

131

Witnesses;

Jos McQuinn

Counsel,

Filed

day of

1890

Pleads,

16 Oct
Not guilty

THE PEOPLE

vs.

24 6:20
4:12
Brown
friday
Peter McCabe

Grand Larceny, Second Degree.
(From the Person.)
[Sections 588, 587, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Amos Little

Foreman.

P. 3 Oct. 20. 1890

Pleads at H. C. L. 2 dy.

S. P. 2 yrs & 6 mo

R.B.M.

0360

Police Court— 2 District. Affidavit—Larceny.

City and County } ss.:
of New York, }
of No. 506 East 73 Street, aged 57 years,
occupation None being duly sworn
deposes and says, that on the 10 day of October 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
and person of deponent, in the day time, the following property, viz:

A Silver Watch of the value
of Twenty Dollars (\$20⁰⁰/₁₀₀)

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 Peter Mc Cabe (now here)
from the following fact to wit: that
deponent was walking in Greene Street
near Bleeker, when said defendant
accosted deponent and asked him
where Greenwich Street was, and
that immediately on deponents reply
that he was a stranger in the
neighborhood, said defendant inserted
his hand into deponents vest pocket
where said property was, and took
stole said property. Deponent therefore
charges said defendant with having
committed a Larceny and asks that he
be held and dealt with as the Law
may direct

James Mc Ginnis
Mark

Sworn to before me this
10 day of
October 1888
at New York
Police Justice
James Mc Ginnis

0361

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Peter 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. *Peter McCabe*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *NYC*

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

Answer. *243 Elizabeth St.*

Question. What is your business or profession?

Answer. *Brass fitter*

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*
Peter McCabe

Taken before me this *18* day of *April* 188*8*
John J. ...
Police Justice.

0362

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

Police Court--- 2 15533
 District

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

James McEwen
 506 East 73rd St
Peter McEwen

1
2
3
4
 Offence *Larceny from the Park*

Dated *Oct 10* 18*98*

Erman Magistrate.
McEwen Officer.
 Precinct *197*

Witnesses _____ Street.
 No. _____ Street.

No. _____ Street.

No. _____ Street.
 \$ *700*



John
Person

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *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 *Oct 20* 18*98* *John J. ...* 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.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Peter Mc Cabe

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

Peter Mc Cabe
of the CRIME OF GRAND LARCENY in the *second* degree committed as follows:

The said

Peter Mc Cabe,

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

*one watch of the
value of twenty dollars*

of the goods, chattels and personal property of one *James Mc Ginniss*
on the person of the said *James Mc Ginniss*
then and there being found, from the person of the said *James Mc Ginniss*
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

SECOND COUNT—

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

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

The said

late of the 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.

0365

BOX:

414

FOLDER:

3825

DESCRIPTION:

McCabe, Philip

DATE:

10/23/90



3825

0366

BOX:

414

FOLDER:

3825

DESCRIPTION:

Shay, Martin

DATE:

10/23/90



3825

0367

BOX:
414

FOLDER:
3825

DESCRIPTION:

Moran, James

DATE:
10/23/90



3825

231

Witnesses:

Officer Hunt

Counsel, *23 Oct 1890*
Filed *23* day of *Oct* 1890
Pleads, *Guilty*

THE PEOPLE

vs.

Philip McCabe
Martin Shay
and
James Moran

Burglary in the THIRD DEGREE
Class V. Kelly's case
(Section 498, 504, 517 & 518 D.C.)

Considering the guilt of the
prisoner and all the attending
circumstances, I recommend
that he be discharged and that
his own recognizance

Whitelyoff
Dist. Dist. Atty

Nov 18/90

JOHN B. FELLOWS,

District Attorney.

Nov 18 1890
Chas. Guil Discharged

A True Bill.

Amos Little
Foreman.
Oct 23/90

W. J. Pleads Guilty 3rd
S.P. 2 1/2 yrs.

Count of Gen Sessions:

People
ages
Martin Shea

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.

100 EAST 23^d STREET,

New York, Oct. 16 1890

CASE NO. 52485 OFFICER *Bauley*

DATE OF ARREST *Oct. 15*

CHARGE

Burglary

AGE OF CHILD *Two years*

RELIGION *Catholic*

FATHER

Martin

MOTHER

RESIDENCE *No. 86 Horatio St*

AN INVESTIGATION BY THE SOCIETY SHOWS THAT

there is no record against Martin Shea.

He has a good home and parents are respectable.

All which is respectfully submitted,

To Dist Atty

P. Bellows Secretary

0370

*Cont of
General Sessions*

People

agnt

Martin Shea

Burke
PENAL CODE, 1880

**Report of the New York Society
for the Prevention of Cruelty
to Children.**

ELBRIDGE T. GERRY,
President, &c.,

100 East 23d Street,
NEW YORK CITY.

Court of Genl Sessions:

People
vs
Philip McCabe

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN,
100 EAST 23^d STREET,

New York, Oct. 16 1890.

CASE NO. 52485 OFFICER Barkley

DATE OF ARREST Oct. 15

CHARGE

Burglary

AGE OF CHILD Fifteen years

RELIGION Catholic

FATHER John

MOTHER Elizabeth

RESIDENCE No. 139 Bank St.

AN INVESTIGATION BY THE SOCIETY SHOWS THAT Philip McCabe has a very bad reputation as a young tough in the neighborhood where he resides; he has been engaged in numerous petty thefts. He has been in the House of Refuge for one and a half years on complaint of his father & was but recently discharged.

All which is respectfully submitted,

To the Court

O. Hollows
Supt

0372

Court of
General Sessions.

People

vs

Philip Wallace

Philip Wallace
PENAL CODE, § 100

**Report of the New York Society
for the Prevention of Cruelty
to Children.**

ELBRIDGE T. GERRY,
President, &c.

100 East 23d Street,
NEW YORK CITY.

N. Y. General Sessions
 The People
 etc. }
 Philip McCabe
 vs
 Martin Shea

City and County of New York, ^{SS}
 Montimer Shea
 being duly sworn says: That
 he resides at no 86 Horatio Street
 in the City of New York, that he is
 the father of Martin Shea, one
 of the defendants above named
 and that said defendant has
 always lived with this deponent.
 He says that his said
 son is but twelve years of
 age, has always attended
 school regularly ever since he
 first went, which was about
 six years ago, and has always
 been a good and obedient
 child.

Deponent further says
 that he is well able to, and

has always provided a good home for his wife and children and he makes this affidavit for the purpose of offering to the Court an evidence that his son, said defendant 'Martin Shea', has never been a bad boy, but on the contrary that he has been one who has been influenced in his character and conduct by a good home and that he has shown himself, so to have been.

In conclusion deponent presents with the greatest respect that said defendant Shea has a good home, and a father who will look after and take care of him, and begs the extreme clemency of the Court in this present action.

Sworn to before me
this 17th day of November 1910
John C. Costello,
Notary Public,
N.Y.C.

Marty Shea

New York General Sessions.

PEOPLE ON MY COMPLAINT,

VERSUS

Philip McCabe
Martin Shea

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

I am well satisfied from my personal acquaintance and knowledge with and of the defendant Philip McCabe who is jointly indicted with the above named defendant that said McCabe is of a very immoral character and bad disposition and while I know nothing personally of the above named defendant Shea, yet I am well satisfied on the information which has come to me since the commission of the offense for which both are jointly indicted that he is a boy who has a good home and has attended the public school and been a comparatively good boy.

Spoken to before me
this 17th day of November 1890.

Charles Ludwig

John C. Costello
Notary Public, N.Y.C.

N.Y. General Sessions

Chas Peaple,
etc.,

-vs-

Philip McCabe
and Martin Shea.

Withdrawal
and Affidavit.

J. Oliver Neans
Ctly for deft
Martin Shea
132 Nassau St.

0376

0377

Police Court— 2 District.

City and County }
of New York } ss.:

of No. 986 Smith Avenue Street, aged 33 years,
Charles Ludwig
occupation Fruit Business being duly sworn

deposes and says, that the premises No 89 Moravia Street,
in the City and County aforesaid, the said being a Two story
brick building

and which was occupied by deponent as a Stable
and in which there was at the time ~~no~~ ^{no} human being, by name

were BURGLARIOUSLY entered by means of forcibly Breaking
off the staple on the front door
leading into the street,

on the 14 day of October 1908 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

40 Baskets of Grapes, and Two
Dozen Dander Horse Brushes
all of the amount and value
of Sixteen Dollars (16 ⁰⁰/₁₀₀)

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by
Philip McCabe and Martin Shay (both now
here) and James Moran not yet arrested.

for the reasons following, to wit: That deponent securely
locked and fastened said door on
the aforesaid date about the hour
of 6.30 P.M.

And at that time said
property was in said stable, on
the first floor thereof.

And that said defendants

Admitted and confessed to deponent in presence of Officer Patrick F. Hunt of the 9th Precinct Police that they the defendants Mc Cabe and Shay in company with Moran not yet arrested had broken into said premises and had taken stolen and carried away said property.

October 16 1888

So your truly
Police Station

Charles Ludwig

Police Court District.

THE PEOPLE, & c.,
ON THE COMPLAINT OF
vs.
Burglary
Degree

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

CITY AND COUNTY }
OF NEW YORK, } ss.

Patrick J. Hunt

aged _____ years, occupation *Police Officer* of No. _____

94 Macmet Place

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Charles Ludwig*

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this

16
90

day of

October

18*90*

Patrick J. Hunt

J. J. [Signature]
Police Justice.

0380

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Philip M. Cobe

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.

Philip M. Cobe

Question. How old are you?

Answer.

15 years.

Question. Where were you born?

Answer.

N. Y.

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

Answer.

139 Bank Street; 1 year.

Question. What is your business or profession?

Answer.

Peddler

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 took the property to pay
myself for services rendered to the
complainant, as he only paid
me thirty (30) cents for working
for him from 12 o'clock in the
day to 12 o'clock at night

Philip M. Cobe

Taken before me this
day of October 1889

Police Justice.

0381

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Martin Shay

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. *Martin Shay*

Question. How old are you?

Answer. *12 years.*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *86 Moravia Street; 1 year*

Question. What is your business or profession?

Answer. *School Boy*

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

Answer.

I am guilty

*Martin Shay
Mans*

Taken before me this

day of

October

1887

16

Joseph J. ...
Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Philip McCabe, Martin
Shay and James Moran*

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

*Philip McCabe, Martin
Shay and James Moran*

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

The said

*Philip McCabe, Martin
Shay and James Moran, all*
late of the *ninth* Ward of the City of New York, in the County of New York
aforesaid, on the *fourteenth* day of *October* in the year of our Lord one
thousand eight hundred and ~~eighty~~ *ninety*, with force and arms, in the
night time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *stable of one Charles Ludwig*

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

SECOND COUNT—

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

Philip McCabe, Martin Shay and James Moran

of the CRIME OF *Petit* LARCENY committed as follows:

The said *Philip McCabe, Martin Shay and James Moran*, all

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

forty baskets of grapes of the value of ten cents each basket and twenty-four bushes of the value of fifty cents each

of the goods, chattels, and personal property of one

Charles Ludwig

in the ~~dwelling house~~ *stable* of the said

Charles Ludwig

there situate, then and there being found *in the stable* ~~from the dwelling house~~ aforesaid, then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John P. Fellows,
District Attorney

0385

THIRD COUNT.

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

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

The said

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

of the goods, chattels and personal property of

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

5

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

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

JOHN R. FELLOWS,

District Attorney.

0386

BOX:

414

FOLDER:

3825

DESCRIPTION:

McCann, John

DATE:

10/23/90



3825

0387

Bail fine at
\$5000

Witnesses:

Officer Bailey

Joe Bradley

Wes Keating

Anna Bryan

Judge ^{W. Keating} ~~Keating~~

Counsel,

Filed 23 Oct. 1890

Pleas, Guilty

THE PEOPLE

vs.

I

John Mc Cann

MANSLAUGHTER.
[Section 187, of Penal Code.]

~~John R. Fellows~~
Rm 21st Park 1

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Andrew Little

Nov 24th 90 Foreman.

Tried & Acquitted

0388

Bail fine at \$5000

Witnesses:

Officer Bailey

Joe Bradley

Wm Keating

Anna Dugan

Judge ^{W. Keating} ~~Keating~~ ^{Keating}

Filed 23 day of Oct. 1890

Pleads, *Not guilty*

THE PEOPLE

vs.

P

John Mc Cann

MANSLAUGHTER.
[Section 189, of Penal Code.]

~~John R. Fellows~~
Am 21. 1890 Part 1

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Andrew Little
Nov 24 90 Foreman.

Spied & Acquitted

People by William W. Hemingway being
 & duly sworn deposes and says
 he saw a practicing physician
 on 24/90 at 57 Market Street, and on
 Sunday morning about 9 o'clock
 A.M., on October 5th 1890 I first
 saw the deceased in bed at his
 house, 86 East Broadway, and
 found him suffering from a
 wound in the lower part of the
 abdomen of the left side, and
 he was in a state of collapse,
 a sub normal temperature,
 with no pulse at either wrists
 and with a very feeble heart.
 And he was conscious, I cannot
 positively state whether the wound
 was made with a knife; ~~and~~
 the deceased died at 2:30 P.M. on
 Sunday October 5th 1890.

Sworn before me

this 10th day of October

1890

G. Henry Ford

W. W. Hemingway.

Police Justice

0390

Sec. 198-200.

1st District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *John McCann*

Question. How old are you?

Answer. *57 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *103 Madison Street 1 year*

Question. What is your business or profession?

Answer. *Cochman*

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 McCann

Taken before me this 1st day of October 1889
Thomas B. Smith
Police Justice.

0391

Police Court--
District.

THE PEOPLE, Ac.,
VS. THE COMPLAINT OF

William J. ...
John ...

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

The Justice presiding in 1st Dist Court in my advice will please continue the examination in next case

J. ...

Office
Home

Date

Magistrate

Officer

James ...
James ...
James ...

No.

No.

No.

No.

No.

No.

No.

No.

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

Refused

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

~~hundred Dollars~~ and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail

legally discharged
Dated *Oct 10* 18 *90* *J. ...* 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 he to be discharged.

Dated 18 Police Justice.

0392

DR. W. H. HEMINGWAY,
51 Market Street, N. Y.
OFFICE HOURS { Until 10 A. M.
 { 12 to 2 P. M.
 { 7 to 9 P. M.

This is to certify that
Bernard Healy is too
sick to appear in court
He has Bright's Disease
and is unable to be
out of bed
W. H. Hemingway, M.D.
10/8/90

0393

G. R. SCRUTON,
DRUGGIST.
46 MARKET STREET,
NEW YORK.

0394

OFFICES OF

DR. S. HEMINGWAY,
OFFICE HOURS:
8 1/2 to 10 A. M.
4 1/2 to 6 1/2 P. M.
Also Tuesday and Friday
Nights, 8 to 9 o'clock.

DRS. S. & W. H. HEMINGWAY

DR. W. H. HEMINGWAY,
OFFICE HOURS:
Until 10 A. M.
12 to 2 P. M.
7 to 9 P. M.

No. 51 MARKET STREET,

Bet. Madison & Monroe Sts., N. Y.

New York, Oct 31 1892

This is to certify that Thomas
Smith is rapidly improving
and from present indications
will be out of all danger in a
day or two.

