

0359

131

Witnesses;

*Joe McQuinn*

Counsel,

Filed

day of

1890

Pleads,

*Not guilty*  
THE PEOPLE

vs.

*24 6:20  
412  
Bureau finished*  
*Peter McCabe*

Grand Larceny, Second Degree.  
(From the Person.)  
[Sections 538, 539, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Amos Little*

Foreman.

*P. 3 Oct. 20, 1890*

*Pleads At. G. 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 sworndeposes and says, that on the 10 day of October 1888 at the City of NewYork, 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 (\$20<sup>00</sup>/<sub>100</sub>)

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 thereupon  
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

Sworn to before me, this

of

188

day,

at New York, Police Justice.

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

day of

188

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---

15533 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James McElmued  
506 East 73rd

Peter McElmued

Offence Larceny from the Pocket

Dated

Oct 10 1898

Magistrate

McElmued

Officer

McElmued

Witnesses

McElmued

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

Street \_\_\_\_\_

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

Street \_\_\_\_\_

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

Street \_\_\_\_\_

\$ \_\_\_\_\_

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

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 1898 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

on the person of the said

then and there being found, from the person of the said

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.

*James Mc Ginniss*  
*James Mc Ginniss*  
*James Mc Ginniss*  
*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 Hurd

Considering the youth of the  
prisoner and all the attending  
circumstances, I recommend  
that he be discharged and that  
his name be recognized as  
being an accomplice

Whitelyoff  
Asst Dist Atty

Nov 18/90

Counsel,

Filed

Pleads,

23<sup>rd</sup> day of Oct 1890  
Merrill N.W.

THE PEOPLE

vs.

Philip McCabe,  
Martin Shay  
and  
James Moran

Burglary in the Third Degree  
and Petit Larceny  
(Section 498, 504, 517 & 520 S.D.C.)

JOHN B. FELLOWS,

District Attorney.

Nov 18<sup>th</sup> 1890  
Chas. Bail Discharged

A True Bill.

Amos Little  
Oct 23/90  
Foreman.

W. L. Pleads Guilty  
S.P. 2 1/2 yrs.

0369

Court of Gen Sessions.

People

vs

Martin Shea

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.100 EAST 23<sup>d</sup> STREET,

New York, Oct. 16 1890

CASE NO. 52485

DATE OF ARREST

Oct. 15

OFFICER

Bailey

CHARGE

Burglary

AGE OF CHILD

Seven years

RELIGION

Catholic

FATHER

Martin

MOTHER

Mary 86 Horatio St

RESIDENCE

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

J. H. Bellows Secretary

Cont of General Sessions	
People agst Martin Shea	PENAL CODE, Burglary

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<sup>d</sup> 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 rep-  
utation as a young tough in  
the neighborhood where he re-  
sides; 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

C. Hollows Secretary  
Supt

Court of  
General Sessions.

People

upsh

Philip Wallace

Penal Code, ss  
Burglary

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.

0372

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 17<sup>th</sup> 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.

Subscribed and sworn to before me } Charles Ludwig  
this 17<sup>th</sup> day of November 1890. }  
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 Nease  
att. for def.  
Martin Shea  
132 Nassau St.

0376

Police Court—2 District.

City and County } ss.:  
of New York.

of No. 986 Smith Avenue Street, aged 33 years,  
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 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 1881 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 <sup>00</sup>/<sub>100</sub>)

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 M. Cate 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 honor

Police Station

Charles Ludwig

Police Court District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

Degree

vs.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.

0379

CITY AND COUNTY }  
OF NEW YORK, } ss.

Patrick J. Hunt  
aged \_\_\_\_\_ years, occupation Police Officer of No. \_\_\_\_\_  
94 Macmet Police 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 day of October 1890 } Patrick J. Hunt

J. J. [Signature]  
Police Justice.

0380

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK.*Philip M. Cate*

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.

*Philip M. Cate*

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. Cate*

Taken before me this

day of *October* 188*9**Wm. J. Kelly* 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*  
*his*  
*mark*

Taken before me this  
day of *October*  
188*9*

*P. J. McLaughlin*  
Police Justice.

0382

BAILED,  
 No. 1, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 2, by John J. Sullivan  
 Residence 86 Gordon Street \_\_\_\_\_  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court--- 2 District.

1584

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

Charles W. Adams  
986 No. 6 Ave.

Charles W. Adams

Martin Thayer

James W. Adams

James W. Adams

Offence Burglary

Dated October 16 1890

Wells Magistrate.

Hunt Officer.

J. A. Barclay Precinct.

J. A. Barclay Precinct.

J. A. Barclay Precinct.

J. A. Barclay Precinct.

J. A. Barclay Precinct.

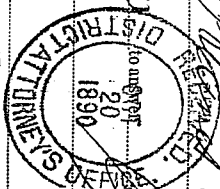
J. A. Barclay Precinct.

J. A. Barclay Precinct.

J. A. Barclay Precinct.

J. A. Barclay Precinct.

J. A. Barclay Precinct.



COMPLAINT.

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 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 October 16 1890 So. J. Adams Police Justice.

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

Dated Oct 16 1890 So. J. Adams 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

*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 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

*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 brushes 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

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

Wm Keating

Anna Degan

Counsel,

Filed

day of

1890

Pleas,

THE PEOPLE

vs.

John Mc Cann

MANSLAUGHTER.  
[Section 189, of Penal Code.]

Wm 21<sup>st</sup> Park 2

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Andry Little  
Nov 24<sup>th</sup> Foreman.

Spied & Acquitted

0388

Bail fixed at  
\$5000

Witnesses:

Officer Bailey

Joe Bradley

Wm Keating

Anna Dugan

Judge <sup>23</sup> Keating  
Development

Counsel,  
Filed 23 day of Oct. 1890  
Pleads, *Not guilty*

THE PEOPLE

vs.

*P*

John Mc Cann

*John R. Fellows*  
Am 21<sup>st</sup> Part 1

JOHN R. FELLOWS,

District Attorney.

MANSLAUGHTER.  
[Section 189, of Penal Code.]

A True Bill.

*Andrew Little*  
Nov 24<sup>th</sup> 90 Foreman.

*Tried & Acquitted*

People by William H. Hemingway being  
 & duly sworn deposes and says  
 he is a practicing physician  
 ~ 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~~  
 and deceased died at 2:30 P.M. on  
 Sunday October 5th 1890.

Sworn before me  
 this 10th day of October <sup>1890</sup> } W. H. Hemingway.  
 J. Henry Ford

Placed in file

0390

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

1st District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this  
day of October 1899

Police Justice.

0391

**Police Court** **District**

THE PEOPLE, &c.,

## ON THE COMPLAINT OF

ON THE COMPLAINT OF  
William Stanley  
vs  
John W. Brown

**BILLED,**

No. 1, by -

Residence .

