

0798

BOX:

92

FOLDER:

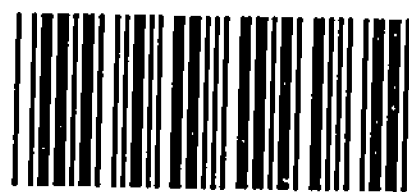
1005

DESCRIPTION:

McCabe, William

DATE:

02/16/83



1005

0799

BOX:

92

FOLDER:

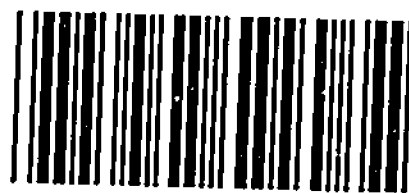
1005

DESCRIPTION:

Hughes, William

DATE:

02/16/83



1005

0000

BOX:

92

FOLDER:

1005

DESCRIPTION:

Swift, Richard

DATE:

09/16/83



1005

0001

BOX:

92

FOLDER:

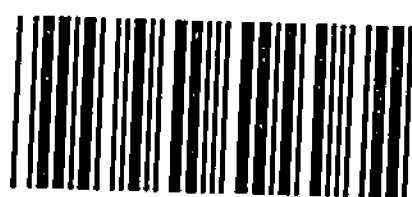
1005

DESCRIPTION:

O'Keefe, Edward

DATE:

02/16/83



1005

Saunders

24.6 mos J.P.

Hughes.

24.6 mos

on an other with

72

Hughes and J.P. on other with

0002

No. 123

Day of Trial

Counsel,

Filed 16 day of Feb 1883

Pleaded 24th Antiquely

THE PEOPLE

vs.

William D. McCaskey

William D. McCaskey

Richard C. Smith

Edwards O. Kease

(2 Cases against 1 & 2)

JOHN McKEON,

District Attorney.

Ch. 1. J. P. 3 day,

Ch. 2. J. P. 3 day,

Ch. 3. J. P. 3 day,

A True Bill.

William D. McCaskey

(Recorder Foreman.)

Ch. 3. J. P. 3 day,

Ch. 4. J. P. 3 day,

Ch. 5. J. P. 3 day,

Ch. 6. J. P. 3 day,

Ch. 7. J. P. 3 day,

Ch. 8. J. P. 3 day,

Ch. 9. J. P. 3 day,

0003

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

THE PEOPLE OF THE STATE OF
NEW YORK,

against
William H. Hughes
Richard C. Swift
Edward O'Keefe

The Grand Jury of the City and County of New York by this indictment accuse
William H. Hughes *Richard C. Swift* *William H. McCate* and
Edward O'Keefe of the crime of Burglary in the third degree,
committed as follows:

The said *William H. Hughes* *Richard C. Swift* *William H. McCate*
and *Edward O'Keefe*

late of the *Seventeenth* Ward of the City of New York, in the County of New York,
aforesaid, on the *eighteenth* day of *December* in the year of our
Lord one thousand eight hundred and eighty*two*, with force and arms, at the Ward,
City and County aforesaid, the *store* of

Thomas J. Lee there situate, feloniously and
burglariously, did break into and enter, the same being a building in which divers goods,
merchandise and valuable things were then and there kept for use, sale and deposit, to
wit: the goods, chattels and personal property hereinafter described, with intent the said
goods, chattels and personal property of the said

Thomas J. Lee then and there being, then and there
feloniously and burglariously to steal, take and carry away, and *nine vests of*
the value of five dollars each, seven
pairs of trousers of the value of
twelve dollars each pair, two
overcoats of the value of twenty five
dollars each, four coats of the
value of thirteen dollars each,
and five pieces of cloth of the
value of thirty five dollars each
piece

of the goods, chattels and personal property of the said

Thomas J. Lee

so kept as aforesaid in the said *store* then and there being, 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 McLean
District Attorney

0004

Police Court 2d District. 102

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas J. Lee
57-44 St

1 William H. McCabe
2 William H. Hughes
3 Richard G. Smith
4 Edward G. Keefe
Offence Burglary

Dated February 5 1883

Spandorf Magistrate.
Sergeant - Ireland Officer.
Leatrice Office Precinct.

Residence _____ Street, _____

No. 4, by _____

Residence _____ Street, _____

No. 3, by _____

Residence _____ Street, _____

No. 2, by _____

Residence _____ Street, _____

No. 1, by _____

Residence _____ Street, _____

Witnesses Jack Officer

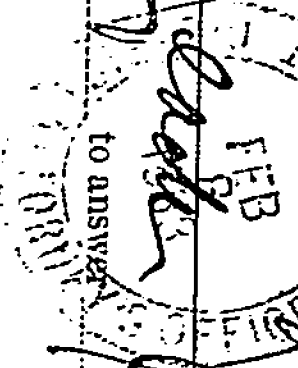
No. Mrs Swift 11 57 Street.

C.B. Ward Eric Naagay Co. ✓

No. West Hall Swift Eric Street, ✓

Naagay Co. ✓

No. 207 Leatrice Street, ✓



(Cpm)

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named William H. McCabe
William H. Hughes, Richard G. Smith and Edward G. Keefe
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 February 5 1883 Augustine 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.

0005

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.2^d

DISTRICT POLICE COURT.

Edward O'Keefe 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. Edward O'Keefe

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. Ireland

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

Answer. No 203 East 22^d street; 1 year

Question. What is your business or profession?

Answer. Errand boy

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

Answer. I know nothing whatever about the matter. I was at home in bed at the time. I had the Keys of the store with me. I locked the store before I left and opened it next morning, as usual

Taken before me, this

day of

5th
February 1883

Edward O'Keefe

Hugh J. [Signature] Police Justice.

0006

Sec. 198-200.

22

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

William H. 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. William H. McCabe

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York City

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

Answer. No 425 West 24th Street; 2 years

Question. What is your business or profession?

Answer. Driver

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

Answer. I am guilty

W H McCabe

Taken before me this

day of

February

1883

George C. Williams

Police Justice.

0007

Sec. 198-200.

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

Richard C. Swift 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. Richard C. Swift

Question. How old are you?

Answer. 27 years

Question. Where were you born?

Answer. Cincinnati, Ohio.

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

Answer. No 503 West 53rd street; 6 weeks

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 was induced by Mc Cabe to take part in the burglary, and am guilty

Taken before me, this 5th
day of February 1883

R. C. Swift

Hugh Gardner Police Justice.

0000

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

2d

DISTRICT POLICE COURT.

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

Question. What is your name?

Answer. William H. Hughes

Question. How old are you?

Answer. 20 years

Question. Where were you born?

Answer. New York City

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

Answer. No 209 West 20th street, 7 years

Question. What is your business or profession?

Answer. clerk

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

Answer. I know nothing about the alleged burglary.

Taken before me, this 3rd
day of February 1883

W. H. Hughes

Hughes Police Justice.

0009

Police Court— 2^d District.City and County } ss.:
of New York,

Thomas J. Lee

of No. 57 Fourth Avenue Street, aged 32 years,
occupation Merchant Tailor being duly sworndeposes and says, that the premises No. 57 Fourth Avenue
Street, 12 Ward, in the City and County aforesaid, the said being a dwelling house

the North Half of which was occupied by deponent as a Merchant Tailor store

were BURGLARIOUSLY entered by means opening the front door of said store, there being at the time human beings, to wit Henry A. Bassabe and others sleeping in the upper stories of said premises, occupied as a dwelling on the night of the 1st day of December 1882

and the following property feloniously taken, stolen, and carried away, viz: Nine cloth vests of the value, together, of Forty-five Dollars, Seven pairs of pants of the value, together, of Eighty Dollars; Six coats, of which two were overcoats, of the value, together, of One hundred dollars and five pieces of Woollen cloth of the value of One hundred and Seventy-five Dollars in all of the value of Four hundred and ten 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

William H. McCabe, William H. Hughes, and Edward O'Keefe, now here,

for the reasons following, to wit;

Deponent is informed Sergeant John Ruland of the Central Office Police that on the 3^d day of February 1883 in said city and county he arrested the said McCabe and said O'Keefe and that at the time of such arrest the said O'Keefe had on the coat here shown which deponent identifies as portion of the property taken, stolen and carried away as aforesaid and also the pants and vest here shown by him which deponent likewise identifies as part of said

08 10

property. Deponent is informed by said McCabe that on said night said O'Keefe, then in the employment of this deponent, gave to him, the said McCabe, and to said Swift, they then being together, a key to said front door of said store, from which a duplicate was made by ~~deponent's~~ ^{his} direction of said McCabe and said Swift. Together with one William Hughes said McCabe and said Swift entered said premises by means of said key, furnished through said O'Keefe as hereinbefore stated, and took, stole and carried away the above described property, as deponent is now informed by said McCabe, at the time hereinbefore stated.

Subscribed and sworn to me this
5th day of February 1883

Hughes
Police Justice

Thos J Lee

0011

CITY AND COUNTY }
OF NEW YORK, } ss.

John Ruland
aged _____ years, occupation Detective Sergeant of No.
Central Police Office Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Thomas J. Lee
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

5th

day of

February 1889

John Ruland
Police Justice.

08 12

279

(11)

Day of Trial,

Counsel,

Filed 26 day of

Feb 1883

Pleas

Warrant 271

THE PEOPLE

vs.

P

Richard C. Smith

JOHN McKEON,

District Attorney.

A True Bill.

William H. Myles
Foreman.

