

05 14

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Madden, Thomas

**DATE:**

12/14/93



4950

05 15

POOR QUALITY  
ORIGINAL

The recommendation of  
Mr Bradley approved.

John P. McIlhenny  
Clerk, District Court.

Witnesses:

Officer Geo. J. McIlhenny  
111th Precinct  
James Pass

In this case after a  
careful examination of all  
the witnesses, I find that  
the only evidence against  
the defendant Madden is  
that soon after the com-  
mission of the crime he  
was found with a small  
piece of defendant's chain.  
He immediately said what  
he now says viz: that he  
picked the chain up.

The officer in the case  
the defendant's employer  
and other witnesses show  
that he is a young man  
of good character. I therefore  
respectfully recommend that  
defendant be discharged on his own  
recognition. Thomas Madden

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

Thomas Madden

Grand Larceny, Second Degree.  
From the Person.  
[Sections 528, 531, Penal Code.]

DE LANCEY NICOLL,

District Attorney

On Mo. of Dec. 20/93  
left disch. on his  
own recogn. see endorsement  
Dec. 20/93

A TRUE BILL.

Dec. 20/93

Dec. 20/93

Foreman.



0516

Police Court—

District—

1012

Affidavit—Larceny.

City and County }  
of New York, } ss.of No. 200 Mott Street, aged 31 years,  
occupation perker being duly sworn,deposes and says, that on the 30 day of November 1891 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in day time, the following property, viz:A silver watch and a gold-plated chain together of the value of Ten Dollars\$10<sup>00</sup>/<sub>100</sub>the property of deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Thomas Madden (now here)

and several other persons unknown to deponent and not yet arrested, acting in concert, from the fact, that deponent was on Catharine Slip wearing said property in his vest when he was pushed about by the persons above referred to, and then he missed said property and is informed by Officer Mehan of the 11<sup>th</sup> Precinct Police that he found defendant having a chain in his hand, defendant standing near deponent which chain deponent identifies as part of the missing property. Therefore deponent prays that defendant may be dealt with according to law.

James RossSworn to before me this 1st day of December 1891John W. L. ... Police Justice

05 17

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

George J. Meekhan  
aged \_\_\_\_\_ years, occupation Police officer of No. 11<sup>th</sup> Precinct Police Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of James Ross  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 1 day of December 1895 } George J. Meekhan

John W. Bondis Police Justice.

05 18

Sec. 193-200

CITY AND COUNTY } ss.  
OF NEW YORK,

District Police Court.

*Thomas Madden* 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 Madden*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *146 Cherry St.*

*16 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.*  
*Madden*

Taken before me this

day of *December* 19*07*

*Shuttleworth*

Police Justice.

05 19

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

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

Dated December 1 189 3 John H. Morris Police Justice.

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

Dated \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 189 • \_\_\_\_\_ Police Justice.



0520

Witness Bailed  
by Giovanni Lordi  
62 Mulberry St

BAILED,

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

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

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

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

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

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

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

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

Police Court---

3

1289

District.

THE PEOPLE  
ON THE COMPLAINT OF

James Ross

200 Mott

Thomas Madden

2 witness bailed

3

4

Officer  
James  
Madden  
the person

Dated Dec 1 1893

Hooker Magistrate.

Meehan Officer.

11 Precinct.

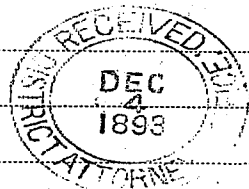
Witnesses Call the officer

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

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

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

\$ 500 to answer



G. P.  
G. P.  
new

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas Madden*

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

*Thomas Madden*

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

The said

*Thomas Madden*

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

*one watch of the  
value of seven dollars and  
one chain of the value of  
three dollars*

*S*

of the goods, chattels and personal property of one

on the person of the said

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

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

*James Ross*  
*James Ross*

0522

SECOND COUNT—

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

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

The said

*Thomas Madden*

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

*one watch of the value of  
seven dollars, and one chain  
of the value of three dollars*

of the goods, chattels and personal property of one

*James Ross*

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

*James Ross*

unlawfully and unjustly ~~and~~ feloniously receive and have ; the said

*Thomas Madden*

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

DE LANCEY NICOLL,

*District Attorney.*

0523

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Maderelo, Paul

**DATE:**

12/22/93



4950



0524

POOR QUALITY  
ORIGINAL

Witnessed:

Peter Merrill

Guassippe Debaise

270 N. 1. Ave.

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

Paul Madrels.