*Street.*

No. 2, by...

## Resilience

**Street.**

No. 3, by ...

Residence

**Street:**

Fig. 4, by

Residence \_\_\_\_\_

Street

The Justice Presiding  
in 1<sup>st</sup> District Court  
in my absence will  
please continue the  
examination in such  
case.

J. H. Wickham

Date:

188

Office

Formide

\_\_\_\_\_ Officer.

Oma Dugan } Precinct  
Fanny Steadman } 94 Omaha St.  
Witnesses Mrs J. H. Steadman

No. 10 Quay Street.

James D. Greenly  
50 Monroe St  
St. Paul, Minn.

No. *Chao* Street.

451 Perry St.  
New Jersey

438 Received  
From H. H. Greenough  
57 March 1881

Quinta

*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.....*

Referral case

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

~~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 discharging*

*the City Prison, of the City of New York, until he find such bath legally ducking*

Dated... *Oct 10* 18*90*. *R Henry Ford* Police Justice.

Dated... 18... 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

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. &amp; W. H. HEMINGWAY

No. 51 MARKET STREET,

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

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

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 1<sup>st</sup> 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 5<sup>th</sup> 90).

Wm. J. H. H. H. H.

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  
condition to appear in court  
Respy

Geo. L. Wells M.D.

Atty. G. S.

0397

CITY AND COUNTY  
OF NEW YORK, ss.POLICE COURT, 1<sup>st</sup> DISTRICT.

William J. Dailey

of No. 44<sup>th</sup> Precinct Street, aged \_\_\_\_\_ years,

occupation Officer being duly sworn deposes and says,

that on the 29<sup>th</sup> day of Sept 1890

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

John McLean (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 re-  
ceived through said assault, and is  
unable to appear in Court, as shown  
in certificate hereto attached.

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

William J. Dailey

Sworn to before me this

of

Sept

1890

(day)

Police Justice

0398

Police Court, 1 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John M. Cann*

AFFIDAVIT.

*Assault on  
Thomas Smith*

Dated *Sept 30* 18*90*

*White* Magistrate.

*Daily* Officer *W. D. 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 29<sup>th</sup> of September 1890  
Thomas Smith (the deceased) came  
to my place at 15 East Broadway  
between 11<sup>30</sup> <sup>PM</sup> & 11<sup>50</sup> o'clock p.m.  
and said night and told me that he  
was stabbed at Keely'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 those things  
and he went out and that's all I know  
about the case

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

J. M. Nichols  
Police Justice

James Broxley being duly sworn deposes and says I reside at 50 Monroe Street, on the night of 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 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 laceration 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  
 horns cut and he brane away from  
 me and went behind Horns 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 }  
 this 8th day of October } J. W. Smith

J. W. Smith

Police Justice

4  
 People's Ex. Thomas Kating being duly sworn  
 B we depose and say Inmate 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 Stevely and Charles  
 J. J. 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 rolled 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-

But, and that's all I mean about the case

I hope to see you  
this 8th day of September 1890 } Thomas Keating

J. Willett  
Police Justice

People by Charles Joyth being duly sworn  
 I we deposed and says, I am the Contender  
 ~ 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 the Stating and Mr  
 Brodley and the first thing I knew  
 defendant and deceased clinked and  
 rolled about the floor, and stating 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 told  
 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 } Chas. Joyth

J. W. [Signature] Police Justice

Thursdays being duly sworn  
deposes and says

I am a police officer  
attached to the 4<sup>th</sup> Precinct on the  
night of the 29<sup>th</sup> day of September 1890  
between the hours of 11 30 <sup>pm</sup> and 11 45  
o'clock p.m. I was patrolling my  
post in Chatham Square, when Charles  
Joyce 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 <sup>the</sup> ~~the~~ deceased  
and defendant they had better keep  
quiet or I would lock them up and  
deceased went out, <sup>and</sup> I saw him go  
to 14 East Broadway with Broady,  
and returned again in 10 minutes, and  
went into Healey's saloon again, <sup>and</sup>  
Katie called me in this time  
and when I went there I found deceased  
and defendant <sup>on</sup> ~~on~~ the floor  
clinked and deceased accused the  
defendant of stabbing him, and  
I saw him where he was stabbed

And he exposed his body and said in  
the stomach and I took deceased and  
dependant to the Station house, I  
then summoned an ambulance and  
deceased was sent to the Hospital  
I went to the Chambers Street Hospital  
and was there told he had been  
sent home, and on the 5th day of  
October 1890 Dr W H Hemmingway  
of 57 M. Street told me he had been  
attending deceased told me he  
died, on Sunday afternoon at  
10 o'clock and that is all I know about  
the case

Sworn to before me  
this 5th day of October 1890

William J. Daily

St. Kitts

*Telegraph Co*

-STATE OF NEW YORK,-

CITY AND COUNTY OF NEW YORK, ss.

AN ANTE-MORTEM INQUISITION,

Taken at East Broadway  
 No. 86 Locat. in the 7<sup>th</sup> Ward of the City of  
 New York, in the County of New York, this 5<sup>th</sup> day of October  
 in the year of our Lord one thousand eight hundred and 90 before  
M. J. Messmer Coroner,  
 of the City and County aforesaid, on view of the body of Thomas Smith

at 86 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  
is suffering from stab wound  
inflicted by John McCann at  
Chatham Square September 29<sup>th</sup> 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.

CORONER, J. S.

City and County of New York, ss.

Statement of Thomas Smith  
dangerously wounded at 86 East Broadway in the 7<sup>th</sup> Ward  
of said City and County, on the 5<sup>th</sup> 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  
McCame stabbed me at 21  
East Broadway I mean at  
Chatham Square 10.31 on Monday  
night last at half past eleven  
in the evening. It was through  
nonsense. I gave him no provocation.  
He was an old grudge about 25  
coaching business. He was  
a cat man and I am a cat man.  
He was just piling 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  
Chandler's Dr.  
Hotel and  
from there  
in transfer  
to his residence  
86 E Broadway

86 E Broadway

57 High St

4th 20-1890

AN ANTE-MORTEM INQUISTION

On the VIEW of the BODY of

Thomas Smith

whereby it is found that he was

injured by

John McCann

Taken on the 1st day

of October 1890

before

Wm. H. Mason  
CORONER.

Committed

Bailed

Discharged

70

0410

## 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 ~~waist~~ line drawn from navel. On opening the abdomen it was found that the instrument causing the wound had passed through the muscular coat & 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, & an opening made by the passage of the wedge cutting instrument and inflammation had set in, spreading from that 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 our opinion was Peritonitis following Star Wound of Abdomen

Respectfully

Yrs  
22/90

Wm A Conway (M.D.)