Sealed on and with
McK 83

0013

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Richard C. Snift

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

Richard C. Snift

of the CRIME OF *illegally using a key to a fire alarm station* committed as follows:

The said *Richard C. Snift*

late of the City and County of New York, on the *17th* day of *December* in the year of our Lord one thousand eight hundred and eighty—*two*—, at the City and County aforesaid, with force and arms

not being one of the fire commissioners of the City of New York, and not being one of the officers, or one of the employees of the said Commissioners, authorized to operate the fire alarm telegraph, and not being a policeman or fireman using the same for communicating an actual alarm of fire, unlawfully did then and there use a certain duplicate key of one of the fire alarm telegraph signals and alarm stations, duly designated as such by the said Fire Commissioners of the City of New York, 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 the Grand Jury aforesaid, by this indictment further accuse the said *Richard C. Snift* of the crime of communicating a false alarm of fire, committed as follows:

The said Richard C. Swift, 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, unlawfully did use a key and the appliances of one of the fire alarm telegraph signal and alarm stations, duly designated as such by the said Fire Commissioners of the City of New York, for the purpose of by such use, communicating a false alarm of fire, 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 the Grand Jury aforesaid, by this indictment, further accuse the said Richard C. Swift of the crime of larceny in his possession a key of a fire alarm telegraph signal and alarm station, without authority, committed as follows:

The said Richard C. Swift, late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, unlawfully did have and possess a certain key of a certain fire alarm telegraph signal and alarm station duly designated as such by the said Fire Commissioners of the City of New York, the said Richard C. Swift not having been designated by the said Fire Commissioners as one of the persons entrusted with duplicate keys thereof against the form of the Statute in such case made and provided, and against the peace of the People of the State of New

00 15

W. J. and their dignity.

John McLean

District Attorney.

0016

Wells, and their dignity.

John McLean

District Attorney.

00 17

12/18/87
Dr. [unclear]
Get Patients

08 18

Feb 1889

State of New York.

Executive Chamber,

Albany, N. Y. 1884

Sir: Application having been made to the Governor for the
pardon of Richard C. Schrift, who was
tried and convicted before you Nov. 1. 1883

Recy. 8 d and sentenced
to the State Prison 1 year

Will you oblige the Governor with your opinion of the case, together
with any facts or circumstances which may have a bearing on the
question of granting or refusing a pardon?

Very respectfully yours,

Samuel C. Chandler

To Hon. Frederick B. ...

0019

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

Police Court 2 District 104
THE PEOPLE, &c.,
ON THE COMPLAINT OF
John Carlin
Richard E. Smith
Offence, False Alarms of Fire
Dated February 7 1883
Gardner Magistrate.
Henry Meland Officer.
Central Office Clerk.
Witnesses, _____
No. _____ Street, _____
No. _____ Street, _____
No. _____ Street, _____
\$ 1000 to answer, 98 Street, _____
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 Richard E. Smith

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 February 7 1883 Henry Gardner Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0020

Sec. 198-200.

2

DISTRICT POLICE COURT.

CITY AND COUNTY }
OF NEW YORK, } ss.

Richard C. Swift 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.

Richard C. Swift

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

Cincinnati

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

Answer.

503 West 55th St and about 6 weeks

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

R. C. Swift

Taken before me, this

day of

7
February 188*8*

Shay Gorman Police Justice.

0021

City and County of New York, ss.

John Conlin, aged
17 years, of No. 127 West 19th Street,
being duly sworn, says Richard C.
Swift, not being a fire Commissioner
or officer or employ of the fire depart-
ment or other person authorized to
operate or use the fire alarm
telegraph, did, on or about the 17th
day of December, 1882, wilfully
and maliciously use the keys and
appliances of said fire alarm tele-
graph, and aid and assist in
using the same, and did tamper
with said keys and appliances
and aid and assist therein
for the purpose of sending and com-
municating a false alarm
and did communicate such
false alarm.

Sworn to before me this }
7th day of February, 1883, }

Thos. J. Conlin

Police Justice.

John Conlin

0022

Answered April 26th/84

J. B. O.

0023

State of New York.

Executive Chamber,

Albany, April 1st 1884

Sir: Application having been made to the Governor for the pardon of *Richard C. Swift*, who was sentenced on *Nov 15*, 1883, in your County, for the crime of *Burg. 3^d* for the term of *3* years and *6 m* to the State Prison you are respectfully requested (in pursuance of Chapter 310, Laws 1849) to furnish the Governor with a concise statement of the case as proven on the trial, together with any other facts or circumstances which may have a bearing on the question of granting or refusing a pardon. Be pleased, also, to state the previous character of the convict.

Each letter of inquiry from this Department should be answered on a separate sheet.

Very respectfully yours,

James C. Cunningham

To *Hon. Peter B. ...*

District Attorney, &c.

County of General
Sessions vs

The People of the
State of New York

vs

William H. Hughes
for

Applicant of
George S. Small

0025

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

The People of the
State of New York
vs
William A. Hughes
et al

State of New York }
County of New York } ss George F
Small being duly sworn says; that
he is the General Agent of the Atlantic
Dynamite Company at 53 Park Place
in the City of New York; that William
A. Hughes was in his employ for
several months during the years
1881 & 1882 as solicitor & collector;
that he has made inquiry concern-
ing said Hughes, of his foreman
and he, said foreman informs deponent
that said Hughes during said term
of employment was an honest and
capable young man in every respect;
said employment was in the lumber
and planing business at No 148 Bank
Street in this city.

Sworn to before me this
30 day of March 1883

Geo E. Hilbing (91) Notary Public N.Y.C.

Geo F Small

County of General
Sessions VS

The People of the
State of New York

Agst

William H Hughes
et al.

Affidavit of
Sarah C Hughes

0026

The Court of General Sessions
of the Peace, of the City, County
of New York

The People of the State of
New York

Agst
William A. Hughes et al

State of New York }
County of New York } ss: Sarah E. Hughes
being duly sworn says: That she is the
mother of William A. Hughes, the above
mentioned defendant; that she has
had the sole charge of him for the
last fifteen years, as his father has
been insane for that time; that her
son attended school regularly until he
arrived at the age of fourteen (14) years
which was six years ago; he then secured
a situation, and was regularly employed
by various persons until about nine months
previous to his arrest; that she has seen
his various employers and they all speak
well of him during the time he was with
them; that he has never been arrested before;
that he always brought his wages home
and gave it to her; that she believes that
he is not fast reformation, and that he

0020

was always a kind and obedient son, and
that she furthermore believes that he
would have always been honest but
for the bad Company into which he
was thrown, since he was out of employ-
ment.

Sworn to before me this 2^d Day of March 1883
Sarah E. Hughes
J. E. Hillings (91)
Notary Public
N. Y. C.

280

(II)

Day of Trial,

Counsel,

Filed 26 day of Feb 1883.

Pleads Not guilty (27)

THE PEOPLE

vs.

P

William McCade

(Exonerated)

sentenced on two other
Indictments

JOHN McKEON,

District Attorney.

A True Bill.

William H. McKeon
Foreman

0030

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

-----x
The People of the State of New-York :

- against - :

William McCabe :
-----x

THE GRAND JURY OF THE CITY AND COUNTY OF NEW-YORK, by this indictment, accuse *William McCabe* of the Crime of unlawfully using a key of a fire alarm station, committed as follows:

The said *William McCabe* late of the City and County of New-York, on the ~~twenty~~ *fourth* day of ~~January~~ *January* in the year of our Lord one thousand eight hundred and eighty ~~one~~ *one* at the City and County aforesaid, with force and arms, not being one of the fire commissioners of the City of New-York, and not being one of the officers, or one of the employes of the said commissioners authorized to operate the fire alarm telegraph, and not being a policeman or citizen using the same for communicating an actual alarm of fire, unlawfully did then and there use a certain duplicate key of one of the fire ~~alarm~~ alarm telegraph signal and alarm stations, duly designated as such by the said fire commissioners of the City of New-York, 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 the Grand Jury aforesaid, by this indictment, further accuse the said *William McCabe* of the Crime of ~~committing~~ *committing* a false alarm of fire, committed as follows:

The said *William McCabe* 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, unlawfully did use a key and the appliances of one of the fire alarm telegraph signal and alarm stations, duly designated as such by the said fire commissioners of the City of New-York, for the purpose of by such use communicating a false alarm of fire, 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 the Grand Jury aforesaid, by this indictment, further accuse the said *William McCabe* of the Crime of having in his possession a key of a fire alarm telegraph signal and alarm station, without authority, committed as follows:

The said *William McCabe* late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, unlawfully did have and possess a certain key of a certain fire alarm telegraph signal and alarm station, duly designated as such by the said fire commissioners of the City of New-York, he, the said *William McCabe* not having been designated by the said fire commissioners as one of the persons entrusted with duplicate keys thereof, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New-York and their dignity

JOHN Mc'KEON,

District Attorney.

11300

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

Police Court 2 District 104
THE PEOPLE, &c.,
ON THE COMPLAINT OF
Daniel Tenney
vs.
William McCabe
1
2
3
4
Dated February 5 1883
Sanctus Magistrate.
Alley Mulcaugh Officer.
Central Office Clerk.
Witnesses, _____
No. _____ Street, _____
No. _____ Street, _____
No. _____ Street, _____
\$ 1000 to answer Feb 12
Ans

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

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 February 7 1883 Thos. Gardner Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0032

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

DISTRICT POLICE COURT.

William 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 waiven cannot be used against him on the trial,

Question. What is your name?

Answer.

William McCabe

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

New York City

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

Answer.

425 West 24th Street and about two years

Question. What is your business or profession?

Answer.

A Driver

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

Answer.

In relation to the alarm that was sent from 22 Street & 20 Avenue I had given information to Captain M. Lehman of the 16 Police Station that the gang was going to operate that night principally on the corner of 22 Street & 18th Avenue. Six of us left the saloon 177 7th Avenue at about the time of 11:05 o'clock P.M. and went to the west side of 7th Avenue to a saloon kept by a man named Mr. Every. Three of the party, Hughes, O'Keefe and Kennedy had keys to the fire alarm box. It was proposed by Hughes to go to the corner of 22 Street and 18th Avenue and send an alarm.

0033

from the box which is located
 inside a corner. The alarm was
 to be sent by Richard O'Keefe
 who was to leave a note to the
 Fire Department while Hughes
 was to go to the box at the corner
 of 21st & 11th Avenue and send
 out a third alarm. After
 leaving McGrovy's saloon, Richard
 O'Keefe, William Hughes and
 John Conlin and the others went
 back to McGrovy's saloon after
 telling Kennedy O'Donnell and
 myself to go to the corner of 22nd
 Street & 10th Avenue and wait
 till they came while waiting for
 them to come. Kennedy placed
 a key in the box for the purpose
 of sending an alarm by means
 knowing that at Captain M. S. Sullivan
 and his officers were watching for
 us prevented him from sending the
 alarm out, I am not guilty
 of such charges.

