesaid,

certain strong and spirituous liquors, and certain wine, ale and beer, to wit: One gill of

wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of

cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of

lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury

aforesaid unknown, unlawfully did sell, and cause and procure and permit to be sold to one

John Kenny who was then and

there a child actually and apparently under the age of sixteen years, to wit: of the age of

seven years, 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 R. FELLOWS,

District Attorney.

0721

BOX:

400

FOLDER:

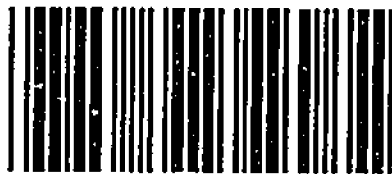
3715

DESCRIPTION:

McManony, William

DATE:

06/13/90



3715

0722

Witnesses:

P.J. Connor

Counsel,

Filed

Pleads,

#236
1890
June 13

THE PEOPLE

vs.

Assault in the First Degree, Etc.
(FIVE YEARS)
(Sections 217 and 218, Penal Code).

William McManis

at home

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Charles H. Higgins Foreman.

June 13/90

Heard & read 24th

P. P. 4 yrs & 6 mo
P.B.M.

0723

Police Court— 3 District.

City and County } ss.:
of New York,

of No. 22 marker Street, aged 46 years,
occupation Carpenter and builder being duly sworn
deposes and says, that on the 30th day of January 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

William McManamy (now dead)

On aforesaid date defendant came to
the residence of deponent and did
fire three shots from a loaded
Revolver at deponent and did
then run away

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

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 9th day
of June 1889.

Charles W. Tinton Police Justice.

Peter J. Conners

0724

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY
OF NEW YORK.

William W. Manony 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 W. Manony

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer.

New York

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

Answer.

10 Park Row. 2 months

Question. What is your business or profession?

Answer.

Labourer

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

William W. Manony
Mark

Taken before me this

day of *June* 1907

Charles J. Stewart

Police Justice

0725

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.....

Defendant
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Thirty* 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 *June 9* 18*90* *Charles N. Smith* Police Justice.

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

Dated.....18.....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.....18.....Police Justice.

0726

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

Police Court

3909 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Peter J. Conroy

22 vs. Mark

1 William M. Manony

2

3

4

Office of the District Attorney

Dated

June 9

1890

Magistrate.

Herricks

Officer.

Precinct.

Witnesses

Frederick M. Sullivan

No.

Market

Street.

No.

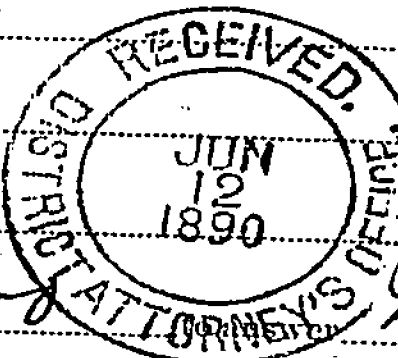
Street.

No.

Street.

\$

3000



A. S. [Signature]

0727

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 Manony

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

William Mc Manony
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

William Mc Manony
late of the City of New York, in the County of New York aforesaid, on the
thirtieth day of *January*, in the year of our Lord
one thousand eight hundred and eighty *nine*, with force and arms, at the City and County
aforesaid, in and upon the body of one *Peter J. Connor*
in the peace of the said People then and there being, feloniously did make an assault and
to, at and against *him* the said *Peter J. Connor*
a certain pistol then and there loaded and charged with gunpowder and one leaden
bullet, which the said *William Mc Manony*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,
with intent *him*, the said *Peter J. Connor*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
William Mc Manony
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

William Mc Manony
late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said *Peter J. Connor* in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and to, at and against *him* the said
Peter J. Connor
a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,
which the said *William Mc Manony*
in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully shoot off and discharge, 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 R. FELLOWS,

District Attorney.

0728

BOX:

400

FOLDER:

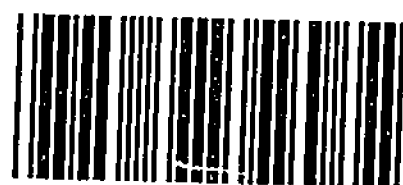
3715

DESCRIPTION:

McManus, Frank J. (Collins, F.)

DATE:

06/25/90



3715

0729

Witnesses:

Off. Collins

Counsel,

Filed

day of

June 18 1899

Pleads,

Properly re

THE PEOPLE

vs.

B

Frank J. McManus

May 17/3

Filed to the Court of Special Sessions for trial, by request of Counsel for Defendant.

VIOLATION OF EXCISE LAW

(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and page 1089, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Charles Higgins Foreman.

0730

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 J. Collins

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

Frank J. Collins
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said

Frank J. Collins

late of the City of New York, in the County of New York aforesaid, on the *first* day of *July* in the year of our Lord one thousand eight hundred and *eighty-eight*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one *Eugene S. Collins*

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Frank J. Collins

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Frank J. Collins

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed, as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure and suffer and permit, to be open, and to remain open, 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 R. FELLOWS,

District Attorney.