Sworn to before me,

this

17<sup>th</sup>

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 6<sup>th</sup> day of October 1890.

CORONER.

0412

## STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss.

## AN INQUISITION

Taken at the *Coroners Office*No. 124 Second Avenue Street, in the 7<sup>th</sup> Ward of the City of New York, in the County of New York, this 17<sup>th</sup> day of October in the year of our Lord one thousand eight hundred and 90before  
MICHAEL J. B. MESSEMER, Coroner,of the City and County aforesaid, on view of the body of *Thomas Smith*

now lying dead at

Ten 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 5<sup>th</sup>1890, from a wound received on September 29<sup>th</sup> 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.

*J. H. Hoare 1863-9 Ave O. Bauteermann 1865-9 Ave.**A. E. Egan 102 E. 110 St. William Graf 1800-9 Ave**H. Krauss 175 E. 110 St. Henry C. Munbrun 1810-9 Ave**Leon Mills 139 E. 110 St. Peter Schneider 124 E. 110 St.**Wm. Goodman 1812 1 Ave**C. Poland 2124 x 8 Ave*

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:-

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:

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:

*People  
by  
D  
we  
4/21/90*

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.

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 sleeping 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.

04 16

# 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 ninth* 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 *him*, 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 *him* the said *Thomas Smith*, then and there wilfully and feloniously did strike, *slab*, *cut* and wound, giving unto *him* the said *Thomas Smith*, then and there, with the *knife* aforesaid, in and upon the *abdomen* of *him* 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  
eight day of October, in the same year aforesaid,  
 did languish, and languishing did live, and on which said eight 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

04 19

64

Witnesses;

J. King  
off Stevenson

Counsel,

Filed

day of

1890

Pleads,

THE PEOPLE

vs.

James McCarthy

Grand Larceny <sup>1st</sup> Degree.  
[Sections 528, 530, 532 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Andrew Little

Foreman.

Oct 13/90  
Pleading 1st Degree  
S.P. of 1st

0420

Police Court—2<sup>nd</sup> District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

of No. 221 Thompson Street, aged 59 years,  
 occupation Truckman being duly sworn  
 deposes and says, that on the 15<sup>th</sup> day of October 1892 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 evening time, the following property, viz:

One horse and one truck of the  
Value of one hundred & fifty dollars

\$150.<sup>00</sup>/<sub>100</sub>

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 T.  
 Stevenson of the 15<sup>th</sup> Precinct Police  
 that he arrested said defendant 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 22 day  
 of October 1892

W. J. McQuinn 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

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 McCarthy*

Taken before me this

2nd

day of September 1896

*John J. McCarthy*  
Police Justice.

0423

Police Court--- 1578 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James Henry Thompson*  
221

*James H. Gault*

1  
2  
3  
4

Offence *Larceny*  
*felony*

Dated *October 2* 188*0*

*O'Kelly* Magistrate.  
*Shannon* Officer.  
15 Precinct.

Witnesses

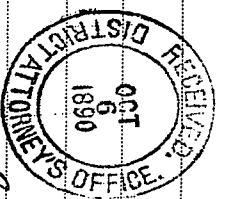
No. Street.

No. Street.

No. Street.

\$ *1000* to answer *28*

COMMITTED. *6/11*



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 *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* 188*0* *John J. McQuinn* 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 vehicle, to wit: one hundred dollars and 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:**

McColl, Hugh

**DATE:**

10/10/90



3825

0427

Witnesses;

Counsel,

Filed

day of

18

Pleads,

THE PEOPLE

29  
1897 Second 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.

Amund Little

P. 3. Oct. 16. 1890 Foreman.

Pleads A. 3. dy

Pen 174 - P. 3. H.

Oct. 21. 1890

0428

Police Court— District.

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

of No. 178 Penn Row Street, aged 36 years,  
occupation Laborer being duly sworn  
deposes and says, that on the 5th day of October 1888 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) 5 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 1888 }  
Wm. C. Smith  
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 4 months*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer.

*I 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  
liar god damn liar and he said he could  
kick 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 if I stabbed him once  
or 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 --- 1528  
 District.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

Offence \_\_\_\_\_

Dated Oct 5 1890

Power Magistrate.

James J. Conover

44 Precinct.

Witnesses \_\_\_\_\_

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

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

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 \_\_\_\_\_

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 Oct 5 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 Mc Coll

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

Hugh Mc Coll

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

The said Hugh Mc Coll,

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 Mc Coll  
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 Mc Coll

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

The said Hugh Mc Coll

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 Mc Coll  
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 *grain,*  
*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 wrong-  
fully 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

0434

# 301

Witnesses :

*John DeLaHanty*

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

#301

Counsel,

Filed

day of

1890

Pleads,

THE PEOPLE

vs.

B

*Edson H. McEwen*

Grand Larceny, 2<sup>nd</sup> degree  
(MISAPPROPRIATION.)  
(Sections 528 and 531 of the Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Wm. H. Haynes*  
Foreman.

Part II May 28<sup>th</sup> 1891  
Bail discharged -

Set for Monday May 25<sup>th</sup> 1891  
(Part) Part I  
May 25<sup>th</sup> 1891  
G.S.D.  
h.d.h.

## New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

*Edson H. M. C. Caven*

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~~

*Geo. W. Blumenthal*

## COURT OF GENERAL SESSIONS.

- - - - -X  
 )  
 The People &c. ( )  
 vs ( )  
 Edison 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 Edison 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 remain-  
 ing 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 Edison 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  
 Edison H. McEwen had sold upon the installment plan, and said  
 leases had been transferred by C. C. McEwen or Edison H.  
 McEwen to Orvis Brothers & Company for advances, and after-  
 wards to deponent to collect the balance due on the claim of

Orvis Brothers and apply the <sup>remainder</sup> ~~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, <sup>which</sup> ~~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 Edison 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.<sup>00</sup> 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 Edison H. McEwen at number 9 West 14th Street, New York, at the office of the C. C. McEwen; that said Edison 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 Edison 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  
Spc 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  
Sub 1890 W H Forshey  
De Eison H. McEwen

0442

Sec. 198-200.

District Police Court

CITY AND COUNTY  
OF NEW YORK, ss.

*Edson H. McEwen* 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. McEwen*

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 26<sup>th</sup> St. about 2 years.*

Question. What is your business or profession?

Answer.

*was Manager of E. C. McEwen 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. McEwen*

Taken before me this

day of *Sept* - *19*<sup>th</sup> - *1901*

*J. P. [Signature]*  
Police Justice.

0443

Sec. 151.

Police Court \_\_\_\_\_ District.