Taken before me
 this 5 day of February 1883 Wm M. E. Pate
 Hugh O'Connor Police Justice

0034

City and County of New York 555

Daniel Kenney aged 22 years
a person being duly
sworn deposes and says
that William McCabe
(now here) not being a fire
commissioner or official
or employee of the Fire
Department of the City
New York did unlawfully
send out a false fire
alarm from the signal
station on the corner of
7th Avenue & 22d Street
on or about the 29 day of
January 1883 and that
said McCabe has since
the said 29 day January 1883
sent out a false alarm
from the station at the
corner of Stanton & Attorney
Streets

Daniel Kenney
Sworn to before me
this 5 day of February 1883

Joseph J. [Signature]
Police Justice

0035

State of New York.

Executive Chamber,

Albany, Oct 15 1884

Sir: Application having been made to the Governor for the
pardon of Horatio H. Courtney, who was
tried and convicted before you Nov. 5, 1883
for and sentenced
to the State Prison for

Will you oblige the Governor with your opinion of the case, together
with any facts or circumstances which may have a bearing on the
question of granting or refusing a pardon?

Very respectfully yours,

Wm. B. Brewster

by Woodward Brown
Recorder of the Court

To Hon. J. H. Thompson

0036



Nº 32 CHAMBERS ST.

New York,

188

Rich Swift sept.

Albert Hall Supt
Eng. Bure. Co, ~~Dean~~
Fort Sherman fr,

C. V. B. Ward. Same,
pence. 187. West fr,

Mar Swift
513 West 57th St

0037

The People

vs

Wm H. Hughes

Horatio S. Courtney

Wm H. McCabe

+ others

The People
 Wm. H. Hughes
 Horatio S. Courtney
 Wm. H. McCabe
 and others.

Hon. Recorder Smyth:

I herewith beg leave to intercede modestly in behalf of Wm. H. Hughes who pleaded guilty to the Indictment of Grand larceny of Jewelry stolen from my place of business 300 Canal St. during the latter part of Sept 1882. Said Hughes since his commitment has given me, and the detectives information which led to the recovery of some Three Hundred Dollars worth of property in Washington D.C. and in this City - and has otherwise by word and act manifested his repentance for the crime by him committed.

The facts as shown by Hughes' sworn statement made before Justice Gardner - warrants me in saying that Hughes was not the most blameable of the ^{for the robbery} trio; inasmuch as he was approached by his cousin Courtney - and by said Courtney was influenced to practically carry out his (Courtney's) plan of the robbery of my jewelry with the co-operation of one Wm. H. McCabe.

I have received no other reward - nor promise of reward - than said Hughes' information - where the property was sold - and the means by which I could recover it - and that is the only

Consideration for my intercession in his behalf. I know nothing of his past life. Should your Honor think (all the facts considered, - that said Hughes ought to merit the mildest punishment the law ^{and} your Honor's discretion will permit - I certainly should be pleased to know that you will show him all the mercy you possibly can -

Wm D Drake
300 Canal St.

I do not stand as favorably disposed toward said Courtney - for in him I reposed the greatest confidence - said Courtney was in the employ of the Messrs. Haedew & Wheelock's pick dealers and it was from that firm that I had sublet a portion of their loft - a wood & glass partition only separating us - It appears that some three months before I was robbed said Haedew & Wheelock were robbed of more than Five Hundred Dollars worth of pick - ^{and} it was after that occurrence that a Burglar alarm ^{and} all attachments were put through the loft for the better securing of our respective property.

Courtney had possession of the key to the loft - ^{and} it was his duty to open the same in the morning - ^{and} to close the door in the evening - I had no key to the loft ^{and} could only enter the same after said

Courtney opened it for business for the firm with whom he was - so no one could enter the store at night after the same was secured with the Burglar attachments without endangering their position ^{and making} themselves liable to capture. Courtney well knew my financial circumstances - he must have been well aware that to rob me of the large quantity of the best jewelry I owned - worth at least price about Fifteen hundred Dollars - was equivalent to bankrupting me - He must have known that the effect of such a robbery would be more injurious to me than the money value thereof - for the fact is - some of my creditors looked with suspicion upon the robbery such as it was - ^{and} in that way worked a great harm in my business ever after that time - Courtney as the papers in the case show - planned the robbery (with the gag - sand bag - ropes and all) and Hughes + McCabe helped him carry out his plan - it was Courtney who signaled Hughes + McCabe from the front window of the store to enter the same - (this was about 6.15 o'clock after we had all left for the day) it was Courtney who fished information from us - as to whether it was necessary to have a license in Washington D.C. and Norfolk Va. in order to sell goods - it was Courtney who knowing where my finest goods were located - selected them - in short I had Courtney chiefly re-

0041

responsible for the robbery such as it was. I know nothing of his past life - I believe his Parents Sisters and relatives to be respectable people - I also believe that Courtney had the advantages of good schooling - and a nice home - I believe that Hadden of the firm of J. S. Wheelock in whose employ said Courtney was at the time of the robbery - was for some time past and is now a suitor for said Courtney's sister's hand in marriage -

In conclusion permit me to add - that in my opinion Gentle Rogues ought to be punished equally as severe as those poor wretches who steal and rob because they are driven to it by poverty - and although I am willing to allow that said Courtney should benefit by his previous good character - I certainly should feel disappointed were he to escape the better part of the just punishment that he deserves -

J. B. Brooks
300 Canal St.

I believe Wm. A. McCabe to be an old offender and entitled to no consideration whatever -

J. B. Brooks

0043

Office of Fred. L. Smyth,
Counsellor at Law,

23 & 25, Nassau Street, Room 10, 11 & 12

New York, July 23 1883

My dear Sir I will be engaged
Monday Tuesday & Wednesday
of next week. and will be unable
to attend Court. to sentence the
persons whose cases stand over
for that purpose & Wednesday

Let them stay where they
are until you hear further from

Respectfully

Fred. L. Smyth
F. Smyth

The People
versus
Horatio S. Courtney

Owen Haley and John
Parland, Detective Sergeants at-
tached to the Police Department
of the City of New York, state
that they were the officers who arrested
Horatio S. Courtney on information
received from McCabe, Hughes, and
others who had for some time pre-
vious been sending out false
alarms of fire. As to the state-
ment contained in a letter to the
Governor that Courtney planned cer-
tain of the burglaries & facilitated which
false alarms of fire were sent out
and participated in the profits, there
must have been some misappre-
hension, as we never knew of Court-
ney's having been connected with
any other burglary than that of the
Brooks Brothers at No. 300 Canal
Street. As to the statement that
on the evening of that burglary, after
everybody else had left the floor,
Courtney signalled to McCabe and
Hughes, who were waiting in the
vicinity and subsequently ad-

0045

mitted them to the premises we desire to state that the information as to Courtney having signalled Hughes and McCabe and admitted them to the premises was given to us by McCabe and Hughes after they (McCabe and Hughes) had been arrested in a confession made at Police Headquarters as to numerous burglaries and false alarms of fire.

We turn of nothing against the character of Courtney except his connection with the burglary at Brooks Brothers, nor is there anything else against him on the records of the Police Detectives Bureau.

We repeat our statement made on a former occasion at the District Attorney's Office that it is not claimed that Courtney was ever instrumental in sending out false alarms of fire. The supposition that he was connected with the "fire alarm fields" was based on the statements of McCabe and

Hughes, (the latter of whom was his cousin) but we have no knowledge that he was in any way connected with the sending out of false alarms of fire.

The early associations of Courtney were good and his relatives are respectable, industrious people. We have made inquiries in relation to the character of Courtney since as well as before his conviction, and can conscientiously state that with the single exception of his connection with the crime for which he is now suffering imprisonment neither we or any other of the members of the Detective Bureau know of anything against the character of Courtney.

Signed

Owen H. Haley
John R. Holland

In Witness Whereof
William H. Conway
Dec 20th 1884.

0847

No 152 Broadway
New York September 29th 1884.

His Excellency

Glover Cleveland,
Governor, &c.,
Dear Sir:

On behalf of the parents of
Horatio P. Courtney, ^{who,} on the 16th of February, 1883,
on a plea of guilty to an indictment for grand
larceny, was sentenced to be confined in the
state prison for the term of four years and six
months, I respectfully ask that you extend to
him the clemency of the state by a pardon and
restoration to citizenship.

The facts of the case are briefly as follows:
Young Courtney, who is now twenty one years of
age, was a clerk in the wholesale sewing silk
store of T. S. Wheelocks, at 300 Canal street, in
this city, through which was an entrance to a
rear room occupied by J. B. Brooks, as a whole-
sale, cheap jewelry store. Courtney had a cousin,
William H. Hughes, who was connected with a
gang of young criminals, then known as the
"fire fiends", from their giving false alarms of
fire. Hughes, who had in vain importuned
Courtney to join the gang, finally urged him
to allow himself to be bound in front while the

rear store was plundered. Courtney positively refused. He supposed the scheme was abandoned, but, on the 20th of September, 1882, Hughes appeared at the store, which is on the second floor of the building, in company with one W^m H. McCabe, and told Courtney that they had come to Hob, Brooke's store, and that they would gag and bind him, and Courtney, partly from fear and partly because he believed that he could not prevent them, submitted without resistance. The robbery was then effected. The perpetrators were undiscovered until the following February, when the detective force of the police traced out the fore fiends, and Hughes and McCabe were arrested. They were connected with this robbery by the finding of some of the stolen jewelry in McCabe's trunk. It is a conceded fact that Courtney did not and was not to receive any of the stolen property or its proceeds. His offence consists in not disclosing the application to allow the robbery, nor exposing the perpetrators after it was committed. It is not strange that a timid youth should have been terrorized by his knowledge of the desperate character of McCabe and Hughes and their associates. It is not claimed, however that he should not have been punished. An omission to prevent or expose crime, even though prompted by fear, is an

offence that the law cannot overlook. It will be seen, however, that the sentence upon Courtney was disproportionate and unjust.