W. H. Hemingway M.D.

October 1st 1890
This is to certify that Thomas Smith of
86 East Broadway is in no immediate
danger. It is possible he could at any
moment become seriously and dangerously
ill, but at present there is no sign of danger.
From his present condition I expect he will
be out of all danger by Sunday (Oct 5th 90)

Henryway

0396

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.,

New York, *Sept 30th* 1890

This is to certify that Thos. Smith
is in this institution and not in
Custody to appear in court

Respy

J. W. L. Wells ch. D.

Secretary N. Y. H.

0397

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 1st DISTRICT.

William J. Dailey

of No. 4th Precinct Street, aged _____ years,

occupation Officer being duly sworn deposes and says,

that on the 29th day of Sept 1889

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

John Mc Cann (now here) on complaint of one Thomas Smith for assault.

Deponent says, that said Thomas Smith is now confined in the Chambers Street hospital owing to injuries received through said assault, and is unable to appear in Court, as shown in certificate hereto attached.

Wherefore, deponent prays, that said John Mc Cann be held to await the result of said Thomas Smith's injuries.

William J. Dailey

Sworn to before me this

of _____ 1889

30 7

Police Justice

Police Court, 1 District.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

vs.
John Mc Cann

AFFIDAVIT.

*Witness
Thomas Smith*

Dated Sept 30 1890

White Magistrate.

Daily Officer
& Rice

Witness,

Oct 10 3PM

Disposition,

Held to await the
result of inquest
Oct 12, 1890

A

Frederick B. Horn being duly
sworn deposes and says

That he resides at 15
East Broadway, and on Monday
night the 29th of September 1890
Thomas Smith (the deceased) came
to my place at 15 East Broadway
between 11³⁰ ^{pm} & 11⁵⁰ ^{pm} o'clock
and told me that he
was stabbed at Stealy's store
he didn't tell me by whom, and
asked me if I had a revolver, and
I said no I don't keep these things
and he went out and that's all I know
about the case

Sworn to before me
this 8th day of October 1890 } Fred B. Horn

J. M. White
Police Justice

James Brodley being duly sworn deposes and says I reside at 50 Monroe Street, quite right after the 29th of September 1890 I was in the barroom 20 Chatham square between the hours of 11 and 12 o'clock, with defendant having a friendly chat and and drink when the deceased came in and made the remark to defendant that about a grand Army man, when defendant replied a grand army man was as good as any other man, and deceased said to defendant you lie you son of a bitch, and then deceased and defendant clinched and pulled about the floor, and I tried to separate them, and I got a black eye and a mark on the leg I don't know who done it, I don't know anything about any knife being used and I didn't see any after deceased and defendant were parted I took deceased to for a Morris saloon in East Broadway

And there he exposed himself and found
 her as cut and he broke away from
 me and went behind Horus bar
 looking for a revolver, and I went
 down to the saloon at 20 Chatham
 square and I found him there, and I
 went away the deceased was drunk
 but the defendant was sober, and
 that is all I know about this case

Sworn to before me 1890 J. W. Smith
 this 8th day of October

J. W. Smith

Police Justice

4

People's Ex. Thomas Katinghame, deceased
 B. deceased and says I reside at 259
 N. 21/90. Lewis Street. And on the 3rd of September
 1890 between 11 & 12 o'clock pm I was
 in the saloon 20 Chatham Square with
 the defendant, Barney Stevly and Charles
 Joy the, I was drinking with the defen-
 dant, when the deceased came in,
 apparently under the influence of liquor
 and said to the defendant he could
 bring any grand Army son of a bitch
 that ever lived and defendant replied
 that there was as good a man in the
 Grand Army as ever done be, and
 deceased and defendant clinched
 and railed about the floor, and when
 they were separated deceased went
 out of the place and 10 minutes thereafter
 deceased returned and claimed that he
 was stabbed, and attacked the defen-
 dant again when a police officer
 came in and locked deceased and
 defendant up, I didn't see any
 knife, nor did I see that the deceased

0403

5

Pub. And that all I mean about the case

I wish to be sworn in }
this 5th day of September 1890 } Thomas Keating

J. Willett
Police Justice

People by Charles Joyth being duly sworn
 & we depose & say, I am the bartender
 ~ 24/90 at the saloon 20 Chatham square
 and on the night of the 29th of September
 1890, defendant was in the saloon
 when deceased came in and they had
 some words about Grand Army men
 I was waiting on Tom Kating and Mr
 Brodley and the first thing I saw
 defendant and deceased climbed and
 rolled about the floor, and Kating and
 Brodley separated them and deceased
 went out and returned in a minute of
 an hour and said Lewis stabbed
 and began to fight with the defendant
 again when suddenly my boss took
 me to go and get a policeman which
 I did and he arrested the deceased
 and defendant. I did not see any knife
 used or any cutting, that all I know
 about it

Sworn to before me }
 this 8th day of October 1890 }
 Charles Joyth
 Police Justice

Museum of Daily being duly sworn
deposes and says

I am a police officer
attached to the 4th Precinct on the
night of the 29th day of September 1890
between the hours of 11:30 and 11:45
o'clock p.m. I was patrolling my
post in Chatham Square, when Charles
J. J. came to me and told me
there was a row in Healey's saloon
I went there and found there had been
a row but not then ^{of} ~~the~~ deceased
and defendant they had better keep
quiet or I would lock them up and
deceased went out, ^{and} I saw him go
to 14 East Broadway with Brooley
and returned again in 10 minutes, and
went into Healey's saloon again, ^{and}
Kauting called me in this time
& when I went there I found deceased
and defendant ^{on} ~~in~~ the floor
clinked and deceased accused the
defendant of stabbing him, and
I saw him where he was stabbed

→ STATE OF NEW YORK, ←

CITY AND COUNTY OF NEW YORK, ss.

AN ANTE-MORTEM INQUISITION,

Taken at East Broadway No. 16
Held, in the 7th Ward of the City of New York, in the County of New York, this 5th day of October in the year of our Lord one thousand eight hundred and 90 before M. J. Messener Coroner, of the City and County aforesaid, on view of the body of Thomas Smith

at 16 East Broadway Upon the Oaths and Affirmations of good and lawful men of the State of New York, duly chosen and sworn or affirmed and charged to inquire, on behalf of said people, how and in what manner the said

their Oaths and Affirmations, say: That the said Thomas Smith was injured, do upon their Oaths and Affirmations, say: That the said Thomas Smith is suffering from stab wound inflicted by John McCann at Chatham Square September 29th 1890

In Witness Whereof, We, the said Jurors as well as the CORONER, have to this Inquisition set our hands and seals, on the day and place aforesaid.

JURORS.

Vertical line for juror signatures

CORONER, E. S.

0408

City and County of New York, ss.

Statement of Thomas Smith
dangerously wounded at 86 East Broadway in the 7th Ward
of said City and County, on the 5th day of October 1890

Question—What is your name?

Answer—Thomas Smith

Question—Where do you live?

Answer—86 East Broadway

Question—Do you now believe that you are about to die?

Answer—No

Question—Have you any hope of recovery from the effects of the injury you have received?

Answer—Yes

Question—Are you willing to make a true statement, how, and in what manner, you came by the injury from which you are now suffering?

Answer— I could not tell. John
McCann stabbed me at 21
East Broadway I mean at
Chatham Square No. 21 on Monday
night last at half past eleven
in the evening. It was through
nonsense. I gave him no provocation.
I was an old grudge about 25
concerning business. He was
a cut man and I am a cut man.
It was just rivalry in business. I was
a little under the weather. Both of us
had been drinking. He spoke first.
He struck me first with his fist. I struck
him back with my fist. We clinched
and rolled on the floor and he stabbed
me.

Thomas Smith
Smith

0409

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND
Years	Months	Days		
29			US	86 East Broadway

Cabman
unmarried

Taken to
Charles R.
Hart and
from the
in Transit
to his residence
86 East Broadway

86 East Broadway

57 High St

45 20-1890

AN ANTE-MORTEM INQUISTION

On the VIEW of the BODY of

Thomas Smith

whenever it is found that he was

visited by

John McCann

Taken on the 1st day

of October 1890

before

R. P. Mason
CORONER.

Committed

Obtained

Discharged

1 70

TESTIMONY.

An Autopsy made on the body of Thomas Smith discovered the following facts. An external examination of the body showed no marks of violence except a small wound about $\frac{1}{2}$ inch in length situated $4\frac{1}{2}$ inches from middle line of the body and one inch below ~~the~~ line drawn from navel. On opening the abdomen it was found that the instrument causing the wound had passed through the muscular coat of adipose (fatty) tissue, of the wall of the belly and penetrating the peritoneum, cutting the outer coats of the small intestine. The intestine had been caught in the wedge shape opening made by the passage of the knife cutting instrument and inflammation had set in, spreading from this point over the peritoneum. ^{by the intestine} at the place where it had been caught had become gangrenous. All other organs of the body were in good condition and showed no evidence of disease.

The cause of death in my opinion was Peritonitis following Star Wound of Abdomen

Wm A Conway (M.D.)

Respectfully

Yrs
Wm A Conway

Sworn to before me,

this 17th day of October 1890

CORONER.

TESTIMONY.

Wm A Conway M. D., being duly sworn, says:
 I have made a post mortem examination of the body of
 Thomas S. Mitta now lying dead at
 86 E. B' way and from such an examination
 and history of the case, as per testimony, I am of opinion the cause of
 death is - Stab Wound of the Abdomen

Wm A Conway
 M. D.

Sworn to before me,
 this 6th day of October 1890.

CORONER.

0412

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss.

22/90
Jeff AN INQUISITION

Taken at the *I* Coroners Office
No. 124 Second Avenue Street, in the 7th Ward of the City of
New York, in the County of New York, this 17th day of October
in the year of our Lord one thousand eight hundred and 90

before
MICHAEL J. B. MESSEMER, Coroner,

of the City and County aforesaid, on view of the body of Thomas Smith
now lying dead at

Ten Upon the Oaths and Affirmations of
good and lawful men of the State of New York, duly chosen and
sworn, or affirmed, and charged to inquire, on behalf of said people, how and in what manner the
said Thomas Smith came to his death, do upon
their Oaths and Affirmations, say: That the said Thomas Smith

came to his death ~~by~~ on October 5th
1890, from a wound received on September
29th between 11 and 12 o'clock at night, at some
place unknown to the jury, and from
some unknown person, and we furthermore
according to the evidence can find nothing that
could or would hold the prisoner, McCann for
trial

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition
set our hands and seals, on the day and place aforesaid.

JURORS.

<u>J. H. Hoare 1863-9 Ave</u>	<u>O. Bauteermann 1865-9 Ave.</u>
<u>A. E. Egan 102 E. 110 St.</u>	<u>William Graf 1800-9 Ave</u>
<u>H. Krauss 175 E. 110 St.</u>	<u>Henry C. Kumbrauer 1810-9 Ave</u>
<u>Leon Mills 139 E. 110 St.</u>	<u>Peter Schneider 124 E. 110 St.</u>
<u>Wm. Goodman 1812 9 Ave</u>	
<u>C. Poland 2124 8 Ave</u>	

Coroner. T. S.

Inquest into the death of Thomas Smith. Before
Coroner Messemer and a Jury.

New York, October 17th, 1890.

Dr. William H. Hemmingsway, duly sworn testified as
follows:-

*People
let Y
be
11/21/90*

I live No. 51 Market Street, and I am a physician
in active practice. I saw Thomas Smith, the deceased, on
the Sunday morning before he died and found him in a state
of collapse, no pulse and normal temperature; feeble heart
and profuse perspiration with uncontrollable vomiting; also
wound in the lower part of the abdomen of the left side
caused by what I could not say, and penetrating wounds in
the abdomen, in the abdominal cavity. I saw him about 9
o'clock in the morning, at No. 86 East Broadway.

THOMAS E. KEATING, duly sworn testified:

*People
let A
be
11/21/90*

I reside No. 259 Division Street, and I am a cab-
driver by occupation. On the day in question about between
11 and 12 o'clock I saw the deceased and also McCann. I
was in this saloon when this quarrel took place; it was at
No. 20 Chatham Square, about two weeks ago last Monday. I
think it was about the 29th of the month. I was drinking
with the prisoner and another witness and Mr. Bradley and
the proprietor of the place and this man under the influence
of liquor passed a very vulgar remark, he said that he
could whip any Grand-army son-of-a-bitch that ever lived
and then he went into the water-closet. And when he came
out of the water-closet this man said there was some good
men in the Grand-army too, and with that they clinched and
they rolled on the floor, and then the deceased went out and
came back in about five minutes and said that he was stab-
bed, and he tackled him again and then the officer came in
and arrested them. I don't know who struck the first blow,
they clinched and rolled on the floor, and they were then
separated. I saw no knife used at all or any weapon.

JAMES A. BRADLEY, duly sworn, testified:

✓

I am in the livery business with my father; I have
known the deceased for more than ten years and I have known
the prisoner about fifteen years. Mr. McCann, the prisoner
was a very quiet and peaceable man as far as I know the
prisoner, he is a quiet and peaceable man. On the 29th
of September, between 11 and 12 o'clock at No. 20 Chatham
Square this thing happened; I was in the saloon at the
time when the deceased came in and he made a remark and went
back into the water-closet and he came out and said that the
Grand-army men were no good, and McCann said that there are

men just as good among them as any one and with that the deceased said, "You lie, you son-of-a-bitch" and they clinched, and I tried to separate them and received a black eye and a kick in the leg; they rolled on the floor and the officer came in and they were separated; the deceased then went out and went as far as the corner of East Broadway and Catherine Street, and we went in and were only inside a little while when he exclaimed, "I am cut" and unbuttoned his vest and opened his shirt, and I saw the cut in the abdomen and he then rushed behind the bar and snatched for a revolver, and not finding any, he rushed back again to No. 20 Chatham Square, the time elapsed between him going back to No. 20 Chatham Square was not more than about three minutes, but he went back again and I went back again and the men were clinched and the officer was called in and separated them and put them both under arrest; the prisoner was sober at the time but the deceased was under the influence of liquor.

CHARLES JOYTHE, being duly sworn, testified:

I live No. 48 Henry Street and I am a bartender; I was working for Bernard Healey at No. 20 Chatham Square at the time that this occurred. It was on the 29th between 11 and 12 o'clock, and I was tending bar; McCann was in the store and Mr. Bradley and Mr. Keating and I was waiting on the parties, and Smith came in and they had some words about Grand-army matter and the first thing I knew they went back and clinched and rolled on the floor, and Bradley and Mr. Keating jumped in to separate them and I was sent out for an officer; they went back and washed themselves and I was sent out for an officer and he separated them and Mr. Smith went out and in about ten or fifteen minutes he came back and claimed he was stabbed and both clinched and again rolled on the floor and the officer was called in again and he came in and made the arrest. Mr. McCann was perfectly sober and Smith was under the influence of liquor. I don't know who struck Mr. Bradley. I didn't see anybody with a knife. I know both of them, McCann and Smith for about a year and a half; they were both cabmen and I always found them quiet people.