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

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 J. McCarthy 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:

\_\_\_\_\_ Dollars,  
 of the value of Twenty  
 the property of John J. McCarthy  
 was taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Charles H. McCarthy

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 J. McCarthy POLICE JUSTICE.

0444

Police Court ..... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John O'Malley*

vs.

*Edouard Chene*

Warrant-Larceny.

Dated *Sept 18th* 188*0*

Magistrate

Officer.

The Defendant

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

Officer.

Dated ..... 188

This Warrant may be executed on Sunday or at  
night.

*J. C. Rusk* 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

Police Justice.

0445

DAILED,  
No. 1, by Jackson A. Nichol  
Residence 224 Ninth Street,  
S. Brooklyn  
No. 2, by  
Residence  
No. 3, by  
Residence  
No. 4, by  
Residence

Police Court--- 2  
District. N 1440

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
John Delatour  
132 W. 45-53  
Edson H. McEwen  
Offence Larceny

Dated Sept 19 1890  
David C. Heilly  
C. A. Nichol  
Witnesses: J. A. Nichol, J. A. Nichol  
No. 1, by J. A. Nichol  
Residence 1000 E. 86th St. N.Y.C.  
No. 2, by J. A. Nichol  
Residence 1000 E. 86th St. N.Y.C.  
No. 3, by J. A. Nichol  
Residence 1000 E. 86th St. N.Y.C.  
No. 4, by J. A. Nichol  
Residence 1000 E. 86th St. N.Y.C.

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 1 - 21 1890 So J. A. Nichol 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

0449

Witnesses;

*Mary and David*

The case against defendant  
M. Govern has been tried and  
he has been acquitted. The evidence  
against Mallery is not stronger  
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 21<sup>st</sup> 90*

99  
No 1  
402  
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. 1. Tried & Acquitted*  
*Nov 21/90*  
*N.P. 2. Bail Discharged*

0450

Police Court—3—District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

Margaret Lusch  
 of No. ~~175~~ 1577 Av A Street, aged 31 years,  
 occupation Keep house being duly sworn  
 deposes and says, that on the 4<sup>th</sup> 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. 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. Gorman then asked deponent to get  
 him a match, deponent then left the

Subscribed before me, this

1890

Police Justice

defendants in said room. while defendant  
 got the match. 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  
 slapping struck defendant. and ran  
 out of the house. defendant and others  
 detained the defendant Mc Gorman until  
 the arrival of Officer Moffett. but  
 before the officer arrived the said  
 Mc Gorman 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.

Given before me }  
 this 5<sup>th</sup> day of Oct 1890 } M. Lesh.

W. O. Meade

Police Justice

0452

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY  
OF NEW YORK,

*John M. Gorm*

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 M. 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 M. Gorm*

Taken before me this

day of

*Dec*

1894

Police Justice.

0453

Sec. 198-200.

3- District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*William Slattery* being duly examined before the under-  
signed according to law, on the annexed charge, and being informed that it is h / ight to  
make a statement in relation to the charge against h / that the statement is designed to  
enable h / If he see fit to answer the charge and explain the facts alleged against h /  
that he is at liberty to waive making a statement, and that h / waiver cannot be used  
against h / on the trial.

Question. What is your name?

Answer.

*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.

*1232, 9 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

1894

*John J. McE...*

Police Justice.

0454

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by Charles A. Cramer  
Residence 117, E. 44 St Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Return 5-1579  
Police Court, \_\_\_\_\_ District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Margaret duval  
John Mc Gorman  
William Slattery  
Louise Jelmy  
Offense, \_\_\_\_\_

Dated, Oct 5 1890

Meade Magistrate.  
Hugh Moffett Officer.

WITNESSES  
No. 1575 Ave Brooklyn  
Harold Lind Street \_\_\_\_\_

No. 1577 RECEIVED  
6 OCT  
1890 DISTRICT ATTORNEY  
OFFICE. Street \_\_\_\_\_

No. 2 Bailed  
No. 1 Came

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

0459

Witnesses :

Phil S. Sauter

Officer Boley

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

Frank Mc Gowan  
and  
Frank Romano

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Andrew L. Latta  
Oct 23/90 Foreman.  
Robt  
Plead Bay 3 day  
Pen 2 1/2 yrs.

Burglary in the THIRD DEGREE  
Velt Larceny Pleasuring  
(Section 498, 506, 507, 508, 509, 510)

0460

Police Court— / District.

City and County } ss.:  
of New York,of No. 118 Park Place Street, aged 24 years,  
occupation Fruitsdeposes and says, that the premises No. 118 Park Place Street,  
in the City and County aforesaid, the said being a store anddwelling  
and which was occupied by deponent as a store  
and in which there was at the time a human being, by namewere BURGLARIOUSLY entered by means of forcibly breakingthe fastenings of a rear  
window of the store of said  
premiseson the 14<sup>th</sup> 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  
deponent's name written  
thereon together of the value  
of Six dollars (6.00)  
the property of complainantand 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 byFrank Ma Gowang and  
Frank Roman

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 2<sup>nd</sup> 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 Chalmers found a  
 ring with two keys and a tag  
 thereon and in the possession of  
 said Romans a small  
 pad lock that dependent 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 Gault  
 this 15<sup>th</sup> day of October 1890 }

Very Truly  
 Yours  
 Philip Gault

Police Court District.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

Degree.

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

Question. What is your name?

Answer.

*Frank McGowan*

Question. How old are you?

Answer.

*15 years*

Question. Where were you born?

Answer.

*W.*

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* 189*1*  
*[Signature]*  
Police Justice

0463

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK }

District Police Court.

*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. *W*

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

day of

1911

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.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Julius J. Sachs*  
of 88 East 14th St.

*Frank Robinson*  
of 100 East 14th St.

Offence *Burglar*

Dated

*Oct 15 1890*

*James Magistrate*  
Officer.

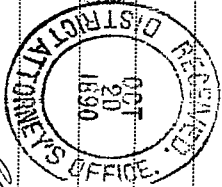
Witness *Callahan*  
Precinct.

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

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

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

\$ *1000* to answer *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 \_\_\_\_\_

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 *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.

0465

Court of  
General Sessions

The People's  
vs  
Frank Romano

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

100 EAST 23D STREET,

New York, October 20<sup>th</sup> 1890.

CASE NO. 52 433 OFFICER H. A. Fin  
DATE OF ARREST October 14<sup>th</sup> 1890.  
CHARGE

Burglary

AGE OF CHILD 15 years  
RELIGION Catholic  
FATHER

Frederick

MOTHER

Rosa

RESIDENCE 27 Mulberry Street, New York.

AN INVESTIGATION BY THE SOCIETY SHOWS THAT the boy Frank was on May 9<sup>th</sup> 1889. arrested by an Officer of 6<sup>th</sup> Prec. for assault on a man and on the 14<sup>th</sup> of that month was found guilty in Court of Special Sessions and fined ten dollars.