Brooks, the man who was robbed, demanded of Courtney's father pay for the stolen goods, which was refused. He thereupon excited himself to procure a severe sentence upon Courtney. Hughes after his arrest furnished information by which part of the stolen property was recovered. To reward him, and obtain revenge for the refusal of Courtney's father to pay him money to which he had neither a legal nor a moral claim, Brooks induced Hughes to make oath that Courtney planned the robbery, and thereby led Recorder Smyth to believe that Courtney deserved the severest punishment. I have been to the prison and Hughes and McCabe have each made an affidavit that Courtney did not propose nor plan the robbery, and Courtney has made one showing the facts to be as I have given them above. These affidavits I enclose. McCabe did not wait to have an application made to him, but as soon as he heard of Courtney's sentence, wrote a letter to one of Courtney's employers stating that the affidavit by Hughes was false, and that Courtney was coerced into permitting the robbery. I have annexed this letter to the affidavit by Hughes, and it will be seen by comparing it with

the signature to his affidavit, made in prison, that it is his writing.

While Courtney, of whose character I will presently speak, and whose offence was yielding to his fears, was sentenced to four years and six months in the state prison, Hughes and McCabe were only sentenced to two years and six months. McCabe was also sentenced for five years upon an indictment for burglary. Hughes was indicted for the same burglary, but by the efforts of Brooks escaped with only the sentence above specified. I enclose a certificate by the clerk of the Court, by which it appears that there have been against McCabe, one indictment for burglary, one for grand larceny and four for false fire alarms, and against Hughes one for each of those three offences, but against Courtney only the indictment for this one offence. I am informed by Inspector Byrnes, the chief of the detective force, and he was corroborated by Sergeant Hoaley, the officer who traced out the five friends, whom he called and consulted, that nothing else was known against Courtney, and that he would so advise the district attorney. It is indeed a marvel that this comparatively innocent youth should have received a sentence nearly twice as severe as that of the real criminals. McRequier, the assistant district attorney on duty at the time, has written a letter recommending his

pardon, which I enclose.

Young Courtney's employers from the time he was fourteen years old bear strong testimony to the excellence of his character. He was employed for eight months in 1877 by Mr D. P. Pillsbury, a stationer and printer at 680 Sixth Avenue. I enclose the testimonial which Mr Pillsbury gave him when he left, and also a request by the same gentleman for his pardon. He was next, for a year, with Mr. Samuel J. Gorman, at 433 Sixth Avenue. I have been unable to find Mr Gorman, but I enclose the certificate which he gave to Courtney when compelled to dispense with his services by reason of the dulness of trade. Courtney immediately obtained a situation with the Vulcanite Jewelry Co., where he remained fourteen months, and left to obtain a better position. I enclose the certificate which Mr Ropes, the president of the company, gave him at the time, and also an appeal by the same gentleman for a pardon, and letters which Mr Shoemaker and Mr Middlebrook also connected with the company wrote to Courtney's mother after his arrest. He was next with the American Express Company. The enclosed letter by the agent of ~~the~~ company is strong as to his character and earnest in recommending a pardon. He then went with Mr. T. S.

0852

Wheelock, at 300 Canal street, where he remained until he was arrested. Mr Wheelock has left the city, but Mr Holden, who was his partner, but who now represents the Manchester Silk Company, and Mr Merrill, who succeeded Mr Wheelock in business, have written letters which I enclose. Each testifies to Courtney's good character, recommends his pardon and states his willingness to give him employment, if he is pardoned. The confidence in him thus shown by those who necessarily made the robbery a subject of close inquiry at the time and upon the spot is a very favorable feature of his case.

Any addition of my own to what I have written and enclose would seem to be superfluous, and I hope soon to hear that you have exercised the power vested in you by a pardon to this young man.

Yours sincerely and

with great respect,

Nelson J. Waterbury

Mem. of indictments

No 122 - Filed Feb 16th 1883

Against William H. Mc Cabe, William H. Hughes
and Horatio S. Cuntney.

Grand larceny - property of Louise B. Brooks

On pleas of guilty Hughes sentenced to state prison for 2 years 6
mos & Cuntney for 4 years 6 mos March 5th 1883 and
Mc Cabe for 2 years 6 mos March 8th 1883.

No 123. Filed Feb 16th 1883

Against William H. Mc Cabe, William H. Hughes
Richard C. Swift and Edward O'Keefe.

Burglary, 3^d degree - Store of Thomas J. Lee -

On pleas of guilty Mc Cabe sentenced to state prison for 5 years
and Swift for 3 years 6 mos March 5th 1883. Mem.
that Hughes was sentenced in another indictment.

No 280. Filed Feb 26th 1883

Against William H. Mc Cabe

False alarm of fire 29th of January, 1883

Mem. Sentenced on ~~two~~ other indictments.

No 281. Filed Feb 26th 1883,

Against William H. Mc Cabe

False alarm of fire 15th of June 1882.

Mem. Sentenced on two other indictments.

No 282 Filed Feb 26th 1883

Against William H. Mc Cabe

0054

False alarm of fire - February 1st 1883
Mem. Sentenced on other indictment.

No 279. Filed Feb'y 26th 1883

Against Richard G. Swift

False alarm of fire - 17th of December, 1882

Mem. Sentenced on another indictment

No 283. Filed Feb'y 26th 1883

Against Michael H. O'Donnell and William Hughes

False alarm of fire - January 8th 1883.

Mem. Sentenced on another indictment.

No 285. Filed Feb'y 26th 1883

Against Richard O'Keefe and John Carlson

False alarm of fire - 17th of December 1882

Convicted March 26th 1883 - 1 year penitentiary

In the matter of the
Application
for a pardon for
Horatio S. Courtney

State of New York

Westchester County ss: William H. Hughes being duly sworn deposes and says that the robbery of the store of Isidore B. Brooks for which Horatio S. Courtney is now under sentence of imprisonment was not proposed nor planned by said Courtney, but was proposed to him by deponent after consultation with William H. McCabe, and that deponent has never known said Courtney to be connected in any manner with any other criminal offence.

Sworn to before me the
28th day of June, 1884.

William H. Hughes,

(L.S.)

H. C. Westlake
Notary Public

in & for Westchester Co., N. Y.

In the matter of the
Application
for a pardon for
Horatio S. Courtney,

State of New York,

Westchester County ss: William H. McCabe being duly

sworn deposes and says that the robbery of the store of Isidore B. Brooks for which Horatio S. Courtney is now imprisoned was not proposed nor planned by said Courtney but by deponent and William H. Hughes and was proposed to and pressed upon said Courtney who was unwilling to participate therein, and that deponent had never known said Courtney to be connected in any manner with any other criminal offence but had always heard him spoken of and believed him to be an honest boy.

Sworn to before me the
28th day of June, 1884.

Wm H. McCabe,

(L.S.)

H. B. Westlake

Notary Public in & for
Westchester Co. N.Y.

In the matter of the
Application
for a pardon for
Horatio S. Courtney.

State of New York,

Westchester County ss: Horatio S. Courtney being duly sworn deposes and says that the robbery of the store of Isidore B. Brooks for which deponent is now imprisoned was not proposed by him in any manner nor had he any knowledge that it was to be perpetrated, that William H. Hughes who is related to deponent

suggested the robbery and deponent refused to have anything to do with it; that at the time of the robbery said Hughes and William H. McLabel came to the store where deponent was employed, in front of that of said Brooks, and greatly to the surprise of deponent, who supposed the project had been abandoned, said they were going to commit the robbery; that deponent remonstrated, but they insisted, and he suffered himself to be bound partly from fear and partly because he was convinced that they would overpower and bind him if he did not; that deponent did not have any of the property stolen nor any of the proceeds of it and has never been benefitted in any way by the robbery and that he has never been concerned in any manner in any other criminal offence nor been connected with persons engaged in such offences.

Sworn to before me the

28th day of June, 1884.

(L.S.)

H. C. Westlake

Notary Public in & for
Westchester Co. N.Y.

H. S. Courtney.

0058

Poplar
Cemetery



0059

287

(II)

Day of Trial,

Counsel,

Filed 26 day of Feb 1883

Pleads

Whately (v)

THE PEOPLE

vs.

P

William McCas

(2 cases)

entered on his

the indentments

JOHN McKEON,

District Attorney.

A True Bill.

William McKeon

Foreman.

0060

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

-----x
The People of the State of New-York :

- against -

William McCole :

-----x
THE GRAND JURY OF THE CITY AND COUNTY OF NEW-YORK, by this indictment, accuse *William McCole* of the Crime of unlawfully using a key of a fire alarm station, committed as follows:

The said *William McCole* late of the City and County of New-York, on the ~~27th~~ day of ~~June~~ in the year of our Lord one thousand eight hundred and eighty ~~that~~ at the City and County aforesaid, with force and arms, not being one of the fire commissioners of the City of New-York, and not being one of the officers, or one of the employees of the said fire commissioners authorized to operate the fire alarm telegraph, and not being a policeman or citizen using the same for communicating an actual alarm of fire, unlawfully did then and there use a certain duplicate key of one of the fire alarm telegraph signal and alarm stations, duly designated as such by the said fire commissioners of the City of New-York, 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 the Grand Jury aforesaid, by this indictment, further accuse the said *William McCole* of the Crime of ~~committing~~ a false alarm of fire, committed as follows:

The said *William McCole* 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, unlawfully did use a key and the appliances of one of the fire alarm telegraph signal and alarm stations, duly designated as such by the said fire commissioners of the City of New-York, for the purpose of by such use communicating a false alarm of fire, 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 the Grand Jury aforesaid, by this indictment, further accuse the said *William McCole* of the Crime of having in his possession a key of a fire alarm telegraph signal and alarm station, without authority, committed as follows:

The said *William McCole* late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, unlawfully did have and possess a certain key of a certain fire alarm telegraph signal and alarm station, duly designated as such by the said fire commissioners of the City of New-York, he, the said *William McCole* not having been designated by the said fire commissioners as one of the persons entrusted with duplicate keys thereof, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New-York and their dignity

JOHN Mc'KEON,

District Attorney.

1981

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

Police Court District. 103

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Richard G. G. G.

1 William McCabe

2

3

4

Offence, Perjury
False Fin. Account

Dated

February 3, 1883

No. 3, by

Magistrate.

Residence

Officer.

No. 4, by

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$

to answer

Ans.

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 100 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated February 7 1883 Hugh Gardner Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0062

Sec. 198—200.

DISTRICT POLICE COURT.

CITY AND COUNTY }
OF NEW YORK, } ss.