People
by
D
we
4/21/90

Louis Schmidt, duly sworn, testified:

I live at the corner of Catherine Street and East Broadway and I work for Andy Horn as night watchman. I knew the deceased for the last two or three years and I didn't know McCann at all. The deceased Thomas Smith came in that night and said he was stabbed and he opened his pants and showed me, and he didn't say anything about it where he was stabbed and I didn't ask him where he was stabbed or who did it; It was only a little bit here on this side and he went right out again. He was not sober at the time. He came in and said, "I am stabbed here," and he

showed it to me and two or three other men and buttoned his pants again and rushed out again. That is all I know about the case. I did not see the deceased, Smith, go behind the bar to get a revolver or to ask for a revolver.

FREDERICK HORN, duly sworn, testified:

I live No. 15 East Broadway and I am the manager of my father's place of business there. When the deceased came in on that night he said he was stabbed and he came behind the bar and I shoved him away. He said give me a revolver. I said I haven't got such things. It was on the 29th that this happened about between 11 and 12 o'clock. Mr. Schmidt, the last witness, was sweeping in the back part of the store when this occurred and he came up afterwards. The deceased showed the wound to Mr. Schmidt and I saw it from behind the bar; the deceased was slightly under the influence of liquor.

OFFICER WILLIAM J. DALY, of the 4th Precinct, duly sworn, testified:

I made the arrest in this case on September 29th, about 11.30 at No. 20 Chatham Square. The bartender came out and said there was a row in the saloon and I went into the saloon and when I arrived there the row was all over and they were washing their faces and I told them if they didn't stop I would arrest them both. They went to Horn's corner after that and came back in about ten minutes and there was another row and my attention was attracted again and I went over and they were clinched and I separated them and made the arrest and took them to the station house and there they preferred charges against one another and Smith accused McCann of cutting him. Smith was sent to the hospital and McCann was locked up; I found no knife in McCann's pocket; the deceased accused the prisoner in Healey's saloon, he said he was stabbed; I asked him where and he said in the stomach and he exposed the wound there. I noticed that the prisoner's face was badly swollen and one eye was black -- both were black and one was very badly blackened that night; one of them was closed.

(The medical testimony is read to the Jury by the Stenographer.)

JAMES A. BRADLEY, recalled:

I did not see a knife used during the scuffle on that night.

VERDICT: We, the Jury find that Thomas Smith came to his death on October 5th, 1890, from a wound received on September 29th, between 11 and 12 o'clock at night at some place unknown to the Jury and from some unknown person, and we furthermore, according to the evidence can find nothing that could or would hold the prisoner, McCann for trial.

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 McRann

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

John McRann

of the CRIME OF Manslaughter in the first Degree, committed as follows:

The said John McRann,

on the twenty first day of September, in the year of our Lord one thousand eight hundred and ninety, — at the City of New York, in the County of New York, aforesaid, in and upon one Thomas Smith, then and there being, wilfully and feloniously did make an assault, and John, the said Thomas Smith, with a certain knife which he — the said John McRann, then and there had and held in his hand, in and upon the abdomen of John the said Thomas Smith, then and there wilfully and feloniously did strike, stab, cut and wound, giving unto John the said Thomas Smith, then and there, with the knife aforesaid, in and upon the abdomen of John the said Thomas Smith, one mortal wound, — of which said

mortal wound *the* the said *Thomas Smith,*
 at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the
— eighth — day of *October,* in the same year aforesaid,
 did languish, and languishing did live, and on which said *— eighth —* day of
October, in the year aforesaid, *the* the said *Thomas Smith*
 at the City and County aforesaid, of the said mortal wound _____ did die.

And so the Grand Jury aforesaid do say: That the said
John McLane, Junr,
 the said *Thomas Smith,* in the manner and form, and by
 the means aforesaid, wilfully and feloniously did kill and slay, 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.

04 18

BOX:

414

FOLDER:

3825

DESCRIPTION:

McCarthy, James

DATE:

10/10/90



3825

Witnesses;

J King
off Stevenson

Counsel,

Filed

day of

10 Oct 1890

Pleads,

THE PEOPLE

vs.

James McCarthy

Grand Larceny ^{2d} Degree.
[Sections 528, 530, 537 Penal Code].

Ho -
J. R. Fellows

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm Little

Foreman.

Oct 13/90
Pleading by J. R. Fellows
S. P. of 1890

0420

Police Court - 2nd District.

Affidavit - Larceny.

City and County } ss.:
of New York,

James King
of No. 221 Thompson Street, aged 59 years,
occupation Truckman being duly sworn

deposes and says, that on the 15th day of October 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One horse and one truck of the
value of one hundred & fifty dollars
\$150.⁰⁰/₁₀₀

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 James McCarty (mother)

from the fact that deponent had said horse and truck standing on the corner of Thompson and Bleecker Street when deponent missed said property. Deponent is informed by John J. Stevenson of the 15th Precinct Police that he arrested said deponent with the aforesaid property in his possession driving the horse in a fast speed along Bleecker Street and being at the time pursued by a crowd of people shouting Thief

James King
Wm

Sworn to before me, this 2nd day of October 1888

Wm. J. McLaughlin
Police Justice.

0421

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 29 years, occupation Police officer of No. 15th Street Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of James King

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 2 day of October 1890 } John T. Stevenson

David C. [Signature]
Police Justice.

0422

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

James McCarthy 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 was drunk I dont know any thing about it

James M. McCarthy

Taken before me this 2nd day of September 1896

Police Justice

0423

Police Court--- 2 District. 1578

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Lewis
221 W. Thompson

James McCall

1
2
3
4

Offence Larceny
felony

Dated October 2 1890

Okell Magistrate

Stewart Officer

15 Precinct.

Witnesses

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

\$ 1000 to his/her JS



COMMITTED.

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 October 2 1890 James McCall Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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 Mc Carthy

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

James Mc Carthy

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

The said

James Mc Carthy

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

one horse of the value of one hundred dollars and one vehicle, to wit: one truck of the value of fifty dollars

of the goods, chattels and personal property of one

James King

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.

SECOND COUNT—

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

James Mc Carthy

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

The said *James Mc Carthy*

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,

one horse of the value of one hundred dollars and one ^{vehicle to wit: one} truck of the value of fifty dollars

of the goods, chattels and personal property of one

James King

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

James King

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

James Mc Carthy

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.

0425

BOX:

414

FOLDER:

3825

DESCRIPTION:

McCull, Hugh

DATE:

10/10/90



3825

0427

67 c 689

Witnesses;

*W. F. ...
W. H. Griffin*

Counsel,

Filed

day of

18

Pleads,

*10 Oct 90
Not guilty*

THE PEOPLE

*29
1877 record at
The Smith vs.*

Hugh McCall

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

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. W. Little

P. S. Oct. 16. 1890 Foreman.

*Pleads A. S. dy
Pen 174 - P. S. Mc
Oct. 21. 1890*

0428

Police Court _____ District.

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

of No. 178 Park Row Street, aged 36 years,
occupation Laborer being duly sworn
deposes and says, that on the 5th day of October 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by
Hugh McCall (now dead)
who feloniously cut and stabbed
deponent Six times & times in
the groin, twice in the stomach ^{and}
once in the back of the neck
with a pen knife which he 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 be dealt with according to law.

Sworn to before me, this 5th day }
of October 1889 }
Wm. C. [Signature]
Police Justice.

0429

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK,

Hugh M. Cole 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. *Hugh M. Cole*

Question. How old are you?

Answer. *29*

Question. Where were you born?

Answer. *New York City*

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

Answer. *143 Park Row Manhattan*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty the complainant and I were in a saloon in Park Row at 3 o'clock am Oct 5 1890 and we got into an argument about lifting and I said I lifted boxes after and he said I was a god damn liar and he wanted to beat me then and there and I specified him from there we went to 143 Park Row in the evening he brought up the same subject while we were sitting there and he told me I was a damned god damn liar and he said he would beat 2 men like me and began to kick, strike and choke me, and as I was lying on the floor he stabbed me in the thigh, and then I drew my knife and stabbed him I cannot say how many times I stabbed him a dozen times *Hugh, M. Cole**

Taken before me this day of October 1890

Police Justice

0430

BAILED.

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court— / District.

1528

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John P. Foster
Attorney
111 St. Paul
John P. Foster
Offence _____

Dated *Oct 15* 1890

Power Magistrate

John P. Foster Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ _____



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 *October 18* 1890 _____ 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 he to be discharged.

Dated _____ 18 _____ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Hugh McColl

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

Hugh McColl

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

The said Hugh McColl

late of the City of New York, in the County of New York aforesaid, on the fifth day of October 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 Fisher in the Peace of the said People then and there being, feloniously did make an assault and him the said John Fisher with a certain knife

which the said Hugh McColl 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 Fisher 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

Hugh McColl

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

The said Hugh McColl

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 Fisher 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 knife

which the said Hugh McColl

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.

THIRD COUNT—

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

Hugh Mc Call

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

The said *Hugh Mc Call*

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

John Fisher in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said *John Fisher* with a certain *knife*

which *he* the said *Hugh Mc Call*

in *his* right hand then and there had and held, in and upon the *groin, stomach and neck* of *him* the said *John Fisher* 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 wrongfully inflict grievous bodily harm upon the said *John Fisher*

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.

0433

BOX:

414

FOLDER:

3825

DESCRIPTION:

McEwen, Edson H.

DATE:

10/03/90



3825

301

Witnesses :

John DeLaHanty

after examining
this case - an
interview with
complainant &
his witness stated
I ask that the
prisoner be
discharged on his
own recognizance
May 28th '91 G.S.D.
h.d.h

#301

Counsel,

Filed

day of

1890

Pleads,

B day of *Oct* 1890
Guilty.

THE PEOPLE

vs.

B

Edson H. Mc Ewen

Grand Larceny, 2nd degree
(MISAPPROPRIATION)
(Sections 538 and 531 of the Penal Code)

JOHN R. FELLOWS,

District Attorney.

15 1891
Ed 30/02
A True Bill.

M. J. Hayden
Foreman.
Part II May 28th 1891
Bail discharged

Set for Monday May 25th 1891
Part I
May 25
1891
G.S.D.
M. J. Hayden

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Edson M. Owen

As complainant in the above case, I beg to recommend the
defendant to such leniency and clemency as the Court and District Attorney
may see fit to show; but I expressly assert that my reasons for so doing
are not controlled by any advantage to myself. ~~have~~
~~set forth in the affidavits~~
~~verified by me and~~
~~hereto annexed~~
Jno W. DeLaney

COURT OF GENERAL SESSIONS.

-----X
)
 The People &c. ()
)
 vs ()
)
 Edson H. McEwen. ()
)
 -----X

City and County of New York, ss:

John Delahunty, being duly sworn, says: that he is the complainant herein; that deponent made a charge against said Edson H. McEwen for collecting money due upon certain piano leases which had been transferred to deponent in trust for the Bank of the Metropolis and The Madison Square Bank of the City of New York, and to collect a certain amount remaining unpaid on advances made on said leases by the banking house of Orvis Brothers & Company; that deponent acted as the attorney for said Madison Square Bank and Bank of the Metropolis, and now holds the remainder of said leases for said Banks. That when said leases came into the possession of deponent said Edson H. McEwen was engaged in the piano business at No. 9 West Fourteenth Street, New York, and had been engaged there in that business for more than ten years before that; and these leases have been executed to him or to C. C. McEwen or McEwen Company, for pianos which said Edson H. McEwen had sold upon the installment plan, and said leases had been transferred by C. C. McEwen or Edson H. McEwen to Orvis Brothers & Company for advances, and afterwards to deponent to collect the balance due on the claim of

Orvis Brothers and apply the ^{residue} ~~same~~ on the claims of the Madison Square Bank and the Bank of the Metropolis. That there were about one hundred and fifty of said leases, ^{which} ~~and~~ were said to be of the value of sixteen or eighteen thousand dollars; payments on said leases ranged from five to ten dollars a month and the collections thereon had always been made by said Edson H. McEwen at his place of business No. 9 West Fourteenth Street aforesaid; and it being represented to deponent after the leases came into deponent's possession that it would be advantageous to the business of said McEwen to allow him to continue making the collections, deponent did so and the collections were made by him for some time prior to the making of the charge herein. That in August 1890, deponent learned that some collections which had been made had not been turned over to him, and the money in regard to which this charge was made had been paid to said McEwen and not accounted for to deponent, and in the month of September last, deponent made this complaint. That subsequently deponent was directed by Mr. Theodore Rogers, the Cashier of the Bank of the Metropolis, to whom collections on said leases made by deponent were to be paid in behalf of said Bank of the Metropolis and the Madison square Bank, to abandon this prosecution. That deponent thereupon made inquiries from Mr. Rogers as to the reason of said direction, and from certain friends of said Edson H. McEwen who had inquired into his affairs and satisfied the officers of said bank of the Metropolis that there may have been some mistake and from such inquiries deponent came to the conclusion that

there was a strong probability of an error, and that Mr. McEwen did not intend to do any wrong; and deponent thereupon signed a consent and filed same in the office of the District Attorney that this prosecution be abandoned. That since then, Mr. McEwen has been employed by Chickering & Sons, and is employed by them now, and is, as deponent verily believes, honestly engaged in earning a living for himself and his family; and that as deponent believes, the ends of justice will be subserved by allowing the indictment herein to be dismissed or sentence suspended.

Sworn to before me this 28th day of May 1891

*Jefferson Loub.
Notary Public
N.Y. City & Co.*

0439

COURT OF GENERAL SESSIONS,

THE PEOPLE &c.

-VS-

EDSON H. McEWEN,

AFFIDAVIT OF JOHN DELAHUNTY,
COMPLAINANT.

State of New York,

City and County of New York, SS:

John Delahunty being duly sworn says that Edson H. McEwen has been guilty of larceny in appropriating to his own use money belonging to deponent; that prior to the 5th day of June 1890, and on said 5th day of June, deponent was the owner of a lease of a piano, then in the possession of one W. H. Forshay, under which lease said Forshay had contracted to pay the sum of Ten Dollars (\$10.00) monthly, and when rent had been so paid to the amount of ^{250.⁰⁰} said piano should thereupon become the property of said W. H. Forshay; that on said 5th day of June 1890, the sum of Sixty Dollars (\$60.00) was still unpaid on said piano, and on that day said Forshay paid said sum of \$60.00 and delivered the same, in money, to said Edson H. McEwen at number 9 West 14th Street, New York, at the office of the ^C C. McEwen; that said Edson H. McEwen well knew that said sum of \$60.00 belonged to deponent and should have been paid over to him; that said E. H. McEwen paid only \$20.00 thereof to deponent and pretended that that was all the money paid by said Forshay, and has retained and appropriated to his own use the balance thereof, namely, viz: \$40.00. That at the time said Edson H. McEwen received said money, he caused to be entered on the books in his possession, in which an account of the receipts of said lease were kept the statement that only \$10.00 had been paid on said piano lease on said 5th day of June.

John Delahunty

*12
Sep - 1890
John Delahunty*

State of New York,

City and County of New York, SS:

William H. Forshey being duly sworn deposes and says that he is the person of that name referred to in the annexed affidavit of John Delahunty, and who signed the lease hereto annexed; that on the 5th day of June 1890, deponent paid to Eison H. McEwen the sum of Sixty Dollars (\$60.00) the balance due on said lease and received a final receipt for the payment of the whole of the sum called for by said lease.

15
Subscribed 1890
W. H. Forshey
E. H. McEwen

0442

Sec. 198-200.