On February 26<sup>th</sup> 1890. Frank was again arrested by an Officer of 6<sup>th</sup> Prec. on complaint of one Philip Metz of 148<sup>th</sup> Street and Brook Avenue, for Burglary, but in Towns Court he was discharged by Justice Gorman as complainant did not appear.

Boy lives at above address with his mother and three other children of family. - Home comfortable and Mrs. Romano appears to be respectable.

Boy's father was about four months ago from Court of General Sessions sent to Clinton Prison for 9 years and 9 months for assault ~~on wife and other~~ <sup>on wife and other</sup>.

All which is respectfully submitted,

O. Holloway  
Supt

To The Dist Atty

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*Court of  
General Sessions*

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*The People*

*vs*

*Frank Romano*

*Brooklyn*  
PENAL CODE, §

---

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

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**ELBRIDGE T. GERRY,**  
*President, &c.,*

100 East 23d Street,  
NEW YORK CITY.

0466

0467

Court of  
General Sessions

The People v.

vs

Frank M. Gowan

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

100 EAST 23<sup>d</sup> STREET,

New York, October 20<sup>th</sup> 1890.

CASE NO. 52433 OFFICER H. A. Finn  
DATE OF ARREST October 14<sup>th</sup> 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 25<sup>th</sup> 1888, Francesco was  
arrested by 5<sup>th</sup> Precinct for Burglary,  
held in \$1500<sup>00</sup> bail for trial and on  
Dec. 6<sup>th</sup> 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. 18<sup>th</sup> - 1888, 18<sup>th</sup> Precinct arrested  
Francesco with another boy, for having  
in an empty building about 100 lbs  
of lead pipe. - Justice White at 4<sup>th</sup> Dist.  
Court committed both boys to the Catholic  
Protectory.

On January 27<sup>th</sup> 1889, Francesco was arrested  
by the 2<sup>d</sup> Precinct for Burglary, and on February  
6<sup>th</sup> 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 Jenkins  
Inpt

To Dist Atty

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*Court of  
General Sessions*

---

*The People's*

*vs*

*Frank McGowan*

*Burglary*  
PENAL CODE, §

---

**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. Bobz*  
aged \_\_\_\_\_ years, occupation *Police Officer* of No. *2nd Avenue* 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. Bobz*

*[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-nine, 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 Romano*

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

The said *Frank McGowan and Frank Romano*, 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 Romano*

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

0474

99. Sept 10. 16 Oct 15  
 176

Witnesses :

Counsel

Filed

date of

189

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,

P. 3. Oct. 23. 1890

District Attorney.

indict. dis - R. B. M.

A True Bill.

Andrie Little

Foreman.

The within pro-  
 - ductment should  
 be dismissed  
 for want of juris-  
 - diction - the  
 alleged violation  
 occurred in the  
 hull room  
 in the State of  
 New Jersey

G. H. B.

Oct 24<sup>th</sup> 1890  
 Acting District  
 Attorney

0475

Excise Violation—Selling Without License.

POLICE COURT—

DISTRICT.

City and County } ss.  
of New York,

The Board of Thomas Ferris  
 of No. 27 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 W. M. 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 bar  
 on the steamer Challenger the same  
 sailing in the waters of the County of  
 New York, did sell to defendant one  
 glass of beer and received from  
 defendant 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.

0476

*N*  
Police Court, *1* District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Thomas Ferris*

vs.

*Thomas McGraw*

EXCISE VIOLATION.  
SELLING WITHOUT A LICENSE.

Dated *28* day of *Sept* 188*8*

*W. H. [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*8* ..... Police Justice.

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

Dated ..... 188*8* ..... 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*8* ..... 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

Question How old are you?

Answer

Question Where were you born?

Answer

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

Answer

Question What is your business or profession?

Answer

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

Answer

Taken before me this

day of

Police Justice.

0478

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  
her 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.....

day of..... 188*8*

*AJ White*

POLICE JUSTICE.

0479

POLICE COURT 1<sup>st</sup> 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 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 1888

40 yrs  
w.  
Drel  
Liquor  
S  
yes  
Elizabeth N

Police Justice.

The within named

0480

Sec. 192.

## District Police Court.

CITY AND COUNTY  
OF NEW YORK, } ss.

Undertaking to appear during the Examination.

An information having been laid before 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 hear-  
ing thereof having been adjourned,

We Thomas McGrath Defendant of No. Elizabeth  
City of 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 One  
Hundred Dollars.

Taken and acknowledged before me, this

day of

188

POLICE JUSTICE.

0481

CITY AND COUNTY }  
OF NEW YORK, } ss.

Sworn to before me, this  
day of  
1881  
Justice

the within named Bail and Surety being duly sworn, says that he is a resident and  
holder within the said County and State, and is worth 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. Grogan

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

Taken the day of 188

Justice.

0482

The President  
has been sworn  
in by the  
people of the  
State of New York

BAILED  
No. 1, by  
Residence  
No. 2, by  
Residence  
No. 3, by  
Residence  
No. 4, by  
Residence  
No. 5, by  
Residence

Police Court--- District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

1. James T. Jones  
2. James T. Jones  
3. James T. Jones  
4. James T. Jones  
Offence

Dated September 28, 1888

Witnesses  
No. 1, by  
No. 2, by  
No. 3, by  
No. 4, by  
No. 5, by

No. 1, by  
No. 2, by  
No. 3, by  
No. 4, by  
No. 5, by

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 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

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

Dated Sept 28th, 1888

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

Dated 1888

1.

**Police Court---**

See Record Aug. 26/88

District 9

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*James Davis*

Howard E. Egan  
James M. Egan

Offense ~~No~~  
W. Exceeding

Dated 20/01/2018

Car 31  
188  
Peterson, Magistrate

..... Officer *William*  
..... Precinct *Seven*

**Witnesses.**

No. .... Street.

No. .... Street,

No. .... Street.

\$1111 to answer ✓

100

*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 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... (Oct 31) 1888. J. M. Patterson Police Justice.

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

Dated Oct 31 188 8 J. M. Patton 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.*

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*

(III. 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 sec-  
tion 5)

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 <sup>certain</sup> the premises there situate, ~~known as~~  
~~number~~ in and on board of a certain <sup>certain</sup> 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, 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.

0486

(Laws of 1883,  
chapter 340 sec-  
tion 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 <sup>certain</sup> 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

Counsel,

Filed

day of

1890

Pleads

THE PEOPLE

vs.

Patrick McGuire

P

Burglary in the first degree,  
and Robbery in the first degree,  
in the first degree.  
[Section 496, 506, 528 & 530].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Amos Little

Foreman.