William McCabe 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.

William McCabe

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

New York City

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

Answer.

425 West 24 Street and about 10 years

Question. What is your business or profession?

Answer.

Driver

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

Answer.

I am not guilty
Wm McCabe

Taken before me, this

day of

5
February 188*8*

Hugh J. ... Police Justice.

0063

City and County of New York } ss
 Richard C. Swift, aged 2,
 years a Suborn being duly
 sworn, deposes and says that
 William McCabe (now known
 not being a Commissioner
 or officer or ^{or other person authorized} employee of the
 Fire Department of the City
 of New York did unlawfully
 on or about the 15 day of June
 1882 send out a false fire
 alarm from the Signal Station
 on the corner of 26th Street
 and 7th Avenue and that
 said McCabe did on diverse
 dates ^{before} the said 15 day of June
 send out ^{the said} false alarms
 sworn to before me. R. C. Swift
 this 5 day of February 1883

Hayden
 Police Justice

✓ 282

(11)

Day of Trial,

Counsel,

Filed 26 day of Feb 1883

Pleads Guilty (27)

THE PEOPLE

vs.

P

William McCabe

(3 cases)

Antecedent on an other Indictment

JOHN McKEON,

District Attorney.

A True Bill.

William H. McKeon
Foreman

0065

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

-----X
The People of the State of New-York :

- against -

William McCabe
-----X

THE GRAND JURY OF THE CITY AND COUNTY OF NEW-YORK, by this indictment, accuse *William McCabe* of the Crime of unlawfully using a key of a fire alarm station, committed as follows:

The said *William McCabe* late of the City and County of New-York, on the ~~first~~ day of ~~January~~ in the year of our Lord one thousand eight hundred and eighty~~four~~ at the City and County aforesaid, with force and arms, not being one of the fire commissioners of the City of New-York, and not being one of the officers, or one of the employes of the said commissioners authorized to operate the fire alarm telegraph, and not being a policeman or citizen using the same for communicating an actual alarm of fire, unlawfully did then and there use a certain duplicate key of one of the fire alarm telegraph signal and alarm stations, duly designated as such by the said fire commissioners of the city of New-York, 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 the Grand Jury aforesaid, by this indictment, further accuse the said *William McCabe* of the Crime of ~~committing~~ a false alarm of fire, committed as follows:

The said *William McCabe* 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, unlawfully did use a key and the appliances of one of the fire alarm telegraph signal and alarm stations, duly designated as such by the said fire commissioners of the City of New-York, for the purpose of by such use, communicating a false alarm of fire, 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 the Grand Jury aforesaid, by this indictment, further accuse the said *William McCabe* of the Crime of having in his possession a key of a fire alarm telegraph signal and alarm station, without authority, committed as follows:

The said *William McCabe* late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, unlawfully did have and possess a certain key of a certain fire alarm telegraph signal and alarm station, duly designated as such by the said fire commissioners of the City of New-York, he, the said *William McCabe* not having been designated by the said fire commissioners as one of the persons entrusted with duplicate keys thereof, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New-York and their dignity

JOHN Mc'KEON,

District Attorney.

0055

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

Police Court District 2
THE PEOPLE, &c.,
ON THE COMPLAINT OF
John Andrew
William McBride
127 West 49
Dated February 5 1883
Green Magistrate.
Walter McBride Officer.
Central Office Clerk.
Witnesses, _____
No. _____ Street, _____
No. _____ Street, _____
No. _____ Street, _____
to answer _____
1000
Wm

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *250* 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 *February 7* 1883 *Hugh Gardner* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0067

Sec. 198-200.

2

DISTRICT POLICE COURT.

CITY AND COUNTY }
OF NEW YORK, } ss.

William 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.

William McCabe

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

New York City

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

Answer.

425 West 24th Street and about 12 years

Question. What is your business or profession?

Answer.

a driver

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

Answer.

I am not guilty
Wm McCabe

Taken before me, this

day of

5
May 188*7*

Henry G. ... Police Justice.

0060

City and County of New York SSS

John Anlin aged 17 years a
newsdealer of 150 125 West
19th Street being duly sworn
says that William McCabe
known, not being a fire
commissioner or official or
employee ^{or other person} authorized to send
out fire alarms did unlawfully
send out a false fire alarm
from the signal station corner
of Grammery Place and 21st
Street on or about the 17 day
of December 1882 and also
sent a false alarm from the
signal station on the corner
of 17th Street and 2 Avenue on
or about the same date and
said McCabe did on or about
the 6 day of January 1883 send
out a false alarm from
the signal station on the
corner of 29th Street and 11th
Avenue, and said McCabe
also sent out a false alarm
from the signal station on
the corner of 22nd Street and 7th Ave
on or about the 29 day of January

0869

1883, and that said McCabe
sounded a false fire alarm
from the signal station
on the corner of Attorney and
Stanley on or about the first
day of February 1883

John Coulon

Sworn to before me
this 5 day of February 1883

Hugh Gardner Police Justice

0070

BOX:

92

FOLDER:

1005

DESCRIPTION:

McCann, Thomas

DATE:

02/12/83



1005

Wm J Berlin

Day of Trial

Counsel,

Filed

day of

1883

Pleads

Not Guilty

THE PEOPLE

vs.

P

Shannon McCon

BURGLARY—Third Degree, and
Receiving—Stolen Goods.

JOHN McKEON,

District Attorney.

Feb 26, 1883

Not r acquitted.

A True Bill.

William H. Phelps

Foreman.

0071

0072

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

THE PEOPLE OF THE STATE OF
NEW YORK,

against

Thomas McLann

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

Thomas McLann

of the crime of Burglary in the third degree,

committed as follows:

The said Thomas McLann

late of the Fifth Ward of the City of New York, in the County of New York,
aforesaid, on the ninth day of February in the year of our
Lord one thousand eight hundred and eighty three with force and arms, at the Ward,
City and County aforesaid, the store of

Thomas Martin

there situate, feloniously and
burglariously, did break into and enter, the same being a building in which divers goods,
merchandise and valuable things were then and there kept for use, sale and deposit, to
wit: the goods, chattels and personal property hereinafter described, with intent the said
goods, chattels and personal property of the said

Thomas Martin

then and there being, then and there
feloniously and burglariously to steal, take and carry away, and fifty can-
vas covers of the value of two dol-
lars each and three hundred
pounds of rope of the value of ten
cents each pound

of the goods, chattels and personal property of the said Thomas
Martin

so kept as aforesaid in the said store then and there being, 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 McLean
District Attorney

0073

BAILED.

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Amos McLean
936 1st Avenue
Amos McLean
Surgeon
Third Degree

Dated *Feb 10* 188*8*

James J. Tamm
Magistrate.
Officer.

Witnesses *Call the Officer*
No. _____
Street _____

No. _____
Street _____

No. _____
Street _____
to answer

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

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 *Feb 10* 188*8* *Salomon B. Smith*
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.

0074

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

1st District Police Court.

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

Question What is your name?

Answer.

Thomas McCann

Question. How old are you?

Answer.

39 Years

Question. Where were you born?

Answer.

Australia

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

Answer.

78 Watts St & about one Year

Question. What is your business or profession?

Answer.

Longshoreman

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

Answer.

I am not guilty. I was hired by two men to help load a wagon & I was arrested while I was carrying out my part of the agreement

Thomas McCann

Taken before me this

day of

188

John J. Smith
Police Justice.

0075

CITY AND COUNTY }
OF NEW YORK, } ss.

James J. Lagan
aged 27 years, occupation Police Officer of No. ~~the 3rd Precinct~~ Street, being duly sworn deposes and

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

Sworn to before me, this

day of

1883

Police Justice.

0876

Police Court—1st DistrictCity and County } ss.:
of New York, }

Thomas Martin
of No. 956 Ninth Ave Street, aged 44 years,
occupation Dealer in Junk being duly sworn
deposes and says, that the premises No. 548 Harrison
Street, 5th Ward, in the City and County aforesaid, the said being a Store

and which was occupied by deponent as a store for the deposit
and sale of junk were BURGLARIOUSLY
entered by means of forcibly breaking open
a door leading from the public
street into said premises

on the day of the 6th day of February 1883
and the following property feloniously taken, stolen, and carried away, viz:

A quantity of rope weighing
about three hundred pounds
and canvas covers of different
descriptions in nine bundles, all
being of the value of one hundred
dollars or more

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

Thomas McOane now present and
two other persons not connected

for the reasons following, to wit;

That the aforesaid
door which had been fastened and
secured, deponent found broken open
and the above described property taken
and carried away from said premises

That deponent is now informed by
Officer Lagan that he saw the defendant
coming from said premises having part of the
property in his possession the remainder having been
previously taken & placed in a wagon in front of the
place preparatory to carrying it away Thomas Martin

Subscribed and sworn to before me this
 6th day of February 1883
 at New York
 Before me
 John J. ...

0077

BOX:

92

FOLDER:

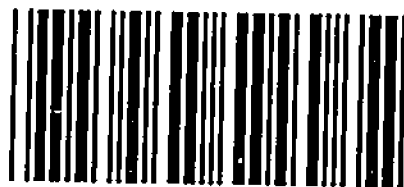
1005

DESCRIPTION:

McCarthy, John

DATE:

02/21/83



1005

No 248

Counsel,
Filed 21 day of Feb 1888
Pleas *Indignity (23)*

THE PEOPLE

vs. *P*

John McCord

S.D.

JOHN McKEON,
District Attorney.

A True Bill.

William McKeon
Foreman.