District Police Court

CITY AND COUNTY OF NEW YORK, ss.

Edson H. M. Ewen 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. Edson H. M. Ewen

Question. How old are you?

Answer. 44 years old.

Question. Where were you born?

Answer. U.S.

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

Answer. 7 West 26th St. about 2 years.

Question. What is your business or profession?

Answer. was Manager of E. S. M. Ewen Co.

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
Edson H. M. Ewen

Taken before me this 19th day of Sept 1900
J. P. [Signature]
Police Justice

0443

Sec. 151.

Police Court _____ District.

CITY AND COUNTY }
OF NEW YORK, } ss. *In the name of the People of the State of New York; To the Sheriff of the County of New York, or any Marshal or Policeman of the City of New York:*

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 John S. C. Alameda of No. 132 West 53rd Street, that on the 5 day of June 1890 at the City of New York, in the County of New York, the following article to wit:

Money

of the value of Twenty Dollars, the property of John S. C. Alameda was taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Charles H. ...

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you to apprehend the body of the said Defendant and forthwith bring him before me, at the 2d 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 18th day of September 1890

John S. C. Alameda POLICE JUSTICE.

0444

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John O'Hallerty

vs.

Edouard Levesque

Warrant-Larceny.

Dated *Sept 5 78th* 188*0*

..... Magistrate

..... Officer.

The Defendant.....

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

..... Officer.

Dated..... 188

This Warrant may be executed on Sunday or at night.

J. C. [Signature] Police Justice.

Police Justice.

Dated..... 188

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.

The within named

0445

Police Court--- 2
District. N 1440

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Belafant
132 W. 9th St
Coborn Heilman

Offence Larceny

DAILED,

No. 1, by Jackson A. Nichol

Residence 224 Quilla Street,
S. Brooklyn

No. 2, by

Residence Street,

No. 3, by

Residence Street,

No. 4, by

Residence Street,

Dated Sept 19 1890

David C. Heilman
C. O. Officer.

Witnesses: Wm. H. Henderson

No. 1000 E. 8th St. N.Y.C.

No. 349
Mrs. Jimmie S. Sells

No. 1000
to answer



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 Symond

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

Dated: Sept 20 1890 John C. Heilman 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 he to be discharged.

Dated _____ 18 _____ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Edson H. McEwen

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

Edson H. McEwen

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

The said *Edson H. McEwen*,

late of the City of New York, in the County of New York aforesaid, on the *21st* day of *June*, in the year of our Lord one thousand eight hundred and eighty *nine*, at the City and County aforesaid, being then and there the ~~clerk and servant of~~ *agent of one John Delamater,*

and as such agent

~~and as such clerk and servant~~ then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said *John Delamater,*

the true owner thereof, to wit: *the sum of fifty dollars in money, lawful money of the United States of America, and of the value of fifty dollars,*

the said *Edson H. McEwen*, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said *sum of money*

to his own use, with intent to deprive and defraud the said *John Delamater* of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said *John Delamater*

did then and there and thereby feloniously steal, 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.

0447

BOX:

414

FOLDER:

3825

DESCRIPTION:

McGovern, John

DATE:

10/14/90



3825

0448

BOX:

414

FOLDER:

3825

DESCRIPTION:

Slattery, William

DATE:

10/14/90



3825

Witnesses;

Mary [unclear]

The case against defendant
M. Govern has been tried and
he has been acquitted. The evidence
against Mattery is so strong
and I deem it proper to
recommend that his bail
be discharged and that he
be permitted to go at large
on his own recognizance

*John W. Goff,
Asst Dist Atty*

Nov 21st 90

99
Counsel,
Filed *14* day of *Oct* 1890
Pleads, *Guilty*

v. THE PEOPLE
vs.
John Mc Govern
and
William Sattery

Grand Larceny Second degree.
[Sections 528, 537 - Penal Code.]

John R. Fellows,
District Attorney.

A True Bill.

Audren Little
Nov 11/90 Foreman.
N.P. Tried & Acquitted
Nov 21/90
N.P. Bail Discharged

0450

Police Court 3 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Margaret Lusch
of No. ~~#755~~ 1577 Av A Street, aged 31 years,
occupation Keep home being duly sworn

deposes and says, that on the 4th day of October 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 :

One gold watch and plated watch chain together of the value of thirty dollars.
(#30.00)

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 M^e Gorman and William Slattery (both now here) from the fact that at about the hour of 11 o'clock A.M. said date, the said defendants came together and in company with each other to deponent's house, and informed deponent that they wanted to hire a furnished room from deponent, and the defendant Slattery represented to deponent that he was a policeman. Deponent then took the said defendants to a room on the second floor of said premises. The defendant M^e Gorman then asked deponent to get him a match, deponent then left the

Subscribed before me this 4th day of October 1890
Police Justice

defendants in said room. while defendant
 got the watch. and after some little
 time the defendants started to leave said
 room, but, before they got out of
 said premises defendant missed said
 watch and chain, which had been
 hanging on the wall in said room.
 defendant ran after the defendants
 and asked them what they had done
 with her watch. when the defendant
 slatter struck defendant. and ran
 out of the house. defendant and others
 detained the defendant Mc Govern until
 the arrival of Officer Moffett. but
 before the officer arrived the said
 Mc Govern took said watch from his
 pocket and laid it on a bureau.
 Whereupon defendant charges the said
 defendants with being together and
 acting in concert with each other and
 feloniously taking, stealing and carrying
 away said property.

Sworn to before me }
 this 5th day of Oct 1890 } M. Lesh.

C. W. Meade

Police Justice

0452

5

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, SS

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

Question. What is your name?

Answer.

John Mc Gorm

Question. How old are you?

Answer.

28 years old

Question. Where were you born?

Answer.

New York State

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

Answer.

162, E. 84th St 2 years

Question. What is your business or profession?

Answer.

Painter

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 Mc Gorm*

Taken before me this

day of

Feb

189*11*

W. M. ...
Police Justice.

0453

Sec. 198-200.

3
District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

William Slattery 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 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 Slattery

Question. How old are you?

Answer.

27 years old

Question. Where were you born?

Answer.

New York

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

Answer.

1252, 9th av 5 years

Question. What is your business or profession?

Answer.

Machinist

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 Slattery*

Taken before me this

day of

Feb
189*4*

Chas. M. ...

Police Justice.

0454

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Charles G. Gomer

119, E. 44 St

Street

Street

99
1579
Police Court, *5* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Margaret duval
157th Ave. n.

John M. Gorman
William Slattery

Offense, *Larceny*
felony

Dated

Oct 5

1890

Magistrate.

Hugh Moffett

Officer.

Witnesses *Paula Sawicki*
Anna

No. *1575 Ave*

Street.

No. *1577 Ave*

Street.

No.

370

Street.



No. *2* Bailed *11*

No. *1* Bailed *11*

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

John M. Gorman and William Slattery

guilty thereof, I order that they 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 they give such bail.

Dated, *Oct 5* 1890 *Cromwell* Police Justice.

I have have admitted the above-named *William Slattery*

to bail to answer by the undertaking hereto annexed.

Dated, *Oct 5* 1890 *Cromwell* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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 and
William Slattery*

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

John Mc Govern and William Slattery
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said

John Mc Govern and William Slattery, both

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

*one watch of the value of
twenty-six dollars and one chain
of the value of four dollars*

of the goods, chattels and personal property of one *Margaret Lusch*

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.*

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.

0457

BOX:

414

FOLDER:

3825

DESCRIPTION:

McGowen, Frank

DATE:

10/23/90



3825

0458

BOX:

414

FOLDER:

3825

DESCRIPTION:

Romano, Frank

DATE:

10/23/90



3825

Witnesses :

Phil S. Sauter

Officer Boley

243
Lott

Counsel,

Filed

Day of

189

23 Oct 90

Pleads,

THE PEOPLE

vs.

Frank Mc Gowen
and
Frank Romano

Burglary in the THIRD DEGREE
Velt Lawrent Pleasuring
(Section 498, 496, 497, 498, 499, 500)

15
27
Fellows

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Andrew Little
Foreman.
Oct 23/90

Robt

Plead Bay 3 day

Pen 2 1/2 yrs.

0460

Police Court— / District.

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

of No. 117 Park Place Street, aged 24 years,
occupation Fruits

deposes and says, that the premises No 117 Park Place Street,
in the City and County aforesaid, the said being a store and

dwelling

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

were **BURGLARIOUSLY** entered by means of forcibly breaking
the fastenings of a rear
window of the store of said
premises

on the 14th day of October 1890 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Money of the value of Five
dollars and a small lock
two keys, ring and tag with
apparent name written
thereon together of the value
of Six dollars (6.00)
the property of Complainant

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

Frank Ma Gowans and
Frank Rowan

for the reasons following, to wit: that said premises
were broken entered and
said property carried away
and that deponent has been
informed by Officer Anthony F. Bolz
of the 2nd Precinct that he arrested
the defendants escaping from
a building where it is claimed
they had committed another

Burglary and in the possession
of said Malinow found a
ring with two keys and a tag
thereon and in the possession of
said Romans a small
pad lock that Depmunt has
seen the lock keys and
tag found in the possession
of the defendant and fully
identifies them as his own and
those stolen from said
broken premises

Sworn before me Philip Gailla
this 15th day of October 1890

Philip Gailla

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.
Burglary

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0462

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Frank McGowan 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. Frank McGowan

Question. How old are you?

Answer. 15 years

Question. Where were you born?

Answer. W. I.

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

Answer. 23 Pell St.

Question. What is your business or profession?

Answer. Boot-black

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 McGowan

Taken before me this 13 day of October 1891
Police Justice

0463

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Frank Romano

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. *Frank Romano*

Question. How old are you?

Answer. *15 years*

Question. Where were you born?

Answer. *MS*

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

Answer. *27 Mulberry St*

Question. What is your business or profession?

Answer. *Last maker*

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 Romano

Taken before me this *15* day of *June* 19*11*
W. J. Stone
Police Justice

0464

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court--- 1593
District. 1

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mildred Saeffer
of 88 East 1st Place

Frank Robinson
Frank Robinson

Offence *Burglar*

3 _____
4 _____
5 _____

Dated *Oct 15 1890*

James Magistrate
Magistrate

John J. ...
Officer

John J. ...
Precinct



No. _____ Street.
\$ *100* to answer *100*

John J. ...
District Attorney

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *100* 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 *Oct 15 1890* *James Magistrate* 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 he to be discharged.

Dated _____ 18 _____ Police Justice.

0466

*Court of
General Sessions*

The People

vs

Frank Romano

Brooklyn
PENAL CODE, ss

**Report of the New York Society
for the Prevention of Cruelty
to Children.**

ELBRIDGE T. GERRY,
President, &c.,

100 East 23d Street,
NEW YORK CITY.

Court of
General Sessions

The People vs
Frank M. Gowan

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.
100 EAST 23^d STREET,

New York, October 20th 1890.

CASE NO. 52433 OFFICER H. A. Timm
DATE OF ARREST October 14th 1890.
CHARGE

Burglary

AGE OF CHILD 15 years.
RELIGION Catholic
FATHER Giuseppe Mazzechi
MOTHER Antonia dead 14 years

RESIDENCE 27 Pell Street, New York.

AN INVESTIGATION BY THE SOCIETY SHOWS THAT the boy's
right name is Francesco Mazzechi
and he is well known by the Society
as a very bad boy.

On November 25th 1888, Francesco was
arrested by 5th Precinct for Burglary,
held in \$1500⁰⁰ bail for trial and on
Dec. 6th 88. pleaded guilty in General
Sessions. - Sentence suspended by Judge
Martine. - Boy was then said to
have been arrested once before for
Larceny, but the Society has no record
of such on its books.

On Dec. 18th - 1888, 18th Precinct arrested
Francesco with another boy, for having
in an empty building about 100 lbs
of lead pipe. - Justice White at 4th Dist.
Court committed both boys to the Catholic
Protectory.

On January 27th 1889, Francesco was arrested
by the 2^d Precinct for Burglary, and on February
6th 89. pleaded guilty and was sent to the
House of Refuge by Judge Cowing.

Boy has been living at above address
with his father, who there resides with
a married daughter. - Home comfortable
and father evidently respectable.

All which is respectfully submitted,

Holloway
Duft

To Dist Atty

*Court of
General Sessions*

The Peoples

vs

Frank McLowry

Bronx
PENAL CODE, ^{NY}

**Report of the New York Society
for the Prevention of Cruelty
to Children.**

ELBRIDGE T. GERRY,
President, &c.,

100 East 23d Street,

NEW YORK CITY.

0468

0469

CITY AND COUNTY }
OF NEW YORK, } ss.

Anthony J. Polz
Police Officer

aged _____ years, occupation _____ of No. *2nd* *Peacock* Street,

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

Sworn to before me, this *15* day of *October* 18*90* } *Anthony J. Polz*

[Signature]
Police Justice.

0470

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 Mc Gowan
and
Frank Romans

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

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

The said *Frank Mc Gowan* and *Frank Romans*, both

late of the *Third* Ward of the City of New York, in the County of New York
aforesaid, on the *fourteenth* day of *October* in the year of our Lord one
thousand eight hundred and eighty-*ninety*, with force and arms, in the
night - time of the same day, at the Ward, City and County aforesaid, the
dwelling-house of ~~one~~ *store of one Philip S. Satta*

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

SECOND COUNT—

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

Frank McGowan and Frank Romans

of the CRIME OF *Petit* LARCENY _____, committed as follows:

The said *Frank McGowan and Frank Romans*, both

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

the sum of five dollars in money, lawful money of the United States of America and of the value of five dollars, one lock of the value of twenty-five cents, two keys of the value of ten cents each, one key-ring of the value of ten cents and one tag of the value of five cents

of the goods, chattels, and personal property of one *Philip S. Saitta*

store
in the dwelling house of the said *Philip S. Saitta* —

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

THIRD COUNT.

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

Frank McGowan and Frank Romans

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

The said *Frank McGowan and Frank Romans, both*

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

the same goods, chattels and personal property, described in the ~~first~~ second count of this indictment

of the goods, chattels and personal property of *Philip S. Sautta*

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said *Philip S. Sautta* —

unlawfully and unjustly, did feloniously receive and have ; (the said *Frank McGowan and Frank Romans*

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

JOHN R. FELLOWS,
District Attorney.

0473

BOX:

414

FOLDER:

3825

DESCRIPTION:

McGrath, Thomas W.

DATE:

10/20/90



3825

99 Sept 7 10.16 Oct 15
176

Witnesses:

Counsel
Filed 20 Oct. 1890
Pleads,

THE PEOPLE

vs.

Thomas W. Mc Grath

VIOLATION OF EXCISE LAW.
(Selling without License.)
[III, R. S. (7th Ed), page 1981, § 13, and
of 1888, Chap. 340, § 5].

JOHN R. FELLOWS,

District Attorney,
P. 3. Oct. 23. 1890
indict. dis - R.B.M.

A True Bill.

Audun Little

Foreman.

The within pro-
-dement should
be dismissed
for want of juris-
-diction - the
alleged violation
occurred in the
Kill von Kill
in the State of
New Jersey

G.H.B.

Oct 24 1890
District Attorney

0475

Excise Violation—Selling Without License.

POLICE COURT—1—DISTRICT.