Part I

Nov 11th 1890

10 720 S.P. Jy

Police Court—..... District.

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

of No. 73 Orchard Street, aged 35 years,  
occupation Milliners being duly sworn

deposes and says, that the premises No 73 Orchard Street, 10<sup>th</sup> Ward

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

and which was occupied by deponent as a <sup>millinery</sup> ~~store~~ and dwelling apartment and in which there was at the time a human being by name Morris Danneberg (deponent's Dora Danneberg, and aunts; Sadie and Annie 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 18<sup>th</sup> day of October 1888 at 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 Twelve dollars  
A pair of gold sleeve buttons of the value of two dollars all 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

was committed and the aforesaid property taken, stolen and carried away by  
Patrick M<sup>c</sup>Guire (now here)

for the reasons following, to wit: Deponent says, - at about 11 P.m. <sup>the night preceding</sup> of said date, deponent, and his family retired for the night, going to their bedroom in the rear of and adjoining the store of said premises.

Depoent 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 Danneberg 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 asked defendant what he was doing,  
when defendant with an oath sprang at deponent,  
defendant having at the time a sharp instrument in  
his hand, with which he assaulted deponent, striking  
deponent two violent blows in the head, a blow behind  
the ear and on the right hand.

Deponent further says, - after defendant saw  
he missed property herein mentioned, and noticed  
how sundry articles, wearing apparel, millinery  
goods were piled up in said premises, and found  
him doing so, he again "gave him a good shaking".

Deponent further says - He is informed by Officer  
Michael J. Reap of the 11<sup>th</sup> Precinct, that on the 2<sup>nd</sup>  
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, shoemaker,  
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 also identi-  
fying defendant as being the man who  
had seen escape from said premises,

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

Sworn to before me  
this 26<sup>th</sup> day of Oct 1890

M. Danneberg

*[Signature]*  
Deputy Justice

0490

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 Morris Gannberg  
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 } ss.  
OF NEW YORK, }

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

says, that ~~she~~ 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 26 day of Oct 1890 } Dora Danneberg

[Signature]  
Police Justice.

0493

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Michael J. Reap*  
aged 31 years, occupation Officer of No. 11<sup>th</sup> 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 26<sup>th</sup> day of Oct 1890  
*Michael J. Reap*  
*P. G. Duffy*  
Police Justice.

0494

Sec. 198—200.

3

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*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 June 1887  
Police Justice.

0495

Police Court--- 3 --- District.

1614

THE PEOPLE, &c.,  
ON THE COMPLAINT OFMorris Lammberg  
73  
12 Bedford St.  
Fabien McGuireOffence  
Burglary

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

Dec 26 -

1890

Magistrate.

M. J. Kelly

Officer.

Witnesses

No. 1, by

Residence

Edward W. Kelly

140 Bedford St.

No. 2, by

Residence

200 West 18th St.



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 18 90 [Signature] 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 90 [Signature] 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

*Esther McQuire*

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

*— Esther McQuire —*

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

The said *Esther 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 *eighty-nine*, with force and arms, about the hour of *two* o'clock in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *Morris Danenberg*

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

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

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away; and *the said Esther McQuire, having* ~~so done~~ *into and entered the said dwelling house, and* ~~being therein, afterwards, to wit: on the day and in the~~ *year aforesaid, and while engaged in escaping therefrom,* ~~in and upon the said Morris Danenberg, feloniously~~ *did make an assault, and with the said Morris* ~~Danenberg, with a certain instrument to the said jury~~ *aforesaid unknown, then and there 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,

*stole articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of five hundred dollars, and a quantity of millinery goods, a more*

*particular description whereof is to the*

*Grand Jury aforesaid unknown, of the*

*value of five hundred dollars, the sum of twelve dollars in money, lawful money of the United States of America, and of the value of twelve dollars, and one pair of sleeve-buttons of the value of two dollars.*

*of the goods, chattels and personal property of one Morris Dannenberg.*

*in the dwelling house of the said Morris Dannenberg.*

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,

Filed

Day of

1890

Pleads,

THE PEOPLE

vs.

Maggie McKeen

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.

Pen 7 mos

P.B.M.

Police Court— 2 District.

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

Elenora 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 human 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 H 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 (known)

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  
Elenora Douglas

*Examination by the Court  
12 days of October 1890  
John H. McKean*

0502

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Maggie Ed Kean* 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* ~~in~~ 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* ~~in~~ waiver cannot be used  
against *him* ~~in~~ on the trial.

Question. What is your name?

Answer.

*Maggie Ed Kean*

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 Kean*  
*Maggie*

Taken before me this

day of

*October*

*1930*

*12*

Police Justice.

0503

Index  
E. 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 1537  
Police Court--- 2 District

THE PEOPLE, Ec.,  
ON THE COMPLAINT OF

Elmore Douglas  
149 West 124 St  
Murray W. H. Hume

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

Offence Burglary

Dated Oct 12 1890

William Magistrate.  
John Reinhardt Officer.

Witnesses \_\_\_\_\_ Precinct 19  
No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_  
\$ 400 to answer \_\_\_\_\_



*[Handwritten signature]*

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Four 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 John J. Enman 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 H. 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 *Petit* 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  
bad as not  
want the fine  
for

327

Counsel,

Filed

day of

189

Pleads,

30 Oct 90  
Kozumet 31

THE PEOPLE

18

323-2-103

Indictment

James McLoughlin

15

107-2-109

Indictment

Martin Long

Burglary in the THIRD DEGREE  
Grand Jurors (Section 498, 506, 528, 531 and 550)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Andrew Little

Foreman.

Part III November 3/90

Both plead - Guilty of being

Indictment

then 6 mos. + 100 fine

Nov 7/90

P.V.

05 10

Albany Nov. 21<sup>st</sup> 1890.

Honorable Judge Puring.

I have been informed that you have a prisoner bearing 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 husband.

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

Hon R B Browning

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 upright young man, & your Honor I sincerely pray that you will be as lenient with him as possible. I have investigated 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 or none.

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 Louisa

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 28-1st Ave  
N.Y.C.

0515

CITY AND COUNTY  
OF NEW YORK, ss.POLICE COURT, 6th DISTRICT.John Q. Lockwoodof No. Police Office 33rd Precinct Street, aged        years,  
occupation        being duly sworn deposes and saysthat on the 22nd day of October 1890at the City of New York, in the County of New York, he was informed that aburglar in New York Central & Hudson River Railroad yard at  
161st Street & Morris Avenue, which is called a Shanty,had been burgled and sented & broken into, & two parlor rifles5 Ross Egores 11 pair of Leather Boots & 18 pounds ofplay tobacco of value & taken therefrom, & that youngboys with a wagon had committed the burglary & uponfinding the boys James McLaughlin & Michael Long now havewith the wagon arrested them & took possession of the wagonin searching, & upon finding a part of said property so asabove stated to have been taken by said boys, viz. 2 parlorrifles & two pair of Boots, which said boys has deplored

Sworn to before me, this

189

day

Police Justice.