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

Off.

DE LANCEY NICOLL,

District Attorney.

January term

Mich 12, 1894. P. I. V. M. D.

A TRUE BILL.

B. Hoagwood

March 1, 1894

Foreman.

Fred H. Squittet

Jan 28, 1894

0525

POOR QUALITY  
ORIGINAL

Witnesses:

Peter Merrill  
Gussippe Debiase  
2702 - 1. av

244  
Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

B  
Paul Macdells.

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

off.

DE LANCEY NICOLL,

January term

District Attorney.

Mich 12. 1894. Part I. and

A TRUE BILL.

B. Hoagwood

Foreman.

March 12/94  
Jury acquitted

by 28/94

0526

Police Court—2 District.

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

Peter Mersell  
of No. 2203 First Avenue Street, aged 30 years,  
occupation Musician being duly sworn  
deposes and says, that on the 28<sup>th</sup> day of October 1889 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Paul  
Madero (now here) who struck deponent  
upon the back and body with an  
iron bar which he held in his hand  
that said blows were aimed and  
directed at deponent's head with  
the

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

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

Sworn to before me, this 29 day  
of October 1889 }

Peter Mersell

[Signature]  
Police Justice.



0527

Sec. 198-200.

2 District Police Court.

1882

City and County of New York, ss: \*

*Paul Materello*

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 a 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.

*Paul Materello*

Question. How old are you?

Answer.

*39 years*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*71 Sullivan St. 9 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*  
*Paul X Materello*  
*mark*

Taken before me this *29*  
 day of *October* 189*3*

Police Justice.



0528

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

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

Dated Dec 29 1893 [Signature] Police Justice.

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

Dated Dec 29 1893 [Signature] Police Justice.

There being no sufficient cause to believe the within named.....

..... guilty of the offense within mentioned. I order h to be discharged.

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

0529

BAILED,

No. 1, by Anthony Petroselli  
Residence 69 Thompson Street.

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

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

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

Police Court---

1148 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Peter Mersell  
Es. 2202-1 Ave  
Paul Madgelli

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

Officer John A. Aest.

Dated Oct 29 1893  
Hogan Magistrate.  
Logan Officer.  
8 Precinct.

Witnesses Dominic Timpone  
47 1/2 Sullivan St  
No. Vincenzo Timpone Street.  
47 1/2 Sullivan St  
No. Antonio Timpone Street.  
57 Sullivan St  
Frederick Malinatti  
71 Thompson St  
No. Michael Gossindro Street.  
66 Thompson  
\$ 5.00 to answer

Dr Luzzato  
50 King St.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Paul Madrels

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

Paul Madrels

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

The said

Paul Madrels

late of the City of New York, in the County of New York aforesaid, on the twenty-eighth day of October in the year of our Lord one thousand eight hundred and ninety—three, with force and arms, at the City and County aforesaid, in and upon the body of one Peter Marsell in the peace of the said People then and there being, feloniously did make an assault, and him the said Peter Marsell with a certain iron bar

which the said

Peter Madrels

in his

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

with intent

him

the said

Peter Marsell

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

SECOND COUNT—

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

Paul Madrels

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

The said

Paul Madrels

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

with a certain

iron bar

which the said

Paul Madrels

in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

## THIRD COUNT—

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

*Paul Madeus*

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

The said

*Paul Madeus*

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

with a certain *iron bar* *Peter Maressell*

which — *he* — the said

in — *his* — right hand then and there had and held, in and upon the *back body*  
*and back* of *him* the said *Peter Maressell*

then and there feloniously did wilfully and wrongfully strike, beat, stab, ~~cut~~ bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

*Peter Maressell*

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.

DE LANCEY NICOLL,  
District Attorney.



0532

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Magri, Savario

**DATE:**

12/08/93



4950

Witnesses:

Stephen Spano

Counsel,

Filed

Pleads,

day

1893

THE

vs.