City and County } ss.
of New York,

of No. The Board of Excise Thomas Ferris Street,

of the City of New York, being duly sworn, deposes and says, that on the 27 day

of September 1888, in the City of New York, in the County of New York, ~~at~~

~~and within the waters of the Bay of New York~~ and within the jurisdiction of Wm. Cady Thomas McGraw (now here)

did then and THERE SELL, CAUSE, suffer and permit to be sold, under his direction and authority,

strong and spirituous liquors, wines, ale and beer, being intoxication liquors, in quantities less than

five gallons at a time, to be drunk in the house or premises aforesaid WITHOUT HAVING A

PROPER LICENSE THEREFOR contrary to and in violation of the statute in such case made

and provided that said McGraw while landing on

on the steamer Chancellor the same

landing in the waters of the County of

New York, did sell to deponent one

gallon of beer and received price from

deponent for the same Thomas McGraw

WHEREFORE, deponent prays that said Thomas McGraw

may be arrested and dealt with according to law.

Sworn to before me, this 28 day

of September 1888 Thomas Ferris

Police Justice.

Police Court, 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas Ferris

vs.

Thomas M. Grah

EXCISE VIOLATION.
SELLING WITHOUT A LICENSE.

Dated 28 day of Sept 1888

[Signature] Magistrate.

..... Officer.

Witness,

Bailed \$ to Ans. Sessions.

By

..... Street.

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

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

Dated..... 188..... 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.

0477

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Thomas McGath 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 *Thomas McGath*

Question How old are you?

Answer *40 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *Coral Gables, Fla.*

Question What is your business or profession?

Answer *Restaurant*

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*

Thomas McGath

Taken before me this
day of *Sept* 1938
[Signature]
Police Justice.

Sec. 151.

Police Court..... District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by *Thomas Ferris* of No. *The Board of Police* Street, that on the *27* day of *Sept* 188*8* at the City of New York, in the County of New York,

James McGrath, did sell liquor here without having a license to sell the same

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring forthwith before me, at the 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 *28* day of *Sept* 188*8*

A. J. White
POLICE JUSTICE.

0479

POLICE COURT 1 DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas Ferris
vs.

Thomas McGrath

Warrant-General.

Dated Sept 28 1888

White Magistrate.

O'Connor Officer.

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

Edw J O'Connor Officer.

Dated Sept 28 - 1888

This Warrant may be executed on Sunday or at
night.

Police Justice.

9 am Saturday

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

40 yrs
w.
Drel
Liquor
&
yes
Elizabeth N

Police Justice.

The within named

0480

Sec. 192.

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before Justice Andrew White a Police Justice of the City of New York charging Thomas McGrath Defendant with the offence of Violation of the Excise Law

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 Thomas McGrath Defendant of No. Elizabeth New Jersey Street, by occupation a Restaurant Keeper and Joseph M. Moran of No. 173 Franklin Street, by occupation a Fireman Surety, hereby jointly and severally undertake that the above named Thomas McGrath Defendant shall personally appear before the said Justice, at the First 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 000 Hundred Dollars.

Taken and acknowledged before me, this 28th day of September 1888

John W. White POLICE JUSTICE. Joseph M. Moran

0481

CITY AND COUNTY }
OF NEW YORK, } ss.

Sworn to before me, this
day of
1881
Justice

Joseph M. Logan
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 *Two* 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 *Household furniture*
Situated at No 173 Franklin Street
N.Y. City, valued at one thousand dollars
free and clear *Joseph M. Logan*

District Police Court.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

Under taking to appear
during the Examination.

vs.

Taken the day of 188

Justice.

0482

The President
has been advised
in my presence
by the Police Justice

BAILLED
No. 1, by *Joseph W. Small*
Residence *123 Franklin Street*
No. 2, by _____
Residence _____ Street
No. 3, by _____
Residence _____ Street
No. 4, by _____
Residence _____ Street

Police Court--- / District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas J. ...

Thomas W. ...

Offence *Violation of
Expire Law*

Dated *September 28*
1888

Magistrate
Officer
Precinct
Witnesses
No. *11* *3/11*
No. *11* *3/11*
No. *11* *3/11*

No. *10. & 11*
Street

100 to insure
100 to insure
100 to insure

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 *Alfred ...*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *one* 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 *September 28* 1888 *John ...* Police Justice.

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

Dated *Sept 28th* 1888 *John ...* Police Justice.

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

Dated _____ 1888 _____ Police Justice.

0483

BAILED,
 No. 1 of *Thomas L. Hall*
 Residence *118 Macmillan St.*
 No. 2 by _____
 Residence _____ Street _____
 No. 3, by _____
 Residence _____ Street _____
 No. 4, by _____
 Residence _____ Street _____

Police Court---

See Record Apr. 28/88

THE PEOPLE, &c.,
 vs
 ON A COMPLAINT OF

Thomas L. Hall
Edward S. Smith
Thomas L. Hall

District 119

Offence *W. covered*

Dated *Apr 31* 188

William Magistrate

William Precinct

Witnesses

No. _____ Street _____

No. _____ Street _____



No. _____ Street _____

\$ *100* to answer *38*

Thomas L. Hall

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

Richard guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *one* 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 *Apr 31* 188 *J. M. Deane* Police Justice.

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

Dated *Apr 31* 188 *J. M. Deane* 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.

0484

*for pleading
order*

Court of General Sessions, PART One

THE PEOPLE

vs.

INDICTMENT

For

Thomas H. McGrath

To

M. James D. Hall

No. 178 Greenwich

Street.

The indictment against the above-named defendant for whose appearance you are bound, has been placed upon the Calendar for pleading at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on CS the 20th day of October instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

JOHN R. FELLOWS,

District Attorney.

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 W. Mc Grath

(M. Revised Statutes, 7th edition) p. 1061 Section 13.

The Grand Jury of the City and County of New York, by this indictment, accuse *Thomas W. Mc Grath* of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS AND WINES WITHOUT A LICENSE, committed as follows:

The said *Thomas W. Mc Grath*

late of the City of New York, in the County of New York aforesaid, on the *twenty seventh* day of *September* in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, certain strong and spirituous 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 strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons at a time, to *one Thomas Ferris and to* certain *other* persons whose names are to the Grand Jury aforesaid unknown, without having a license therefor, as required by law, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

(Laws of 1883, chapter 340 section 5) SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said *Thomas W. Mc Grath* of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said *Thomas W. Mc Grath*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, and at ^{*certain*} the premises there situate, ~~known as~~ ~~number~~ *in and on board of a certain vessel and steamboat* called *the Kill Von Kull* then lying and being on the waters there commonly called *the New York Bay*, certain strong and spirituous liquors, and certain ales, wines 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 to *one Thomas Ferris and to* certain *other* persons whose names are to the Grand Jury aforesaid unknown, to be drank upon the premises aforesaid, without having a license therefor, as required by law, 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.

(Laws of 1883, Chapter 340 section 5.) THIRD COUNT :

And the Grand Jury aforesaid, by this indictment, further accuse the said *Thomas W. Mc Grath* of the CRIME OF GIVING AWAY STRONG AND SPIRITUOUS LIQUORS, ALES, WINE AND BEER WITHOUT A LICENSE, to be drank upon the premises, committed as follows:

The said *Thomas W. Mc Grath*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, and at ^{certain} the premises there situate, known as ~~number~~ *in and on board of a certain vessel and steamboat called the Kill von Kull, then lying and being in the waters there, commonly called the New York Bay* certain strong and spirituous liquors, and certain ales, wine 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 give away to

certain _____ persons whose names are to the Grand Jury aforesaid unknown, to be drank upon the premises aforesaid, without having a license therefor, as required by law, 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.

0487

BOX:

414

FOLDER:

3825

DESCRIPTION:

McGuire, Patrick

DATE:

10/29/90



3825

0488

Witnesses;

Morris Summers

248
L. J. ...

Counsel, [Signature]
Filed 29 day of Oct. 1890
Pleads Not Guilty

THE PEOPLE

vs.

Patrick McGuire

31
12/12/90
P
Burglary in the first degree,
and Grand Larceny
in the first degree
[Section 40, 506, 528 & 530].

JOHN R. FELLOWS,

District Attorney.

[Signature]
[Signature]

A True Bill.

Andrew Little

Foreman.

Part I
Nov 11th 1890

10 yrs S.P. Jy
A.T.

0489

Police Court— 3 — District.

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

of No. 73 Orchard Street, aged 31 years,
occupation Millinery being duly sworn

deposes and says, that the premises No 73 Orchard Street, 10th Ward
in the City and County aforesaid the said being a dwelling house

and which was occupied by deponent as a millinery store and dwelling apartment
and in which there was at the time a human being by names Morris Danneberg (deponent)
Dora Danneberg, and an infant; Sadie and Marie Danneberg
deponent's children

were **BURGLARIOUSLY** entered by means of forcibly opening a
door leading to deponent's premises
by means of false keys

on the 18th day of October 1899 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Good and lawful money of the
United States of the value of Twenty dollars
A pair of gold screw buttons of the
value of two dollars and of the aggregate
amount and value of
Fourteen dollars

the property of deponent
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by
Fabrick Mc Guire (now here)

for the reasons following, to wit: Deponent says, - at about 11 P.M.
of said date, deponent and his family
retired for the night, going to their
bedrooms in the rear of and adjoining
the store of said premises.
Deponent further says, - when he
retired, he securely locked the doors
and fastened the windows of said
premises, and was awakened at about

2 am of said date, by his wife Sara Danahy, who told
deponent that there was something wrong.

Deponent further says - he entered the store
adjoining his sleeping apartment, and saw defendant
crouched behind a show case. Deponent
further says, - he went to defendant what he was doing,
when defendant with an bath sponge at defendant's
hand, having at the time a sharp instrument in
his hand, with which he assaulted deponent, striking
deponent in violent blows in the head, a blow behind
the ear, and on the right hand.

Deponent further says, - after defendant saw
he mislaid property herein mentioned, and noticed
how sundry articles, wearing apparel, millinery
goods were piled up in said premises, and found
them upon leaving to ^{for} each of your premises, and found

Deponent further says - he is informed by Officer
Michael J. Reap of the 11th Precinct, that on the 2nd
day of Oct 1890 he arrested defendant, said officer
having been informed by Edward M. Kelly of 140
Allen Street that defendant had confessed
to said Edward M. Kelly that defendant
had on said date committed the

Burglary herein mentioned, and
had assaulted deponent in the
manner aforesaid.

Deponent further says - after
defendant's departure, from said premises,
deponent discovered a pair of shoes
lying in the hall of said premises.
Deponent further says - he is
further informed by said Edward
M. Kelly, that on said date defendant
came to said Edward M. Kelly, Hobbes,
and made the confession of said
Burglary to said Edward M. Kelly.

Deponent further says - he identified
defendant in the presence of said Officer
Reap as being the man he had discovered
in his premises on said date and who
had assaulted him, in the manner
aforesaid, defendant's wife aforesaid,
saying defendant as being the man
he had seen escape from said premises,

after the occurrence as herein mentioned.
Wherefore, deponent charges defendant
with committing said Burglary and
assaulting deponent while in his premises
as herein stated, and prays that defend-
ant be dealt with as the Law directs.

Sworn to before me
this 26 day of Dec 1890

M. J. Reap

[Signature]
Police Justice

0491

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward W. Kelly

aged 33 years, occupation Clerk of No.

140 Allen Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of ~~140 Allen~~ Morris Ganneberg

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 26 day of Oct 1890 } E. W. Kelly

[Signature]
Police Justice

0492

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 30 years, occupation Dora Danneberg
Keeps house of No. 73 Orchard Street, being duly sworn deposes and

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

Sworn to before me, this 26 day of Oct 1890 } Dora Danneberg

[Signature]
Police Justice.

0493

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael J. Reap

aged 31 years, occupation Officer of No.

11th Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Morris Danneberg

and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 26th day of Dec 1890

Michael J. Reap

P. G. Duffy
Police Justice

0494

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Patrick McGuire 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. *Patrick McGuire*

Question. How old are you?

Answer. *38 years*

Question. Where were you born?

Answer. *London - England*

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

Answer. *130 Bowery - 1 month*

Question. What is your business or profession?

Answer. *Peddler*

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.*

Patrick McGuire

Taken before me this *26* day of *July* 188*8*
[Signature]
Police Justice.

0495

Police Court... 3 - District.

1614

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Morris Lammberg
73 12th Street
Robert McGuire

Offense: Burglary

Dated: Dec 26 - 1890

Magistrate: M. J. Kelly
Officer: M. J. Kelly

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

Witnesses: David H. Green
No. Anna Lammberg
73 Orchard St
Edward W. Kelly
140 Orchard St
No. 2007
1890



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 Twenty Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated: Dec 26 1890 [Signature] Police Justice.

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

Dated: 1890 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: 1890 Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Estimada McQuire

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

— Estimada McQuire —

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

The said *Estimada McQuire,*

late of the *South* Ward of the City of New York, in the County of New York aforesaid, on the *eleventh* day of *October*, in the year of our Lord one thousand eight hundred and *nineteen*, with force and arms, about the hour of *two* o'clock in the *morning* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *Morris Damelberg*

there situate, feloniously and burglariously did break into and enter, there being then and there some human being, to wit: *the said Morris Damelberg,*

within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said *Morris Damelberg,*

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away; and *the said Estimada McQuire, having* ~~no~~ *entered* into and entered the said dwelling house, and *remained* therein, afterwards, to wit: on the day and in the year aforesaid, and while engaged in escaping therefrom, *in and upon* the said *Morris Damelberg,* feloniously *did* make an assault, and *in* the said *Morris Damelberg,* with a certain instrument to the *third* ~~of~~ *of* aforesaid *unknown,* *then* and *then* feloniously *did* strike, beat, cut 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.

SECOND COUNT—

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

— *Colinda Mcquire* —

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

The said *Colinda Mcquire,*

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

and with intent to defraud and wrongfully
convert, of a number and description to
the Grand Jury aforesaid unknown,
of the value of five hundred dollars, and
a quantity of military goods, a more

particular description whereof is to the

Grand Jury aforesaid unknown, of the

value of five hundred dollars, the sum of
thirty dollars in lawful money of the
United States of America, and of the value of
thirty dollars, and one pair of gloves
of the value of two dollars.

of the goods, chattels and personal property of one *Morris Damerberg*

in the dwelling house of the said *Morris Damerberg*

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

John R. Tallon,
Attorney

THIRD COUNT—

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

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

The said

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

0499

BOX:

414

FOLDER:

3825

DESCRIPTION:

McKean, Maggie

DATE:

10/17/90



3825

0500

Witnesses :

126
ordered
Counsel, *J. B. A.*
Filed *17* Day of *Oct* 18*90*
Pleads, *Guilty*

20
241 & *218*
THE PEOPLE
vs.
Maggie McKeon
Burglary in the THIRD DEGREE
and Petty Larceny
(Section 498, 506, 525 & 537)

JOHN R. FELLOWS,
District Attorney.

A True Bill.
Andrew Little
Foreman.

P. 3. Oct. 21. 1890
Pleads P. L.
Sen 7 MUS
P. B. M.

Police Court— 2 District.