05 16

TORN PAGE

of as a person & was told to deposit wants him to find  
the remaining said property, which said boy have a  
deponent is informed disposed of & therefore asks  
that said boy be released the Clerk of the Court

Subscribed & Sworn  
Before me on 13th. 1890

John C. ...  
Police Justice

William Lockwood

Police Court-- District.

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

vs.

Dated 188

Magistrate.

Officer.

Witness.

Disposition.



05 18

N.Y. General Sessions

The People vs  
- vs -

Joe McLaughlin  
Martin Long

---

Affidavit of  
character of  
Joe McLaughlin

0519

Police Court, 1st District.City and County } ss.  
of New York,Robert Cantaniof No. 290 Alevan Avenue Street, aged 29 years,occupation Clack being duly sworn, deposes and says,that on the 21st day of Oct 1890, at the City of NewYork, 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. as clerk of said  
Lambert. He was at about 9 o'clock in the  
morning of that day by <sup>closed &</sup> locked up the outer door  
of said store in said building & went down  
into the city leaving with other property, given of  
said Lambert 2 police Rifles. worth \$6 each  
5 boxes Agate worth \$12.50 11 packages of Bor  
worth \$23.75 40 pounds tobacco worth \$7.50 of  
& belonging to said Lambert. That about  
2 o'clock afternoon of that day, defendant returned  
to said store & found that <sup>some of the same</sup> the door had  
been broken open & that said property  
above named had been taken away.

Subscribed &amp; sworn

Before me this 23. 1890

John Behrman

Police Justice

Robert Cantani

0520

Police Court, *Ch* District.City and County } ss.  
of New York,of No. *323 East 103<sup>rd</sup>*Street, aged *fifteen* years,occupation *unfather's employment*

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 with James MacLaughlin & Martin Long who had been of deponents father said horse & buggy to look after the safety of the same. Mac said MacLaughlin & Long drove near the yard of the North City & Hudson River Railroad Co. & left deponent in said wagon & except into said yard through a hole in the fence & entered a store in a building overlooking said yard having an empty bag that after being there about 15 minutes they came back with said bag filled, put it in the wagon & drove away. Deponent says he saw it was in the bag but could see by appearance of bag that there was some goods & some boots in it. He says not*

Subscribed &amp; sworn

Before me this *23* - 1890*John J. Conance**John J. Conance* *John J. Conance*

0521

Sec. 198-200.

6<sup>th</sup>  
T.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*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. *109<sup>th</sup> St near 4<sup>th</sup> 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 *9<sup>th</sup>*  
day of *October* *1890*

Police Justice.

0522

Sec. 198-200.

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-13<sup>th</sup> St. Two months*

Question. What is your business or profession?

Answer.

*Jack 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*  
*James M. Laughlin*

Taken before me this  
day of *June*  
*1896*

*1896**1896*

Police Justice.

0523

Sec. 151.

Police Court 6<sup>th</sup> District.

CITY AND COUNTY } ss In the name of the People of the State of New York; To the Sheriff of the County  
OF NEW YORK, } of New York, or 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 23<sup>rd</sup> day of October 1890 at the City of New York, in the County of New York, the building at 161 1/2 St and Morris

fire 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 parlor triffles worth 6.00, five boxes of cigars worth 12.50  
eleven pair of shoes worth 23.00 and ten pounds of tobacco worth  
7.50 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 6<sup>th</sup> DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 23<sup>rd</sup> day of October 1890  
John Dechance POLICE JUSTICE.

POLICE COURT 6<sup>th</sup> DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Robert-Curtain

vs.

James McLaughlin  
Martin Long

Dated October 23<sup>rd</sup> 1890

Dechance Magistrate

Dechance Officer.

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

Officer.

Dated October 23<sup>rd</sup> 1890

This Warrant may be executed on Sunday or at night.

Police Justice.

Warrant-General.

REMARKS.

Time of Arrest,

Native of

Age,

Sex

Complexion,

Color

Profession,

Married

Oct 23<sup>rd</sup> 1890  
Arrested by Officer Dechance  
at 161 1/2 St and Morris  
Reed, James McLaughlin, alias  
Dechance & Co. 161 1/2 St  
Write,



# 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*  
*store*  
 in the dwelling house 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

Counsel,

Filed

day of

188

Pleads

THE PEOPLE

19  
230  
24. 39  
25

P

John McMahon

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

JOHN R. FELLOWS,

District Attorney.

Off. of Gen. at Dept. of Justice, M.D.  
Ch. of Gen. M.D.

A True Bill.

Amos Little

Foreman.

Part 2 - Nov. 18, 1890

Grand Jury

Pleads attempt to commit  
Grand Larceny First Degree

S.P. 2 yrs. Nov. 25

0530

Police Court— 2<sup>nd</sup> District.CITY AND COUNTY }  
OF NEW YORK, }

Thomas J. Parker

of No. 332 8<sup>th</sup> Avenue Street, Aged 51 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 Campbell

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. McMahon (indicted)

From the fact that at the hour of about 11 O'clock in the night of said 8<sup>th</sup> day of October 1890 deponent was on the 8<sup>th</sup> 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 McMahon took violent hold of deponent and pushed deponent against

day of

188

Sworn to before me, this

Police Justice.

a Telegraph pole, and defendant fell a jerk upon his pocket, and then threw round 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 Driscoll of the 16th Precinct Police.

Shown to before me this 9th day of October 1890  
Thomas J. Lanier  
Police Justice

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 1888 Police Justice.  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1888 Police Justice.  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1888 Police Justice.

Police Court, District.

THE PEOPLE, &c.,  
on the complaint of

vs.

1  
2  
3  
4

Offence—ROBBERY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

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 Grand Jury 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

Have mercy upon <sup>him</sup> 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 mercysfull  
for my sake and for that  
of his dear Mother even as  
God be mercysfull to the  
worst sinner and the Prayers  
of this Family will be  
with you to the end

Yours Most Respectfully, R. Evans

To The Honorable Judge Canning

0534

Wallingford Vt Nov 24<sup>th</sup> 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 26<sup>th</sup> 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.

Justice I will pray that Gods fullest blessings may be yours untill you are called before a higher court of Justice before God who is allways merciful. If there is a way to suspend sentence he will be here in a loving home among those who love <sup>him</sup> inside of four hours after he leave 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 withu I shall be the happiest of Mothers or the most miserable on Thanksgiving day

From a heart broken Mother -

0536

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

*John McMahon* 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 McMahon*

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. *Am Quitt*

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 McMahon*

Taken before me this

20

days of

1920

*William H. ...*  
Police Justice.