Feb 26/88

John McCord

5 P 9 1/2 year.

0079

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 McCauley

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

John McCauley
of the CRIME OF ROBBERY IN THE ~~First~~ ^{Second} DEGREE, committed as follows:

The said *John McCauley*

late of the First Ward, of the City of New York, in the County of New York, aforesaid,
on the *25th* day of *January* in the year of our Lord
one thousand eight hundred and eighty *three* at the Ward, City and County
aforesaid, with force and arms, in and upon one *William Roman*
in the peace of the said People, then and there being, feloniously did make an assault and
one promissory note for the payment of money, being then and there
due and unsatisfied, and (of the kind known as United States Treasury Notes), of the
denomination of twenty dollars, and of the value of twenty dollars, *one*
promissory note for the payment of money, being then and there due and unsatisfied,
(and of the kind known as *Bank Notes*), of the denomination of *twenty*
dollars, and of the value of *twenty* dollars, *four* promissory notes for the
payment of money, being then and there due and unsatisfied, (and of the kind known
as United States Treasury Notes,) of the denomination of five dollars, and of the value of
five dollars each, *four* promissory notes for the payment of money, being then and
there due and unsatisfied, (and of the kind known as *Bank Notes*)
of the denomination of *five* dollars, and of the value of *five* dollars each:
~~promissory notes for the payment of money, being then and there due~~
~~and unsatisfied, (and of the kind known as United States Treasury Notes), of the~~
~~denomination of one dollar, and of the value of one dollar each:~~
~~(of the kind known as cents), of the value of one cent each:~~ coins,
~~(of the kind known as two cents), of the value of two cents each:~~ coins,
~~(of the kind known as five cent pieces), of the value of five cents each:~~ coins,

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

William Roman

from the person of said *William Roman* — and against
the will, and by violence to the person of the said *William Roman*
Roman then and there violently and feloniously did rob, steal, take,
and carry away, against the form of the Statute in such case made and provided, and
against the peace of the People of the State of New York, and their dignity.

JOHN McKEON, District Attorney.

0000

BAILED.

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court- 1st 137
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Powell
Jurat of County

John McEarty

Dated

February 18th

188 3

Office Robbery on the
Highway

Wm. Powell
Magistrate.

Officer. V

27th

Precinct.

Witnesses

No. _____
Street.

No. _____
Street.

No. _____
Street.



Wm. Powell
to answer

Complaint committed to place of detention
in default of \$300 bail

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 McEarty

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~~

Dated February 18th 188 3 Wm. Powell 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.

0001

Sec. 198-200.

Dish

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

John McLearty

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

Question. What is your name?

Answer.

John McLearty

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

Boston

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

Answer.

No. 23 Washington street, 4 years

Question. What is your business or profession?

Answer.

Seaman

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.

Not guilty

John McLearty

Taken before me this

day of February

1883

J. J. C. J.

Police Justice.

0002

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

Police Court--First District.

William Bonney aged 23 years, Labour
 of No. 411 East 17th Street (name of deponent)
 and says, that on the 15th day of February 18 83
 at the 1st 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:

Good and lawful money consisting of one
twenty dollar bill and four five dollar
bills all being

of the value of

the property of

Dollars,

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 McCarthy (now here) from the fact
 that at about the hour of 7 o'clock P.M. on
 said day deponent went into the premises on the
 corner of West 17th Street and Battery Place which is a Bar
 room kept by Charles Offerman for the purpose
 of getting a drink, that he took out his Pocket Book
 and exposed his said money when paying for
 his drink, that at the time he saw the defendant
 in the said Bar room, that after deponent
 paid for his drink he started to go out and
 did go, still holding the Pocket Book containing
 said money in his hand, that when he got out

Subscribed, before me this

at

day

of

Police Justice

0003

on the side walk and walked about ten feet he said defendant followed him and seized hold of the hand which deponent held his Pocket Book containing said money and by force and violence and against the will and consent of deponent forcibly wrucked from his hand said Pocket Book and moneye unto which he ran away.

Deponent then for asks that said defendant be held to answer for the felony so committed and be dealt with according to law.

William Roman

Sworn to before me this
18th February 1883

C. J. O. W. W.
Police Justice

0004

BOX:

92

FOLDER:

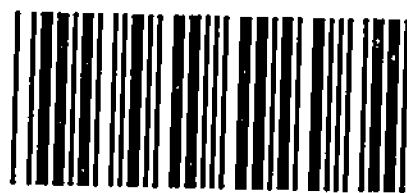
1005

DESCRIPTION:

McCarthy, Timothy

DATE:

02/20/83



1005

0005

No 2024

Day of Trial

Counsel,

Filed

day (of

1883

Pleads

Not guilty (23)

THE PEOPLE

vs.

B
Smithy McCaskey

Violation of Excise Law.
Selling on Sunday.

JOHN MCKEON,

District Attorney.

A TRUE BILL.

William A. McKeon
Foreman.

0006

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Simothy Mc Carthy

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

Simothy Mc Carthy

of the CRIME OF *Exposing for Sale and Selling Spirituous Liquors on Sunday*, committed as follows :

The said

Simothy Mc Carthy

late of the *First* Ward of the City of New York, in the County of New York aforesaid, on the *third* day of *December* in the year of our Lord one thousand eight hundred and eighty *two*, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, 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 expose for sale and sell as a beverage to

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

JOHN McKEON, District Attorney.

0007

Police Court 1st District.

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

ss

of No. the 4th Precinct Street,
of the City of New York, being duly sworn, deposes and says, that on the Sunday day
of December 1882, in the City of New York, in the County of New York, at
premises No. 41 Oak Street,
exposed for sale immortal M. Carthy [now here]
did then and there ~~sell~~ and caused, suffered and permitted to be sold, under his direction and authority, strong and
spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be
drunk in the house or premises aforesaid, contrary to and in violation of law.

WHEREFORE, deponent prays that said immortal M. Carthy
may be arrested and dealt with according to law.

Sworn to before me, this 4 day
of Dec 1882

John Kelly
Andrew Smith POLICE JUSTICE.

00000

BAILED
 No. 1, by Ellen Murphy
 Residence 196 Cherry
 Street,
 No. 2, by _____
 Residence _____
 Street,
 No. 3, by _____
 Residence _____
 Street,
 No. 4, by _____
 Residence _____
 Street,
 Residence _____
 Street.

Police Court 1025
 District 1st

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

John Heller

Murphy McCarty
 Offence, Grand Larceny

1 _____
 2 _____
 3 _____
 4 _____

Dated Dec 4 188 2

Whitt Magistrate.
John Heller Officer.
H Clerk.

Witnesses,

No. _____
 Street,

No. _____
 Street,

No. _____
 Street,

to answer
Paul

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 Murphy McCarty

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 Dec 4 188 2 Charles J. Smith Police Justice.

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

Dated Dec 4 188 2 Charles J. Smith 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.

0009

Sec. 198-200.

DISTRICT POLICE COURT.

CITY AND COUNTY
OF NEW YORK } ss.

Timothy McCarthy 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.

Timothy McCarthy

Question. How old are you?

Answer.

39 Years

Question. Where were you born?

Answer.

Ireland

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

Answer.

41 Oak St & about four years

Question. What is your business or profession?

Answer.

Saloon Keeper

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 of the
charge*

Taken before me, this

day of

188

*Timothy McCarthy**Andrew J. Smith* Police Justice

W. D. C.

Day of Trial,

Counsel,

Filed *20* day of *July* 188*3*

Pleads *Arguing by* (28)

THE PEOPLE

vs.

Simmons & McDonald

H. H. Oak

Violation of Excise Law.
Selling without License.

JOHN MCKEON,

District Attorney.

A TRUE BILL.

William H. Kelly

Foreman.

May 11, 1883
John H. Oak

0091

Court of General Sessions of the Peace

and County
OF THE CITY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Simothy McCarding

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

of the CRIME of *Selling Spirituous Liquors without a License*, committed as follows:

The said

Simothy McCarding

late of the *East* Ward of the City of New York, in the County of New York aforesaid, on the *Seventeenth* day of *February* in the year of our Lord one thousand eight hundred and eighty *seven*, at the Ward, 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 one time, to

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.

JOHN McKEON, District Attorney.

0892

Police Court First District.

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK. } ss

John Canavan aged 36 years
~~a~~ policeman attached to the 4th Precinct Police Street,
of the City of New York, being duly sworn, deposes and says, that on the 13th day
of February 1883, in the City of New York, in the County of New York, at
No. 41 Oak Street,

Timothy Mc Carthy (now here)
did then and there sell, and caused, suffered and permitted to be sold, under his direction and authority, ~~strong and~~
~~spirituous liquors, wines, ale and beer,~~ being intoxicating liquors, in quantities less than five gallons at a time, to be
drunk in the house or premises aforesaid, contrary to and in violation of law. and without having a license

WHEREFORE, deponent prays that said defendant
may be arrested and dealt with according to law.

Sworn to before me, this 14 day
of February 1883

John Canavan

W. J. Canavan

POLICE JUSTICE.

0093

Court of General Sessions Part One

THE PEOPLE

vs.

INDICTMENT

For

Timothy McCarthy

Excess

To

M. Michael J. N. Burke

No. 50 Cherry

Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for Trial 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 Monday the 20 day of Nov instant, at eleven o'clock in the forenoon.

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

PETER B. OLNEY,

District Attorney.

0094

116 Curry
Nick J. M. Burke
50 Cherry

0095

N. Y. General Sessions of the Peace

THE PEOPLE
OF THE STATE OF NEW YORK,

against

Michael M. Carthy
41 Park St.

Bench Warrant for Misdemeanor.

Issued Nov 16th 1883

☒ The defendant is to be admitted to be bail
in the sum of dollars.

Dec-13th / 1883

The within named
defendant was arrested
this day and brought to
District Attorneys Office
by Dets Von Gerichten & Reilly

0896

COUNTY OF NEW YORK, ss.

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING :

An indictment having been found on the 20th day of February
1883, in the Court of General Sessions of the Peace, of the County of
New York, charging Timothy M. McCarthy
with the crime of Molestation & Rape

You are therefore Comanded forthwith to arrest the above named Timothy
McCarthy and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York, or if he require it, that you take him before any Magistrate
in that County, or in the County in which you arrest him, that he may give bail to answer the
indictment.

City of New York, the 16th day of Apr 1883.

By order of the Court,

[Signature] Clerk.

0097

Not for record
Paul L. Smith

Police Court, Civil District.

Appearance

South East Corner of
Chapin Street & Bay Street
Albany

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Not. Bailed to
Quincy N. Carter
50 Albany Street

Wm. D. McCarthy
11
Street

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Cavanaugh

Timothy M. McCarthy

Offence, *Civilian Excise Law*

Dated *14 February* 188*3*

Wm. D. McCarthy
Magistrate.

John Cavanaugh
Officer.