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

Eleanor Douglas

of No. 149 West 24 Street, aged 44 years,
occupation Housekeeper being duly sworn

deposes and says, that the premises No 149 West 24 Street,
in the City and County aforesaid, the said being a four story brick building
two rooms in the rear of the first floor
and which was occupied by deponent as a Dwelling
and in which there was at the time no man being, by name

were **BURGLARIOUSLY** entered by means of forcibly breaking open
the lock of the door leading to said
rooms

on the 11 day of October 1890 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

Two Coats of the Value of five dollars
\$5.00

the property of William Douglas
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by
Maggie McKean (Cunha)

for the reasons following, to wit: Deponent about 11:45 a.m.
secretly locked the door and went
to her cell. That when she returned
deponent discovered that said Burglary
was committed and said property
stolen and carried away.
Deponent saw said defendant leave
said premises, and she pursued her
and caught her with the property in her
possession.
Eleanor Douglas

Subscribed and sworn to before me this 12th day of October 1890
John J. [Name]

0502

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Maggie Ed Keon 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. Maggie Ed Keon

Question. How old are you?

Answer. 30 years

Question. Where were you born?

Answer. Ireland

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

Answer. 240 East 28 Street 3 years

Question. What is your business or profession?

Answer. Domestic

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 took the coats but I did
not break the door, the door was
open

Maggie Ed Keon
Maggie

Taken before me this

day of October 1936

John J. Conroy
Police Justice

0503

*Messrs
S. Douglas*

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

B.D. 126
 Police Court... 2
 District 1537

THE PEOPLE, Ec.,
 ON THE COMPLAINT OF
*Elmore Douglas
 149 Street 124 E
 1 Messrs W. H. Lane*
 2 _____
 3 _____
 4 _____
 Offence *Murder*

Dated *Oct 12* 18*90*
William Magistrate
John R. Stewart Officer
 Precinct *19*
 Witnesses _____
 No. _____ Street
 No. _____ Street
 No. _____ Street

No. _____ Street
 No. _____ Street
 \$ *1000* to answer
W. H. Lane
 DISTRICT CLERK'S OFFICE
 OCT 13 1890
 RECEIVED

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 *1000* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *October 12* 18*90* *John J. Ennis* 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.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Maggie Mc Kean

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

accuse

Maggie Mc Kean

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

The said

Maggie Mc Kean

late of the *Sixteenth* Ward of the City of New York, in the County of New York aforesaid, on the *eleventh* day of *October* in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety*, with force and arms, in the *day* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Elenora Douglass

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit; with intent, the goods, chattels and personal property of ~~the said~~ *one William N. Douglass* in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

SECOND COUNT—

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

Maggie Mc Kean

of the CRIME OF *Perit* LARCENY _____, committed as follows:

The said

Maggie Mc Kean

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 said day, with force and arms,

two coats of the value of two dollars and fifty cents each

of the goods, chattels, and personal property of one *William H. Douglass*

in the dwelling house of ~~the said~~ *one, Elenora Douglass*

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

John R. Fellows
District Attorney—

THIRD COUNT.

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

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

The said

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

of the goods, chattels and personal property of

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

0507

BOX:

414

FOLDER:

3825

DESCRIPTION:

McLoughlin, James

DATE:

10/30/90



3825

0508

BOX:

414

FOLDER:

3825

DESCRIPTION:

Long, Martin

DATE:

10/30/90



3825

Witnesses :

Robert Cutler

Officer Lockwood

ok of back
body as well
rec'd the fine
P

327

Counsel,

Filed

day of

1898

Pleads,

30 Oct 98
Kosynetz 31

THE PEOPLE

18

323-2-103
juror nos.

James McLoughlin

15

107-2-109
juror nos.

Martin Long

Rec'd in the THIRD DEGREE
Judgment of Recovery
(Section 498, 506, 528, 551 and 550)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Andrew Little

Foreman.

Part III November 3/90

Both plead - Guilty of being

Indulgent roads

then 6 mos. of good fine
+ stated November 7/90

P.V.

05 10

Albany Nov. 21st 1890.

Honorable Judge Puring.

I have been informed that you have a prisoner before you by the name of John McManis for attempted larceny or robbery.

I have known John McManis for the last four or five years, and have always known him to be a sober, honest and industrious man, he has always tried to do what was right and becoming an honest man.

It is only recently that he was married to a most estimable young lady, who is at the present time pregnant, she has no support or anyone

the facts of the case.

Yours Respectfully

Chas Meyers

437 South Pearl Street

Albany N.Y.

to rely upon, but her hus-
band.

I believe from what I
have known of Mr McManis
that he must have been led
into this affair against his
will and understanding.

I write these few lines to
you knowing you to be an
honorable judge, who will extend
mercy to erring mankind and
who will take in consideration
the condition of his young wife
who must stand the brunt
and suffer for her husband's
wrong doing.

Hoping that you will kindly
excuse my boldness in writing
to you, but knowing the character
of Mr McManis before and seeing
it but just that you should
become acquainted with

0512

Hon R B Cowing

Dear Sir

John McMahon who will be arraigned
 before you for sentence on Wednesday
 charged with attempt of grand larceny
 in the first degree, is a very good up-
 right young man, & your Honor I sincerely
 pray that you will be as lenient
 with him as possible. I have invest-
 gated the matter, & firmly believe
 him to be innocent. Hoping you will
 kindly use your Judicial Clemency
 in this case, & I assure you your Honor
 he will immediately on his release
 return to his home in Connecticut
 & never return to New York no more.

Hoping my many Prayers may be
 answered & that you will as I ask
 you be lenient with him I am

05 13

Yours very Respectfully

Miss Coates

222 West 40th

0514

New York Nov 6/90

Dear Sir I have had
Martin Long in my employ
for six months and
I have known him to
be an honest and
upright boy

Benjamin Roth
20 28th Ave
N.Y.C.

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 6th DISTRICT.

John J. Lockwood

of No. Police Office 33rd Precinct Street, aged years, occupation being duly sworn deposes and says

that on the 22nd day of October 1890

at the City of New York, in the County of New York, he was informed that a burglary in New York Central & Hudson River Railroad yard at 161st Street & Morris Avenue being what is called a Shanty had been burgled and sentenced & broken into, & two parlor Keffs 5 Boxes Cigars 11 pair of Leather Boots & 18 pounds of plug tobacco stolen & taken therefrom, & that young boys with a wagon had committed the burglary. Deponent found the boys James McLaughlin & Michael Long now here with the wagon, arrested them & took possession of the wagon. In searching deponent found a part of said property so as above stated to have been taken by said boys, viz Opium or Raffles & two pair of Boots, which said boys has deplored

Sworn to before me this 1890 day of

Police Justice

05 16

TORN PAGE

of as a person & was told & reported wants him to find
the remaining said property, which said boy have a
deponent is informed disposed of & he says he
thinks said boy be recovered the Oct 21st 1890

Subscribed & Sworn

Before me on Oct 23. 1890

John C. ...

Police Justice

William Lottwood

Police Court District.

AFFIDAVIT.
THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.

Dated 188

Magistrate.

Officer.

Witness.

Disposition.

My General Sessions

The People vs
 vs
 vs McLaughlin
 vs Martin Long

Cit. & County of New York ss

John Glaser
 being a duly sworn juror, do reside
 at No 323 East 103rd Street in this
 City - he has known the defendant
 McLaughlin above named for
 the past 6 months during which
 time said McLaughlin was in
 the habit of hiring a Horse Wagon
 from defendant - at the rate for hire
 thereof of One Dollar and half
 per day and during that time
 he knew him to be a decent
 lad -

Given to before me

this 6th day November 1890 John Glaser

J. McLaughlin
 Attorney Public
 (317) 44 Co

05 18

N.Y. General Sessions

The People vs
- vs -

Gas McLaughlin
Martin Long

Affidavit of
character of
Gas. McLaughlin

0519

Police Court, 1st District.

City and County }
of New York, } ss.

Robert Cantani

of No. 290 Alevana Ave Street, aged 29 years,
occupation Clk being duly sworn, deposes and says,

that on the 21st day of Oct 1890, at the City of New
York, in the County of New York, he was occupied in the store

of William Lambert in a building in the yard of
the New York Central & Hudson River Railroad
at 161st Street & Morris Ave at clerk of said
Lambert time at about 9 o'clock in the
morning of that day he ^{closed &} locked up the outer door
of said store in said building & went down
into the city leaving with other property, seven
of said Lambert's Colt Rifles, worth \$6 each
5 boxes Agar worth \$12.50 11 paraffin Box
worth \$23.75 40 pounds tobacco worth \$7.50 of
& belonging to said Lambert - that about
2 o'clock afternoon of that day he found return
to said store & found that some of the same
been broken open & that said property
above named had been taken away.

Subscribed & sworn
Before me this 23. 1890 Robert Cantani
John Behrman
Police Justice

0520

Police Court, 10th District.

City and County } ss.
of New York, }

of No. 323 East 103rd Street, aged fifteen years,
occupation unemployed being duly sworn, deposes and says,
that on the 21 day of October 1890, at the City of New

York, in the County of New York, he at the request of his
father went in a ^{wagon} wagon with his father, with
James MacLaughlin & William Long who had
names of deponents father said, horse & logging to
look after the safety of the same. That said
MacLaughlin & Long, drove near the yard of
the North East & West Side Car Co. of
Capt deponent in said wagon & except into said
yard through a hole in the fence & entered a
store in a building west side of said yard having
an empty ^{with} bag that after being there about 15
minutes they came back with said bag
filled, put it in the wagon & drove away. That
deponent saw & saw it was in the bag
but could see by appearance of bag that there
was some goods & some boots in it. He will
say no more.

Subscribed & sworn to
before me on the 21 day of October 1890
John J. Conroy
Police Justice of the City of New York
John J. Conroy

0521

Sec. 198-200.

6th
11th District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Martin Gong 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. Martin Gong

Question. How old are you?

Answer. Eighteen years

Question. Where were you born?

Answer. New York City

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

Answer. 109th St near 4th Avenue. One month

Question. What is your business or profession?

Answer. Junk man

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

Answer. I am not guilty

~~Martin Gong~~
Martin Gong

Taken before me this 9th
day of October
1890

Police Justice.

0522

Sec. 198-200.

67

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James 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. *James M. Laughlin*

Question. How old are you?

Answer. *Nineteen years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *# 323 East-13th St. Two months*

Question. What is your business or profession?

Answer. *Janitor*

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*
James M. Laughlin

Taken before me this *6th* day of *June* 189*6*

Police Justice.

0523

Sec. 151.

Police Court 6th District.

CITY AND COUNTY }
OF NEW YORK, } ss

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Robert-Curtain of No. 290 Alexander Ave Street, that on the 23rd day of October 1890 at the City of New York, in the County of New York, the building at 161st St and Morris

was feloniously and burglariously broken into and the following property was feloniously taken stolen and carried away by James McLaughlin and Martin Long consisting of the following articles viz: two pocket knives worth 60c, five boxes of cigars worth 1950 eleven pair of boots worth 2300 and ten pounds of tobacco worth 750 the property of William Lambert.

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring them forthwith before me, at the 6th 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 23rd day of October 1890

John Deeney POLICE JUSTICE.

POLICE COURT 6th DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Robert-Curtain
vs.
James McLaughlin
Martin Long

Warrant-General.

Dated October 23rd 1890

Boehman Magistrate
Boehman Officer.

The Defendant
taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Officer.
Dated October 23rd 1890

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest, _____
Native of _____
Age, _____
Sex _____
Complexion, _____
Color _____
Profession, _____
Married _____
Det. J. J. Kelly in court
Answered by the party, and
sent to the House of Correction
Reed, J. J. Kelly in court
Answered by the party, and
sent to the House of Correction

0525

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 McLaughlin
and
Martin Long

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

James McLaughlin and Martin Long

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

The said *James McLaughlin and Martin Long*, both

late of the *Twenty-third* Ward of the City of New York, in the County of New York
aforesaid, on the *twenty-first* day of *October* in the year of our Lord one
thousand eight hundred and eighty *ninety*, with force and arms, in the
day — time of the same day, at the Ward, City and County aforesaid, the
dwelling-house of one *store of one William Lambert*

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

SECOND COUNT—

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

James McLaughlin and Martin Long

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

The said *James McLaughlin and Martin Long, both*

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

two guns of the value of six dollars each, two hundred and fifty cigars of the value of five cents each, eleven pair of boots of the value of two dollars each pair, and ten pounds of tobacco, of the value of seventy-five cents each pound

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

in the ~~dwelling house~~ *store* of the said *William Lambert*

there situate, then and there being found, *in the store* ~~from the dwelling house~~ aforesaid, then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

THIRD COUNT.

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

James McLaughlin and Martin Long

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

The said *James McLaughlin and Martin Long*, both

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

the same goods, chattels and personal property described in the second count of this indictment

of the goods, chattels and personal property of

William Lambert

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

William Lambert

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

James McLaughlin and Martin Long

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

JOHN R. FELLOWS,

District Attorney.

0528

BOX:

414

FOLDER:

3825

DESCRIPTION:

McMahan, John

DATE:

10/16/90



3825

0529

Witnesses:

J. J. Larkin

137 7th Ave

Counsel,

Filed

16 day of Oct 1889

Pleads

Not guilty

THE PEOPLE

19
in
230 21. 39

P

John Mc Mahan

degree.
[Sections 224 and 228, Penal Code].
Robbery, first

JOHN R. FELLOWS,

District Attorney.

Off. of Gen. at Dept. of Justice, W.D.
Chgo. Ill. W.D.

A True Bill.

Amos Little

Foreman.

Part 2 Nov. 18. 1890

Pleads attempt to commit
Grand Larceny First Degree

S.P. 2 yrs. Nov. 25

0530

Police Court 2nd District.

CITY AND COUNTY }
OF NEW YORK, } ss

Thomas J. Parkin

of No. 332 8th Avenue Street, Aged 57 Years

Occupation Clerk being duly sworn, deposes and says, that on the

8 day of October 1890, at the 16 Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

One Gold watch

of the value of One hundred dollars ~~DOLLARS,~~

the property of Complainant

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away, by force and violence as aforesaid by

John W. McManhan (nowhere)
From the fact that at the hour of about 11 o'clock in the night of said 8th day of October 1890 deponent was on the 8th Avenue near 24 Street when deponent had said watch in the left hand pocket of the vest then worn upon deponent's person said defendant in company of another person whose name is unknown to deponent came up to deponent and said McManhan took violent hold of deponent and pushed deponent against

day of 188

Sworn to before me, this

Police Justice.

0531

a telegraph pole, and defendant fell a jerk upon his pocket, and then threw missed said match, defendant seized said defendant by his throat and held him saying give me my match and he dropped said match in defendant's hand, that he ran away but was immediately caught by James Rainor of the 16th Precinct Police.

Subscribed to before me this 9th day of October 1890
Thomas J. Lanier
Magistrate

It appears to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.
Dated 1890
Police Justice
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1890
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 1890
Police Justice

Police Court, District
THE PEOPLE, &c.,
on the complaint of
vs.
1
2
3
4
Dated 1890
Magistrate
Officer
Clerk
Witness,
No. Street,
No. Street,
No. Street,
\$ to answer General Sessions.