0537

\$1500 loose bail  
9 will  
Oct 12

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 5, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

Police Court... 2 District.

1554

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Thomas A. Harden  
332 8th Ave.  
John W. McWilliam

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

Offence

Robbery

Date Oct 10 1890

Magistrate

John Francis  
16 Officer

Witnesses

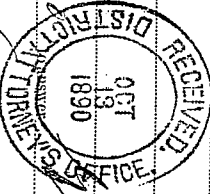
paid off

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

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 \_\_\_\_\_

deposited

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 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 *eight* day of *October*, in the year of our Lord one thousand eight hundred and *eighty nine*, in the *middle* time 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. Kellogg,*  
*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

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

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.

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.

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

0541

By consent of dist. atty  
Bail fixed at \$5000

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  
att.

Counsel,

Filed

day of

1890

Pleads,

THE PEOPLE

vs.

J. E. V.

Patrick McManus

com of dist.

Att. indit. dis. p.

Part III October 28 1890  
JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Arthur W. Little

Foreman.

Place this case  
in part 3 - Oct  
27th Mr. Pundy  
agrees to be your  
for trial. G. S. M.  
ad. no

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 *fore*noon, the time and cause of the imprisonment of

*Patrick McMahon*  
by you detained, as it is said, by whatsoever name the said *Patrick McMahon* 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, at 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 *eighty 90*

By the Court.

*Joseph Kelly*  
*Deputy Clerk*  
COUNTY CLERK.

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

New York Supreme Court

The People, &c.

*Catagack*  
Ex rel *Thomas 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*

*W. C. C. C. C.*

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.  
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and the relator is remanded to the custody of the  
respondent in the mean time.  
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\_\_\_\_\_ 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, &amp;c., IN COMPLAINT OF

*Annie McManus*

vs.

*Patrick McManus*

BEFORE HON.

*Daniel F. McMahon*

POLICE JUSTICE,

*Oct. 11<sup>th</sup> 1890*

APPEARANCES:

For the People,

For the Defence,

*Ambrose H. Purdy**Oct. 11<sup>th</sup> 1890*

## INDEX.

WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

<i>McManus, Annie</i>		<i>22-25</i> <i>31-33</i> <i>1-9</i>	<i>9-12</i>	<i>12-18</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 Dwyer*

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 1<sup>st</sup> 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

agst.

Patrick McManus

Examination had

Oct. 11<sup>th</sup> 1880

Before

Daniel F. McMahon

Police Justice.

I, George Zieger 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 11<sup>th</sup> 1880

George Zieger  
Stenographer

Police Justice.

## Fourth District

Annie McManus

- vs -

Patrick McManus

Before Hon.  
Dan'l F. McMahon  
JusticeNew York, Oct. 11<sup>th</sup>, 1890

## Appearances:

No one for Complainant.

Ambrose H. Purdy, for Defendant.

Annie McManus, the com-  
plainant, being duly sworn,  
testified as follows:

By Mr Purdy:

Q You say your father had  
connection with you on  
the 1<sup>st</sup> day of July?

A Yes sir.

Q How do you fix it, the 1<sup>st</sup>  
day of July?

A I didn't just say on the  
first.

Q On or about the 1<sup>st</sup> 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 ~~He~~ Was 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 No 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.  
Q How 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 4<sup>th</sup> 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 couldn't 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 Purdy:

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 14<sup>th</sup> 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 spent 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

14

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 59<sup>th</sup> St.

Q What is your business?

A I am a private watchman 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<sup>d</sup> June from Madison Street. On the 28<sup>th</sup> she cleaned up the house; her mother was in the Asylum from the 14<sup>th</sup> 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 in Madison Street. On the 8<sup>th</sup> 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

to me about "Mme" 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 rich",  
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 8<sup>th</sup> 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 5<sup>th</sup> Avenue" I said "you didn't?" She said "I was in Eighth 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

19

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 58<sup>th</sup> & 59<sup>th</sup> 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 Yes 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

74

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 Officer?
- 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. Parry: Where do you live?

A. 213 East 59<sup>th</sup> 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 Mr  
Cronin'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 59<sup>th</sup> 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 every day 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 McManus about it, and I didn't like my little girl to go with her. Mr McManus 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 room?

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.

Archie 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 <sup>James</sup> fellow Gus Marshall.

Q Is that his name?

A Yes sir.

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

A Yes sir.

Q And did she speak to you about him?

A Yes sir.

Q What did she say?

A She said not to allow him upstairs.

Q And that is the only man she ever saw?

A Yes sir.

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 No 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 stable 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.

26

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 sister?

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 14<sup>th</sup> 1904

BEFORE HON.

Daniel J. McMahon

Police Justice.

George H. H.  
Official Stenographer.

0586

## 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.

Sworn to before me, this

of October

189

day

H. J. McMahon  
Police Justice.

Hugh Martin  
of No. 25 Precinct Street, aged \_\_\_\_\_ years,  
occupation Officer being duly sworn deposes and says,  
that ~~on the~~ \_\_\_\_\_ day of \_\_\_\_\_ 189

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 ~~defendant~~ <sup>said Annie</sup> and asks  
that the said Annie be sent to  
the House of detention in default of  
her entering a recognizance  
Hugh Martin

0588

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

Police Court, 4<sup>th</sup> District.

*Amie McManus*

of No. *213 East 59<sup>th</sup>* Street, being duly sworn, deposes and

or about *1<sup>st</sup>* day of *July* 18*90*

*and gives other days of July until the day of*  
at the City of New York, in the County of New York, *Patrick McManus*

(now here) did feloniously and unlawfully have connection and the ~~defendant~~ <sup>defendant</sup> 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 1<sup>st</sup> July, 1890, the defendant was dressing himself in the apartment at premises 213 East 59<sup>th</sup> 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  
the 4<sup>th</sup> October, 1890  
W. J. Buchanan  
Police Justice*

0589

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Patrick W. Mann* 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 W. Mann*

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 an examination.*

*Patrick W. Mann*

Taken before me this

day of *October* 1890

*W. 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  
Hired Man

Detrick McManus

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

Offence Larceny

Dated Oct 4 1890

William McManus  
Magistrate.

Witnesses Detrick McManus  
No. 1111 First St. Street.



No. \_\_\_\_\_ Street \_\_\_\_\_  
No. 2000 \_\_\_\_\_ Street \_\_\_\_\_  
\$2000  
Good bond 4 Oct. 9 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. J. McManus 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 feloniously 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*  
*dignity.*

*John R. Fellows,*

*District Attorney*