H. Freinet
Officer.

Witnesses, _____

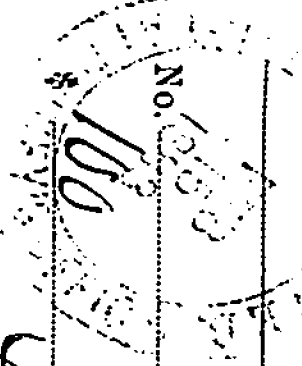
No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____

No. _____ Street, _____



95
to answer

Carroll

Carroll

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 *Timothy M. McCarthy*

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 *14 Feb* 188*3* *Wm. D. McCarthy* Police Justice.

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

Dated *February 14* 188*3* *Wm. D. McCarthy* 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.

0098

Sec. 198-200.

18th DISTRICT POLICE COURT.CITY AND COUNTY }
OF NEW YORK, } ss.

Timothy M^cCarthy 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.

Timothy M^cCarthy

Question. How old are you?

Answer.

39 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

41 Oak Street - 5 years

Question. What is your business or profession?

Answer.

None

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

Taken before me, this 14
day of February 1883

W. J. Power

Police Justice.

Timothy M^cCarthy

0099

BOX:

92

FOLDER:

1005

DESCRIPTION:

McCarthy, William

DATE:

02/09/83



1005

0900

W. 574

N. 311

Filed
9 day of Feb
Pleas
Not guilty
1883

THE PEOPLE

ROBBERY Second Degree.

vs.

W

William McCarty

JOHN McKEON,

District Attorney.

12 Mar 8. 1883.
Tried & jury disagreed.
A True Bill. 74c & 5c

William H. McKeon

Foreman.

April 8/83

April 8 Discharged

21

When
After 12
Lammy

I think the case, ends
in my judgment that
in \$1000 would be
Suffocate
March 31, 83

Reflected by
Michael Moore
13 W. 119
The jury Henry McKeon
in the case. The complain
ants - and the officer
both in view of thefts
very good character with
has discharge on his own
McKeon
April 3, 83

0901

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

THE PEOPLE OF THE STATE OF
NEW YORK,

against

William McCauley

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

William McCauley

of the crime of Robbery in the second degree,

committed as follows:

The said William McCauley

late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the thirteenth day of January in the year of our Lord
one thousand eight hundred and eighty three at the Ward, City and County aforesaid,
with force and arms, in and upon one James Herman
in the peace of the said People then and there being, feloniously did make an assault and
and overcoat of the value of ten
dollars

of the goods, chattels and personal property of the said James Herman
from the person of said James Herman and against
the will and by violence to the person of the said James Herman
then and there violently and feloniously did rob, steal, take and carry away, against the
form of the Statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

JOHN McKEON, District Attorney.

0902

DISTRICT ATTORNEY'S OFFICE.

New York, *March 8* 1883

People

McCarthy

}

J. Lebrun
Courney

Has Roman, Monro, Smith & Zerk

Mr W King - office

Proves by pursuit &
arrest.

Office Carey

Saw William Brock
offices King - followed and
arrested him.

C W Brooks opens for defense

Stephen Kelley *Wheeler was at*
my house

0903

DISTRICT ATTORNEY'S OFFICE.

New York,

188

Wm. B. Paul

June 15th - Station at 7th St

Start because of some men
who had been seen there
making

the same remarks as they had
in the place.

W. B. Paul
Whole mistaken

Depositions -

Wm. B. Paul saw me
one morning and told me
the same thing
to the same
person

0904

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

1

2

3

4

Dated

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

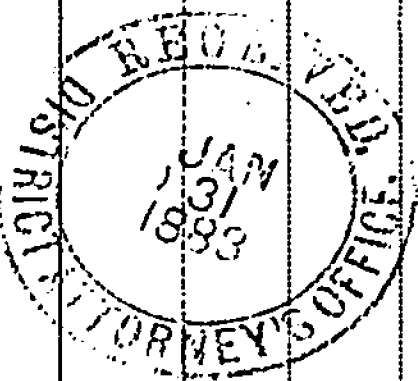
Street.

\$

to answer

Committed to jail

ms



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~~ the legally discharged and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated January 30 188 Hugh J. McGuire 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.

0905

Sec. 198-200.

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

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

Question. What is your name?

Answer. *William M. McCarthy*

Question. How old are you?

Answer. *27 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *2nd Street* *2 years.*

Question. What is your business or profession?

Answer. *Cork dealer.*

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 didn't
do it.*

Taken before me, this *9th*

day of *January* 188*8*

Wm. McCarthy

Hugh J. Farmer Police Justice.

0906

Form 90.

Police Court, 2nd District.CITY AND COUNTY } ss.
OF NEW YORK,Mechanic James Kernan. Age 32 years.of No. 234 West 28th Street,being duly sworn, deposes and saith, that on the 30th day of January 1883, at the 20th Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of the deponent, by force and violence, without his consent and against his will, the following property, viz.:One cloth overcoat of the value of Ten dollarsof the value of
the property ofthis deponent.DOLLARS,

and that this Deponent has 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

William M. Carthy (name) for the reasons following, to wit:-That about the hour of 1.30
O'clock P.M. of the day aforesaid
as this deponent was walking
through and along 28th Street
between 4th & 5th Avenue the
said, came behind this deponent
and pushed deponent into a hall
way of a house and he, said
defendant, did then and there
strike deponent on the head knocking
him down and said defendant did
then take from deponent's body the
said overcoat and ran away with
the same. James KernanSworn to before me, this
day of
1883
Police Justice.

0907

City and County of New York, ss. -

John W. King, a police officer attached to the 20th Police Precinct being duly sworn deposes and says that about the hour of 1.30 O'clock A.M. of the 30th day of January 1883, deponent heard the cry of "Murder" and "Watch" and deponent ran in the direction of said call along 2^d Street, towards 8th Avenue, and while so running the defendant named herein ran towards this deponent and threw a coat over this deponent's head and face causing deponent to fall to the sidewalk; that deponent arose, picked the said coat up, and pursued and arrested the said defendant, and further that at the Station House of the 20th Police Precinct James Fernan, the complainant herein, identified the said coat as his personal property, stolen from him as related in the annexed affidavit.

Sworn to before me this
30th day of January 1883, } John W. King

Hugh Germer

Police Justice

Form 96.

Police Court—Sixth District.

THE PEOPLE, &c.,

ON COMPLAINT OF

vs.

Affidavit—Robbery.

Dated

187

Officer

Magistrate.

Precinct.

WITNESSES:

0908

BOX:

92

FOLDER:

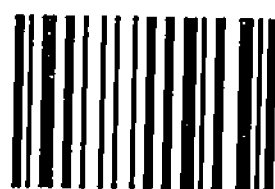
1005

DESCRIPTION:

McCarty, James

DATE:

02/27/83



1005

Serv for appar
trusion as
Ch - Posing
—
Exo apparicio
100 appence
Emblayner recie
Probably in the him
back.

W373

Counsel,
Filed *27* day of *February* 188*3*
Pleads *Not guilty (c.s.)*

THE PEOPLE

25.

Grand Larceny, Burglary, and
Receiving Stolen Goods.

James McCarty

March 9/03
JOHN MCKEON

District Attorney

District Attorney
Prop. Suspended

A True Bill.

William H. Phelps

Френч

Dec 7/63
 Florence.

Heads of the

9

09 10

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 McCarthy

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

James McCarthy

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

The said *James McCarthy*

late of the First Ward of the City of New York, in the County of New York, aforesaid, ~~on the~~
23rd ~~on the~~ day of ~~January~~ in the year of our Lord one thousand eight hundred and
eighty- ~~three~~ , at the Ward, City and County aforesaid, with force and arms
one watch of the value of twenty
dollars and one chain of the
value of ten dollars.

of the goods, chattels and personal property of one *Singh Bhatli*, on the person of the
~~said Singh Bhatli then and there being found, then and there~~
~~of the said Singh Bhatli 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 McLean

District Attorney

0911

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

Police Court - Chief District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James McCarthy

1

James McCarthy

2

3

4

Offence, *Attempted Larceny from person*

Dated *24 February 1883*

John White Magistrate.

John Brown Officer.

14 Breuckh

Witnesses,

No. _____ Street,

No. _____ Street,

No. _____ Street,
to answer *James McCarthy*

James McCarthy

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 *James McCarthy*

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

Dated *24 Feb 1883* *Charles J. Smith* Police Justice.

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

Dated _____ 1883 _____ 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 _____ 1883 _____ Police Justice.

09 12

Sec. 198-200.

182

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

James McCarthy

Question. How old are you?

Answer.

18 years.

Question. Where were you born?

Answer.

New York

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

Answer.

25 Bataria St. 6 months

Question. What is your business or profession?

Answer.

I stamp Buttons out

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
James McCarthy

Taken before me this

day of February 1885

24

Charles J. Smith Police Justice.

09 13

First

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, } ss.

Luigi Bertoli aged 38 years watch maker

of No. 55 Spring Street,

being duly sworn, deposes and says, that on the 23 day of February 1883

at the in the day time at the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent and deponent's person with intent to deprive the true owner of the use and benefit thereof the following property, viz :

one silver watch and gold chain
attached of the value of thirty
dollars

Sworn before me this

day of

the property of

this 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 Mc Carthy (now here)

from the fact that while deponent was standing in a crowd on Spring Street in said looking at a fire deponent felt some person tugging at his watch chain deponent immediately looked down and saw that said defendant had pulled the watch which was attached to said chain out of the pocket of the vest then and there worn by deponent and attempted to escape with the same. deponent

Police Justice,

188

09 14

Seized hold of said defendant until
Officer Brennan arrived and arrested
said defendant

Sworn to before me this 3rd Boston City
24th day of February 1883

Andrew J. Smith

Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFIDAVIT—Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

09 15

BOX:

92

FOLDER:

1005

DESCRIPTION:

McCormick, Peter

DATE:

02/16/83



1005

0916

May 31 1883

Counsel,
Filed 16 day of Feb 1883
Pleads Not Guilty

THE PEOPLE
vs.
Beverly Connors

Grand Larceny, Receiving Stolen Goods, degree, and

JOHN McKEON,
District Attorney

A True Bill.