0532

Wallingford
Conn

11-24-90

Dear Sir

You will pardon the
liberty of thus addressing you
on this ground of mercy it
has just been imparted to me
that I have a son about to
be sentenced for some crime
of which I am as yet in
ignorance but having a
Father's Love and feeling
for a wayward Boy I
beseech your clemency being
a family of respectable people
we feel this disgrace keenly
and in the name of God to

70
 The Prisoner I believe
 is under an assumed name of
 John Mc. Manus

Yours Most Respectfully, P. Evans

Have mercy upon ^{him} not for
 his sake alone but that of
 his Broken Hearted Mother
 and Sisters should you deem
 it wise in your discretion
 to think favorable of this
 appeal I will take him
 to my home find him good
 employment and yet make
 a good man of him if you
 by your good Judgment
 Banish him from New York
 under penalty of a full term
 should he return. be mercysull
 for my sake and for that
 of his dear Mother even as
 God his mercysull to the
 worst sinner and the Prayers
 of this Family will be
 with you to the End

To The Honorable Judge Cowing

0534

Wallingford Vt Nov 24th 90
Judge Cowan Esq
Court of General Sessions

Dear Sir

My youngest Son (under the name of John Mc Mahon) comes to trial before you on Nov 26th on a charge of Grand Larceny - Judge Cowan as God is my judge I believe him innocent - I am an invalid and not able to travel so far but intimate friends of mine in N.Y. have seen and talked with him and if I was not assured of his innocence I would not make this appeal to you. Judge bear in mind it is better for ten guilty men to go free than to punish one innocent one. If you had a family of five and one of them inclined to be wild (the youngest to) would you not plead for him as I now do for mine. We have a comfortable home and two sisters of the accused who worship the ground he walks on - and if you will only succor me in my first appeal for mercy from any court of

0535

Justice I will pray that Gods fullest blessings
may be yours until you are called before a
higher court of Justice before God who is always
merciful. If there is a way to suspend sentence
he will be here in a loving home among
those who love ^{him} inside of four hours after he
leaves the court room never to set foot in
N.Y. again as long as my feeble life shall
last - once more Judge I beseech you to be
merciful and do not on Thanksgiving Eve
condemn a young and innocent boy to a felons
cell where by his whole life may be ruined - this
day of all others should our hearts be light and
at peace with all mankind.

It lays with you wither I shall be the happiest
of Mothers or the most miserable on Thanksgiving
day

From a heart broken Mother -

0536

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Mc Mahon 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 Mc Mahon

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. New York

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

Answer. 230 West 39 Street 6 months

Question. What is your business or profession?

Answer. Fire Quin

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 Mc Mahon

Taken before me this

20

days of October

1893

John J. Mahoney
Police Justice.

0537

\$1500 loose bail
9 W.M.
Oct 12 1890

BAILLED,
No. 1, by _____
Residence _____ Street
No. 2, by _____
Residence _____ Street
No. 3, by _____
Residence _____ Street
No. 4, by _____
Residence _____ Street

Police Court... 2 District.
1554

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Thomas J. Madden
332nd St. Ave.
John W. McMahon
1 _____
2 _____
3 _____
4 _____
Offence Robbery

Date Oct 10 1890

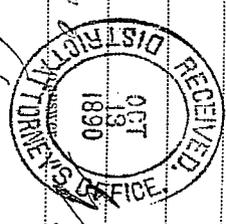
John Sparrow
Magistrate
16 Precinct.

Witnesses
Wid. of _____
Street _____

No. _____
Street _____

No. _____
Street _____

No. 100 _____
Street _____



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 _____

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

Dated October 12 1890 _____ 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 he to be discharged.

Dated _____ 18 _____ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Mc Mahon

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

John Mc Mahon

of the CRIME OF ROBBERY in the first degree, committed as follows :

The said John Mc Mahon,

late of the City of New York, in the County of New York aforesaid, on the eighth day of October, in the year of our Lord one thousand eight hundred and eighty ninety, in the midst of the said day, at the City and County aforesaid, with force and arms, in and upon one Thomas J. Dabain, in the peace of the said People, then and there being, feloniously did make an assault, and

one watch of the value of one

hundred dollars,

of the goods, chattels and personal property of the said Thomas J. Dabain, - from the person of the said Thomas J. Dabain, against the will, and by violence to the person of the said Thomas J. Dabain. - then and there violently and feloniously did rob, steal, take and carry away, the said John Mc Mahon being then and there aided by an accomplice actually present, whose name is 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.

John R. Kelso, District Attorney

SECOND COUNT—

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

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

The said

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

of the goods, chattels and personal property of

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

0540

BOX:

414

FOLDER:

3825

DESCRIPTION:

McManus, Patrick

DATE:

10/16/90



3825

By consent of district ^{now}
Bail fixed at \$500 #

Witnesses:

Jennie McManus
Officer Martin
25 precinct

After a careful examination of
the complainant's story, I
am convinced that she is
utterly unworthy of belief -
She is not corroborated in any
particular & for these reasons
I recommend the dismissal
of this indictment.

Oct 28. 1890

V. M. Davis
asst.

107

Lucy

Counsel,
Filed / day of Oct 18 90
Pleads, Guilty

THE PEOPLE

vs.

J. V.

Patrick McManus }
in com of dist. } need.
Att. indit dis. }
Part III October 28 90 }
JOHN R. FELLOWS,
District Attorney.

Oct 28 1890

A TRUE BILL.

Wm Little

Foreman.

Place this case
in part 3 - Oct
27th Mr. Pundy
agrees to be ready
for trial. G.S. M.
ad. as

TORN PAGE

0542

The People of the State of New York.

To: Police Justice McMahon

and to all and every person and persons, officer and officers having in his or their custody or control any complaint, affidavit, indictment, charge, or written or printed paper or document of any kind touching the imprisonment and detention of the prisoner hereinafter named;

GREETING:

We command you that you certify fully and at large to the Supreme Court of The State of New York, at a Special Term thereof to be held at Chambers in the Court House of the City and County of New York on Tues day, the 14 day of Oct A. D. 18 90 at 10 o'clock in the forenoon, the time and cause of the imprisonment of

Patrick McManus
by you detained, as it is said, by whatsoever name the said Patrick McManus shall be called or charged, and that you then and there return to the said Supreme Court fully and at large all and every complaint, charge, affidavit, indictment, commitment, written or printed document or paper, and the orders, proceedings, evidence, conviction and judgment in the premises, together with all things touching or in any manner concerning the same. And have you then there this writ.

But if, at the time when this writ is returnable, a Court of Oyer and Terminer in and for the City and County of New York, shall be actually sitting at the Court House of the City and County of New York, then you shall make return to this writ, according to the precept thereof, at the time and in the manner hereinbefore specified and commanded, before the said Court of Oyer and Terminer.

Witness the honorable CHARLES H. VAN BRUNT, Presiding Justice of our said Supreme Court in and for the First Judicial Department, of the Court House of the City and County of New York, the 15 day of Oct in the year of our Lord one thousand eight hundred and eight 90.

By the Court.

J. Joseph Kelly
Deputy Clerk
County Clerk.

PURDY & McLAUGHLIN,
Attorneys for Relators,
No. 280 Broadway,
New York City.

New York Supreme Court

The People, &c.

Patrick McManus
Ex rel *Patrick McManus*

vs.

Charles Osborne
Respondent.

Writ of Certiorari.

PURDY & McLAUGHLIN,
ATTORNEYS FOR RELATOR,
No. 280 Broadway, New York City.

The within writ is allowed this 13
day of Sept 18 90

Woodward

Justice of the Supreme Court of the
State of New York.

The within writ is adjourned to the _____ day of _____, 18____, at the same time and place, and the relator is remanded to the custody of the respondent in the mean time.
Dated the _____ day of _____, 18____

The within writ is adjourned to the _____ day of _____, 18____, at the same time and place, and the relator is remanded to the custody of the respondent in the mean time.
Dated the _____ day of _____, 18____

The within writ is adjourned to the _____ day of _____, 18____, at the same time and place, and the relator is remanded to the custody of the respondent in the mean time.
Dated the _____ day of _____, 18____

The within writ is adjourned to the _____ day of _____, 18____, at the same time and place, and the relator is remanded to the custody of the respondent in the mean time.
Dated the _____ day of _____, 18____

The within writ is adjourned to the _____ day of _____, 18____, at the same time and place, and the relator is remanded to the custody of the respondent in the mean time.
Dated the _____ day of _____, 18____

The within writ is adjourned to the _____ day of _____, 18____, at the same time and place, and the relator is remanded to the custody of the respondent in the mean time.
Dated the _____ day of _____, 18____

The within writ is adjourned to the _____ day of _____, 18____, at the same time and place, and the relator is remanded to the custody of the respondent in the mean time.
Dated the _____ day of _____, 18____

The within writ is adjourned to the _____ day of _____, 18____, at the same time and place, and the relator is remanded to the custody of the respondent in the mean time.
Dated the _____ day of _____, 18____

0543

0544

STENOGRAPHER'S MINUTES.

4 District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Annie McManus

BEFORE HON.

vs.
Patrick McManus

Daniel F. McManus

POLICE JUSTICE,

Oct. 11th 1890

APPEARANCES:

For the People,

For the Defence,

Andrew H. Purdy

Oct. 11th 1890

I N D E X .

WITNESSES.	Direct Ex.	Cross Ex.	Re-Direct.	Re-Cross.
<i>McManus, Annie</i>		22-25 31-33 1-9	<i>9-12</i>	<i>17-18</i>
<i>McManus, Patrick</i>	<i>14-20</i>	<i>20-21</i>	<i>21</i>	
<i>Carr, Christina</i>	<i>25-27</i>	<i>27-28</i>		
<i>Millwood, Margaret</i>	<i>28-31</i>			
<i>McManus, Dennis</i>	<i>33-38</i>	<i>36-37</i>		

George [Signature]

Official Stenographer.

A Yes sir

Q Where does he work?

A He is down to the Battery - longshoreman.

Q When did you have connection with him?

A About last month.

Q Where did you have connection with this Cornelius Brown?

A Down to my Aunts one day; I met him in Madison Street

Q Did you know him before that?

A Yes sir

Q How long had you known him?

A About three weeks before that.

Q Who introduced him to you?

A Nobody introduced him to me.

Q How did you come

to know him?

A He spoke to me on the street.

Q Is he the only man that ever ~~you~~ picked you up on the street?

A Yes sir.

Q Where did you go with him?— where did you have connection with him?

A He came to the house that night.

Q Your own house?

A Yes sir.

Q Came in and had connection with you where?

A In my own house.

Q You took him into your bedroom?

A I didn't take him in— he came in when my father went out.

Q When your father went out

you went into the bedroom
and had connection with
him?

A He came in and father
wanted him to have a
drink and my father
said he would go
down stairs and he
took me in the bedroom.

Q Pulled up your clothes
and had connection
with you?

A Yes sir

Q Is that the only time?

A Yes sir

Q About what time was
that

A About four o'clock in
the afternoon - on a
Sunday, about a month
ago.

Q Then from the time you
were twelve years old,
when you had connection
with the painter man for

about a week - up to the
1st day of July you
had connection with
nobody?

A No sir.

Q About the middle of
September Brown picked
you up on the street,
asked if he could call
on you, came up to your
house, your father went
out to get a drink
and when he went out
as soon as he went out
this man seized you and
went into your bedroom
and had connection
with you?

A Yes sir.

Q You told your father of
that?

A My father said he
witnessed that.

Q Then your father told
you that he saw you?

A Yes sir.

Q Saw him doing it to you?

A Yes sir.

Q Didn't your father catch you coming out of your bedroom with him?

A He said he was looking through the bedroom window.

Q When did he tell you that?

A Right after.

Q What did you say then?

A I told him yes, I did.

By the Court:

Q you say you first had connection with your father about the first of July?

A Yes sir.

Q How did you come to allow your father to have connection with you?

A My father forced me to

Q What did he do?— How

0550

DISTRICT POLICE COURT.

THE PEOPLE
ON COMPLAINT OF

Annie McManus

Examination had *Oct 11th* 188*0*

agst.

Patrick McManus

Before *Daniel F. McMahon* Police Justice.

I, *George Ziegen* Stenographer of the *4* District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of
the original Stenographer's notes of the testimony of *Annie McManus*

and others

as taken by me on the above examination before said Justice.

Dated *Oct 11th* 188*0*

George Ziegen
Stenographer

Police Justice.

Fourth District

Annie McManus

- vs -

Patrick McManus

Before Hon.
Dan'l F. McMahon
JusticeNew York, Oct. 11th, 1890

Appearances:

No one for Complainant.

Ambrose H. Purdy, for Defendant.

Annie McManus, the complainant, being duly sworn, testified as follows:

By Mr. Purdy:

Q. You say your father had connection with you on the 1st day of July?

A. Yes sir.

Q. How do you fix it, the 1st day of July?

A. I didn't just say on the first.

Q. On or about the 1st of July?

A Yes sir.

Q Who did you have connection with before that?

A With a painter man when I was twelve years old.

Q And with other men since then?

A Cornelius Brown.

Q Was that the painter man?

A No sir.

Q What is the painter man's name?

A I don't know.

Q Is that all you have had connection with?

A Yes sir.

Q You have had connection with men ever since you were twelve years old?

A When I was twelve years old this man was working in the house.

Q Who did you tell about that?

A I told my father and

mother both.

Q When did you tell them?

A It was just about a week after he had connection with me.

Q How old do you say you are now?

A Sixteen.

Q Then four years ago this painter man was in the house and seduced you?

A Yes sir.

Q Was this the first man that ever had connection with you?

A Yes sir.

Q And he had connection with you for about a week?

A Yes sir.

Q You told your father and mother about that?

A I told my mother and my mother told my father.

Q Did you hear your mother

tell your father?

A Yes sir.

Q Who was the next man you had connection with?

A Cornelius Brown

Q Who is Cornelius Brown?

A He works down to the Battery.

Q When did you have connection with him?

A He had the first connection, then this man.

Q Cornelius Brown was the man that had connection with you after the painter?

A No, after my father, he was the next after the painter.

Q Then you had no connection with anybody until about the first day of July?

A Yes sir.

Q Then you had connection with Cornelius Brown?

0555

**PAGE (S)
OUT OF
SEQUENCE**

did he force you?

A He came into the bedroom about three o'clock in the afternoon and commenced to come around me and kiss me; then he threw me down on the bed; then he took my clothes up.

Q What else?

A And he abused me, I know often since that time has he had connection with you?

A Nearly every day since, Q Up to when he was arrested?

A Yes sir.

Q How is it that you never made a complaint about your father until the 4th day of October?

A Well, I didn't like to make a complaint

Q What was the reason

Why didn't you like to?

A I didn't want to have him arrested.

Q Did you have anything to say to your father about it, or he to you?

A About being arrested?

Q About complaining about telling the authorities?

A The first time he did it I told him. He said No, I could not because he was my father.

Q Did anything else occur at that time? Did he say anything else at that time?

A No sir.

Q He told you that you couldn't have him arrested because he was your father?

A Yes sir.

Re Cross Examination

By Mr Parry:

Q You say you didn't want to have him arrested - you didn't complain because you didn't want to have him arrested?

A Yes sir.

Q What changed your mind on the 11th October - that you suddenly concluded to have him arrested?

A I thought I was in the family way.

Q Did you think you was in the family way by your father?

A Yes sir.

Q Why didn't you think you were in the family way by Brown? Why didn't you have Brown arrested?