William H. Phelps
Foreman.
Part 2. Feb 16, 1883
Tried and acquitted
on the ground of insanity
sent to Madison Home
for Insane at Cooper's

09 17

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 Cormick

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

Peter Mc Cormick

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

The said *Peter McCormick*

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

one pocket book of the value of fifty cents, one silver coin of the United States of the kind known as half dollars, of the value of fifty cents, one silver coin of the United States of the kind known as a quarter dollar, of the value of twenty five cents, five silver coins of the United States of the kind known as dimes of the value of ten cents each, and five nickel coins of the United States of the kind known as five cent pieces of the value of five cents each

of the goods, chattels and personal property of one ~~Catharine Warman~~ *Catharine Warman*, on the person of ~~the said Catharine Warman~~ *the said Catharine Warman* 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 McKean

District Attorney

0918

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

Police Court- 20 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Catharine Matthews
233 West 105th St.

Peter M. Cornick

2
3
4
Offence, Larceny from
the person

Dated February 10th 1883

Harriet Magistrate.
Paul Price Officer.

29 Precinct

Witnesses,

No. _____
Street,

No. _____
Street,

No. _____
\$ 500 to answer
C. B. Jones

Cms

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 Peter M. Cornick

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 February 10th 1883 Hugh J. [Signature] Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

09 19

Sec. 198-200.

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

Peter M. Cornick 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 M. Cornick*

Question. How old are you?

Answer. *Thirteen years.*

Question. Where were you born?

Answer. *New York City*

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

Answer. *157 West 51st Street one year.*

Question. What is your business or profession?

Answer. *Shoe 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*

Taken before me, this *10th*
day of *February* 188*3*

Peter M. Cornick
mark

Hugh J. ... Police Justice.

0920

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }
OF NEW YORK, } ss

of No. 233 West 35th Street, 46 years, married
 being duly sworn, deposes and says, that on the 9th day of February 1883
 at the above mentioned premises in the City of New York,
 in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent, and from deponent's person in the day
time with intent to deprive the true owner of the use
 the following property, viz: thereof

One black pocketbook,
containing silver coins of various
denominations and values, together
of the value of seventy five cents
good and lawful money of the
United States.

the property of

Deponent and her husband
Joseph Warman

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 M. Cornick (nowhere)

from the following reasons. That
deponent was entering the hallway
of said premises, when deponent
saw the said M. Cornick come up
behind her, and stealthily put
his hand in deponent's pocket of
her dress which was an deponent's
person and took therefrom said property
and run away with said property in his
possession

Rafaelino Moorhouse

Sworn before me this

10th day of February 1883

Police Justice.

0921

BOX:

92

FOLDER:

1005

DESCRIPTION:

McCue, James

DATE:

02/16/83



1005

0922

BOX:

92

FOLDER:

1005

DESCRIPTION:

Grumley, James

DATE:

02/16/83



1005

Sent for Officer

Lee's apparition

Mr. Carver says

that, there were three

with - first.

Conknot body

Heaven & witness

by, the Sept 10th

to papers - see

papers in the

showing the

in April 1883

24.

No. 119.

Filed 16 day of July 1883

Pleas

THE PEOPLE

vs.

R.

James MacFarland

James MacFarland

James MacFarland

JOHN MCKEON,

District Attorney.

Pr. Feb. 1883

May 1883

A TRUE BILL

J.P. 576

William H. H. H.

Foreman.

No. 26 Feb. 1883

Pleas by J.P.

by J.P.

by J.P.

by J.P.

For papers

see case of

Mc Lane

filed April 1883

0923

0924

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

THE PEOPLE OF THE STATE OF
NEW YORK,

against

*James McKeon and
James Gummy*
The Grand Jury of the City and County of New York by this indictment accuse
James McKeon and James Gummy

_____ of the crime of Robbery in the first degree,
committed as follows:

The said *James McKeon and James
Gummy*

late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the *fourth* day of *February* in the year of our Lord
one thousand eight hundred and eighty*three* at the Ward, City and County aforesaid,
with force and arms, in and upon one *Thomas D. Smith*
in the peace of the said People then and there being, feloniously did make an assault ~~and~~
*(each of them being then and there
aided by an accomplice actually
present) and one silver coin of
the United States of the kind
known as half dollars, of
the value of fifty cents, one
silver coin of the United States
of the kind known as dimes
of the value of ten cents each,
and three coins of the United
States of the kind known as
cents of the value of one cent
each*

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

Thomas D. Smith
from the person of said *Thomas D. Smith* and against
the will and by violence to the person of the said *Thomas D. Smith*
then and there violently and feloniously did rob, steal, take and carry away, against the
form of the Statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

JOHN McKEON, District Attorney.

0925

BOX:

92

FOLDER:

1005

DESCRIPTION:

McCue, Patrick

DATE:

02/21/83



1005

0926

No 257

Day of Trial

Counsel,

Filed 21 day of Feb 1883

Pleads *Whitely & Co.*

THE PEOPLE

vs.

Violation of Excise Law.
Selling on Sunday.

B. B. Whitely & Co.

JOHN MCKEON,

District Attorney.

A TRUE BILL.

Wm. H. Hild

Part 2. April 10/1883
Foreman

Tried and acquitted

0927

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 McEne

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

Patrick McEne

of the CRIME OF *Exposing for Sale and Selling Spirituous Liquors on Sunday*, committed as follows :

The said

Patrick McEne

late of the *First* Ward of the City of New York, in the County of New York aforesaid, on the *twenty sixth* day of *November* in the year of our Lord one thousand eight hundred and eighty *two*, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, 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 expose for sale and sell as a beverage to

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

JOHN McKEON, District Attorney.

0928

POLICE COURT

2 DISTRICT.

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

of No. 29 Beecher Street
of the City of New York, being duly sworn, deposes and says, that on the Sunday the 26 day
of November 1882 in the City of New York, in the County of New York.
At Premises 499 Seventh Avenue
a place where intoxicating liquors and wines are kept for sale, and sold as a beverage,
Patrick McQue (now here) did then and there expose for sale, and did sell, caused
suffered, and permitted to be sold and given away, under his direction or authority, strong and spirituous liquors,
wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be drunk in the
house or premises aforesaid, contrary to and in violation of law: -

WHEREFORE, deponent prays that the said Patrick McQue may
be arrested and dealt with according to law.

Sworn to before me this

of November 27 day } 1882

William Spolaseo
W. W. Mueh
Police Justice.

0929

313

Officer
Quirk

Day of Trial,

Counsel,

Filed *28* day of *Nov* 188*2*

Reads

Indignity (Exhibit 12)

THE PEOPLE

vs.

B

Patricia McCre

499 7th St.

Violation of Excise Law.

JOHN McKEON,

District Attorney.

A True Bill.

Edward Finamore

Foreman.

Dismiss

Apr. 25/83 Jm. J.

0930

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Patrick McCue

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

Patrick McCue

of the CRIME OF *Exposing for Sale and* ~~Selling~~ *Selling* Spirituous Liquors ~~without a License~~ *on Sunday*

committed as follows:

The said

Patrick McCue

late of the *Twentieth* Ward of the City of New York, in the County of New York aforesaid, on the ~~nineteenth~~ *day of November* in the year of our Lord one thousand eight hundred and eighty ~~two~~ *two*, at the Ward, 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 whisky, 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 one time, to a certain person whose name is to the Grand Jury aforesaid unknown,~~

~~and 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.~~

SECOND COUNT.—And the Grand Jury aforesaid, by this indictment, further accuse the said ~~of the crime of exposing for sale and selling spirituous liquors on Sunday, committed as follows, that is to say: 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, the same being the first day of the week, commonly called and known as Sunday, with force and arms, 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 whisky, 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 expose for sale and sell as a beverage to a certain person whose name is to the Grand Jury unknown,~~

~~contrary to the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.~~

JOHN McKEON, District Attorney.

Dated _____ 188 _____ *Police Justice.*

0932

City and County of New York, ss.:

THE PEOPLE,

vs.

Police Court 2^d District.

On Complaint of John Carey

For Violation Ejecta Law

Patrick McElure

After being informed of my rights under the law, I hereby waive a ^{examination} ~~trial by Jury~~, on this ~~complaint~~ ^{complaint}, and my right to make a statement in relation to it, and demand a trial at the COURT OF ~~SPECIAL~~ ^{GENERAL} SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated November 20th 1882

Patrick McElure

J. Henry Ford

Police Justice.

0933

Second
Police Court, Fifth District.

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

John Carey
of No. *29* *Police Precinct* Street,
of the City of New York, being duly sworn, deposes and says, that on the *Sunday* *19*th day
of *November* 18*82* in the City of New York, in the County of New York,

At *Number 499 Seventh Avenue*
a place where intoxicating liquors and wines were kept for sale, and sold as a beverage, *Patrick*
McQue (now here) did then and there expose for sale, and did sell, caused, suffered and
permitted to be sold and given away, under his direction or authority, strong and spirituous liquors, wines, ale and beer,
being intoxicating liquors, to be drunk in the house or premises aforesaid, contrary to and in violation of law; and did not
keep said place closed on said *Sunday November 20 1882* as required by law.

WHEREFORE, deponent prays that said
may be ~~arrested and~~ dealt with according to law.

Sworn to before me, this 20th day
of *November* 18*82* }

John Carey
J. Murphy POLICE JUSTICE.

0934

BAILED
No. 1 by *Richard H. H. H.*
Residence *1031 West 44th St.*
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

Police Court *2d* District *103*

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William J. H. H.

Patrick M. C.

1 _____
2 _____
3 _____
4 _____

Offence, *Violation*
Police Law

Dated *November 27th* 188 *2*

Magistrate

Officer

Clerk

Witnesses, _____

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 *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 *November 27th* 188 *2* *Police Justice.*

I have admitted the above named *Patrick M. C.* to bail to answer by the undertaking hereto annexed.

Dated *November 27th* 188 *2* *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.

0935

Sec. 108-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Patrick McLeve 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 McLeve

Question. How old are you?

Answer. 38 years

Question. Where were you born?

Answer. Ireland

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

Answer. No 204 West 36th Street; 15 months

Question. What is your business or profession?

Answer. Liquor Dealer.

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. The place was open, but no liquor was sold

Patrick McLeve

Taken before me this

27th

day of

November

1888

W. J. Murphy

Police Inspe.