A He went away; he told

me he would call the next day but I didn't see him.

Q So you thought if you couldn't see Brown you would have your father arrested?

A Because my father told me if I should be in the family way to blame it on somebody else.

Q But you didn't do that - you blamed it on him?

A He was the one most the time with me, I blame you in the family way?

A No sir

Q How did you come to think you were in the family way?

A Because I felt a pain in my stomach.

Q How did you know you

were not in the family way?

A I have been examined since.

Q. And it turned out to be a false alarm?

A Yes sir.

Patrick McManne, the defendant, being duly sworn testified as follows:

By the Court:

Q What is your name?

A Patrick McManne.

Q Where do you live?

A 213 East 59th Street.

Q What is your business?

A I am a private matchmaker for fourteen years.

By Mr. Purdy:

Q You are aware of this charge made against you by this girl?

A Yes sir

Q She is your daughter, is she?

A Yes sir

Q How much of a family have you?

A Three children besides her.

Q Will you tell the judge slowly and in your own way whether you are guilty of this charge and how you account for your daughter making this terrible allegation against you?

A. My daughter came to me came home on the 23^d June from Madrim Street. On the 28th she cleaned up the house; her mother was in the Asylum from the 14th of May. My daughter went to live in Lexington with a lady

and the lady came to me and said "I can't keep Annie any longer" she was then three weeks there at Five dollars a month. "What is the reason?" I said. She said "Annie is a sort of a girl you got to watch; she is not honest; she stole money from the two girls in the house; there was nobody else to steal it" she said "Mr McManus the girl is not in her right senses or wouldn't do it" I then brought her down to her Aunt's in Madison Street. On the 5th of June she went out to the Park. I brought the children over every night and bought them Ice cream. One night one of them came

12

to me about nine or
ten o'clock, and I said
"Where is Annie and baby?"
and she said "Annie
has gone to the Park
with a fellow named
Dillenberg, she just
came in before me - and
I was in quarters after
ten - and I asked Annie
where she was and
she said she took a
walk with a young
man, and I said "Who
is the young man", she
said "Mr Dillenberg - his
mother owns three houses
and he is very nice",
My other child said Annie
fell asleep in the Park
and she couldn't get
her home, I said
"How did she fall
asleep?" she said "Dillen-
berg was loving her" - That

was on the 8th of June. The first Sunday in July a man came around and she went away with him. She didn't come back that night. I wandered around the streets looking for her. She came in half past five in the morning. I asked her where she was. She said she was taking a walk with a young man and I said "Where did you go?" She said "He went to look for you in 5th Avenue" I said "you didn't". She said "we were in 8th Ave and I went home to his rooms with him". I said "He brought you home to his rooms" and she said "yes". I said "What caused you to go to his rooms, a

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girl of your age with any man" she said it was not any harm everybody gives children privileges but you. I said "What happened there" she said "I lay in the bed and he laid on the sofa; he left me at the door this morning". She said he has a furnished room between 58th & 59th Street on Second Avenue. I looked for that room but couldn't find it.

Q What did the whole business culminate in?

A About two weeks ago Mr. Cronin and a lady told me that my daughter was making a public show with men. I went upstairs on a Tuesday evening and was so angry

about what Mr. Cronin told me that I didn't know what I was doing. I went up and raised a row with her. I said I was going to put her in the House of Good Shepherd. She took advantage of me and went away that night with her clothes.

Q Then she had you arrested?
A She went down to Mrs. Farney's, and I went down there and brought her clothes home.

Q She then had you arrested?
A Yes sir.

By the Court:

Q You said a great deal of your daughter - what about yourself - what about this complaint your daughter makes?

A That complaint is wrong

I never did more than
kiss my girl.

Q What about your hugging
and kissing your daughter
about the first of July -
and criminally assaulting
her?

A That is a put up
job.

Q And every day since
and sometimes twice a
day?

A No such thing could
exist.

By Mr Purdy:

Q Did you ever have
connection with her?

A No sir

Q The whole thing was
because you were going
to put her in the
House of Good Shepherd?

A Yes sir, I told her she
couldn't walk the
streets at night

M

A Annie McManus, recalled.
By Mr. Purdy:

Q Is it true that this lady told your father you were a thief and had been stealing?

A She told Lisa I took five cents of her.

Q She sent for your father and this conversation took place?

A Yes sir.

Q Were you bringing up men into your father's house?

A I only brought one and that was Gene Marshall.

Q How did you bring him?

What did he do with you?

A He didn't do anything with me. He came up himself to see me.

Q You didn't go out with him?

A No sir

Q What about going down and staying in this house - this room - that you told your father?

A That was a man by the name of Joe - his first name is Joe.

Q Then you did go home with Joe and stayed there in his furnished room all night?

A I lay on the bed and he laid on the sofa

Q Did he have connection with you?

A Yes sir

Q Why did you tell us a moment ago that nobody but Brown and the painter had connection with you? (No answer)

Q Is it true that your father did threaten to

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put you in the House
of Good Shepherd?

A I don't remember him
saying it.

Q Do you recollect your
taking your clothes and
leaving home?

A Yes sir

Q Why did you take your
clothes and leave home?

A Because he wouldn't
leave me alone.

Q Where did you go to?

A To this girl's house -
her name is Gerraty -
1111 First Avenue

Q In a furnished room?

A Yes sir

Q How long did you stay
with her?

A All night

Q Then where did you go?

A I stayed there in the
house all next day.

Q Then where did you go?

A. Then my father came and took my clothes away.
 Q. If you left your father because he was persecuting you, why didn't you go to a Police Office?

A. I didn't leave because he was persecuting me he didn't.

Q. You said he was doing something to you?

A. But he didn't say anything about the House of Good Shepherd.

Christina Carr, being duly sworn, testified as follows:

By Mr. Pardy: Where do you live?

A. 213 East 59th Street.

Q. Is that the same house that Mr. McManus lives in?

A. Yes sir.

Q Do you know his daughter
Annie?

A Yes sir.

Q Have you seen her taking
men into the house —
into her rooms?

A I did, twice.

Q Who did you see her
taking twice?

A An Italian man who
used to work in the
Crown's Stable.

Q You saw her taking him
in?

A I saw him twice come
out of the room.

Q Her father was away?

A Yes sir.

Q Out of her room?

A Yes sir.

Q Did you complain to the
father of that?

A No sir.

Q Who did you tell?

A I think I told my next door neighbor.

By the Court,

Q Do you know for what purpose that man went in there?

A No sir.

Q Do you know whether or not he went in on invitation of this girl?

A I don't know, but he came out of the room.

Q He came out of the room occupied by the family?

A Yes sir.

Q Is that the room you have reference to when you say his room - the room occupied by the family?

A Yes sir.

By Mr. Hardy:

Q Do you know whether she was in the room or not?

A Yes sir; I saw them coming out.

By the Court:

Q Did he bring ice there?
A I never seen him bring ice. He works in Cronin's Stable

Q You don't know whether he brought ice there?
A No sir.

By Mr Parry:

Q That is the only one you saw coming out of there?

A Yes sir.

Margaret Millward, being duly sworn, testified as follows:

By Mr Parry:

Q Where do you live?

A 213 East 59th Street
the same house

Q Do you know this young girl here?

A Yes sir.

Q How long did you know her?

A Since she came in the building.

Q Have you ever seen her taking men in her room?

A Yes sir, repeatedly.

Q How many times do you think?

A I couldn't tell, it was an everyday occurrence.

Q When her father was away?

A Yes sir, I supposed he was away.

Q Do you know who these men were?

A No sir. I spoke to Mr McMann about it, and I didn't like my little girl to go with her. Mr McMann laughed at me.

and said Annie was
an innocent girl.

Q You spoke to him because
these men were coming
in there constantly?

A Yes sir.

Q Why did you think these
men went in there for
some bad purpose?

A I didn't think so at
the time.

Q When did you first get
that impression?

A Quite lately.

Q How many men do you
suppose you saw her
taking into her rooms?

A I couldn't tell.

Q Was it an every day
occurrence?

A Yes sir.

Q For how long?

A The last two months
repeatedly; I scolded
her many times and

said she ought to be ashamed of herself.

Q. Did her she should be ashamed of herself carrying three men in her room?

A. Yes sir, and keep her little brothers and sisters in the street.

Q. While she was upstairs with these men?

A. Yes sir, I always seen her father kissing the little children, and I said he was very fond of his family.

Arnie McManus, recalled,

By Mr. Rudy:

Q. You have heard this lady's testimony?

A. Yes sir.

Q. She said she scolded you?

A. She seen that ^{James} fellow Gus Marshall.

Q Is that his name?

A Messis.

Q And that is the only one you say she ever saw?

A Messis.

Q And did she speak to you about him?

A Messis.

Q What did she say?

A She said not to allow him upstairs.

Q And that is the only man she ever saw?

A Messis.

By the Court:

Q What did the Italian do?

A He brought ice up there.

By Mr. Purdy:

Q The Italian man, is he in the ice business?

A He was in the ice business about three weeks - then he went away to Italy.

Q And what did you do with the ice when he

brought it up?

A. I put it in the tub.

Q Who paid for the ice?

A My brother did some work for him and he paid it by giving us some ice.

Fernando McManus, being duly sworn, testified as follows:

By Mr. Purdy:

Q Do you know an Italian man that used to come to your house by the name of Frank?

A Yes sir!

Q Where did you know him?

A He used to be next door.

Q Did you ever see him in your house?

A Yes sir!

Q With your sister?

A Yes sir.

Q What was he doing there with your sister? What did he come there for?

A I don't know, he just came there and was standing and talking with her.

Q Where was he talking with her?

A Upstairs, in the room.

Q Was she in there and did he come in there?

A She was in when he came.

Q How long did he stay?

A About fifteen minutes.

Q Where were you at the time?

A In the kitchen.

Q What were you doing in the kitchen?

A I was by the table.

Q What did he bring when he came up there?

a a little box

Q What was in the little box?

A Nothing

Q Did he take the box with him when he went out?

A Yes sir

Q He gave her the box as a present?

A Yes sir

Q Did you ever do any work for him for which he was to bring ice up there?

A I used to fix the stalls for him

Q Did he pay you for it?

A Yes sir

Q Did he bring any ice to the house?

A Yes sir

Q Was that the same time he brought this box?

A After that.

Q How many times have you seen him in the house?

A Three times

Q The first time he brought the rice?

A Yes sir, the box.

Q And made her a present of the box?

A Yes sir

Q The next time he brought the rice?

A Yes sir

Q And stayed there about fifteen minutes?

A Yes sir

Q And brought the rice because you worked for him?

A Yes sir

By the court:

Q you did little chores for him around the stable?

A Yes sir

Q and were you present in the room when he brought the rice?

A Yes sir.

By Mr. Purdy

Q Were you present on each occasion?

A The first time.

Q The other times you went out?

A I went out.

Q And left him alone with your sisters?

A I didn't see him come up.

Q How did you know he was there?

A When I came up the ice was there and she said he was there.

Q And you don't know anything about the other times?

A No sir.

Q And the other two times was when she said he had been there?

A Yes sir.

Defendants counsel
moves to dismiss
complaint.

Motion Denied
Exception.

H District Police Court.

Annie McManus

vs.

Patrick McManus.

STENOGRAPHER'S TRANSCRIPT.

October 11th 1904

BEFORE HON.

Daniel J. McMahon

Police Justice.

George H. [Signature]
Official Stenographer.

GENERAL SESSIONS COURT

City and County of New York ss:

Patrick McManus of No. 213 East 59th Street, aged 51 years, occupation private watchman being duly sworn deposes and says, that on the 1st day of July 1890, at the City of New York, in the County of New York, and for many months before and after that date his daughter Annie McManus has been a prostitute and associated with bad company and is in danger of being totally depraved/ Associates with vicious and dissolute persons ~~th~~ through whom and by whose advice she made an unfounded complaint of incest against me, upon which charge I was held for trial and after an examination and upon the which she said, Annie McManus, confessed and admitted she had prostituted herself at several different times and places and with different men.

Sworn to before me this :
31st day of October 1890 :

Patrick McManus

Randolph B. Martine
Judge of General Sessions.

0587

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 4 DISTRICT.

Hugh Martin

of No. 25 Precinct Street, aged _____ years,

occupation Officer being duly sworn deposes and says,

that on the _____ day of _____ 188-

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

(now here) is the complainant and a material witness against Patrick McManus, charging him with incest. That Annie has no proper place to remain during the time when said case shall be determined and deponent fears he will be unable to find the ^{said Annie} ~~defendant~~ and asks that the said Annie be sent to the House of detention in default of her entering a recognizance.

Hugh Martin

Sworn to before me, this

of October 1889

H. J. McManus Police Justice

0588

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

Police Court, 4th District.

Amie McManus

of No. 213 East 59th Street, being duly sworn, deposes and

or about 1st day of July 1890

and deposes, ~~at the City of New York, in the County of New York,~~ until the day of Patrick McManus

(now here) did feloniously and unlawfully have connection and the ~~defendant~~ ^{defendant} did commit adultery and fornicate with deponent who is related to the defendant and within the degree of consanguinity within which marriages are declared by law to be incestuous and void to wit: his lawful daughter the issue of the marriage of the defendant with Lizzie McManus, his wife. All of which is in violation of section 302 of the Penal Code of the state of New York. That on the afternoon of said 1st July, 1890, the defendant was dressing himself in the apartment at premises 213 East 59th Street which was occupied by the defendant and his family of which deponent is a member. That the defendant called deponent into the bedroom and kissed deponent and then pushed deponent upon a bed and there did have sexual intercourse with deponent. That frequently thereafter the defendant had connection with deponent.

Amie McManus.

Deponent before me
at N. Y. October, 1890
Wm. M. ...
John ...

0589

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Patrick Wmamus 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. *Patrick Wmamus*

Question. How old are you?

Answer. *57 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *213 East 59th St. 4 months*

Question. What is your business or profession?

Answer. *Private Watchman*

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

Answer. *I am not guilty, I demand our examination.*

Patrick Wmamus

Taken before me this *17*
day of *October* 189*9*
A. J. M. Jackson
Police Justice.

0590

BAILED.

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court... X
District 1554

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James McManus
House of Correction

Detective McManus

1
2
3
4
Offence Larceny

Dated Oct 4 1890

W. W. Morrison
Magistrate

Witnesses: Gertrude Foremy
No. 1111 First St
Street

No. _____
Street _____

No. 2500
Street

RECEIVED
OCT 13 1890
DISTRICT CLERK'S OFFICE

Good leave 4 Oct. 9 1890 in
11 9 am

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 Twenty Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Oct 4 1890 W. W. Morrison 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 he to be discharged.

Dated _____ 18 _____ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Patrick Mc Manus

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

Indictment accuse *Patrick Mc Manus*

of the crime of *Incest,* -

committed as follows:

Heretofore, to wit:

on the first day of July, 1890,
at the City and County of New York, the said
Patrick Mc Manus, being a married man,
having a lawful wife living, and Annie Mc
Manus, his daughter, a single woman, being
persons within the degrees of consanguinity
within which marriages are declared by law to
be incestuous and void, did feloniously commit
adultery and fornication with each other, and
them and their husband and incestuously
did have carnal knowledge of each other, 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
rights.

John P. Bellows,

District Attorney