Savario Magri

Part I  
Jan 30

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

odd days

B. Lockwood

Foreman.

On return of dist Atty  
Ctft docket in this case  
recd by found by PBH  
Part 2 - March 8/94.

The Complainant in this case  
has disappeared because  
he found it behind the deft  
who in no way privy to his  
disappearance. The deft  
should therefore be discharged  
on his own recognizance  
because especially of the  
Lapse of time.  
Mak's per. L. J. O'Hara  
Dep. Dist. Atty.

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

0534

Police Court— District.

1981

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

of No. 114 Mulberry Street, aged 23 years,  
 occupation Labourer being duly sworn,  
 deposes and says, that on the 22 day of November 1893 at the City of New  
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Savaris Magie  
know him, who cut and stabbed  
 deponent on the head with a  
 razor, then and then held in  
 the hand of Magie, thereby inflicting  
 a severe wound on deponent's  
 head

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

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

Sworn to before me, this 23 day1893

Stephen J. Spaul his  
mark  
 Police Justice.

0535

(1385)

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Savaris Magri* 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. *Savaris Magri*

Question. How old are you?

Answer. *49 years.*

Question. Where were you born?

Answer. *Italy*

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

Answer. *110 Mulberry St. N.Y.*

Question. What is your business or profession?

Answer. *Labourer*

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

Answer. *I am not guilty*  
*Savaris + Magri*  
*mark*

Taken before me this

4th

Aug 9th 1888

Police Justice.



0536

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

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

Dated,                      189                      Police Justice.

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

Dated,                      189                      Police Justice.

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

Dated,                      189                      Police Justice.



0537

BAILED,

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

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

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

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

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

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

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

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

332  
Police Court-- District. 1264

~~55 San Diego St. Francisco~~  
~~One 12th St. San Francisco~~  
THE PEOPLE, &c.

ON THE COMPLAINT OF

*Stephen M. Maguire*  
*Savario Maguire*

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

Dated, *Nov 20* 189 *8*

*Martini* Magistrate.

*Garry* Officer.

Precinct.

Witnesses *Geo. S. Angeland*

No. *108* Street.

No. *Frank B. Baker*

No. *117* Street.

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

*Man* to answer *S. C. A.*

*Committed*

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Savario Magni*

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

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

The said

*Savario Magni*  
late of the City of New York, in the County of New York aforesaid, on the 22nd day of November, in the year of our Lord one thousand eight hundred and ninety-three, with force and arms, at the City and County aforesaid, in and upon the body of one Stephen Spano in the peace of the said People then and there being, feloniously did make an assault, and him the said Stephen Spano with a certain razor

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

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

SECOND COUNT—

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

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

The said

*Savario Magni*  
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Stephen Spano in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and him the said Stephen Spano with a certain razor

which the said *Savario Magni* in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*De Lancey McCall,*  
District Attorney

0539

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Malloy, Frank

**DATE:**

12/07/93



4950

0540

143

COURT OF OYER AND TERMINER.

Counsel,

Filed,

7<sup>th</sup> day of Dec 1893

Pleads,

THE PEOPLE

Transferred to the Court of Special Sessions for trial and final disposition.

Part 2. 18  
Frank Malloy

General Sessions

Dec 8<sup>th</sup> 93.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

R. J. Crow Foreman.

VIOLATION OF THE EXCISE LAW.  
selling, etc., on Sunday.  
[Chap. 401, Laws of 1892.]

Witnesses:

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Frank Malloy*

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

*Frank Malloy*

of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*Frank Malloy*

late of the City of New York, in the County of New York aforesaid, on the day of *November* <sup>26</sup> in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

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 New York and their dignity.

## SECOND COUNT—

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

*Frank Malloy*

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Frank Malloy*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

*Thomas Griffin*

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.

DE LANCEY NICOLL,

*District Attorney.*



0542

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Malone, John

**DATE:**

12/08/93



4950

0543

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Murray, Charles

**DATE:**

12/08/93



4950

Recd Dec 9/53  
 Paid  
 Headet. Rury 3 day  
 Each  
 Pen one year  
 up.

0545

Police Court— District.

City and County { ss.:  
of New York,of No. 237 Ave B Street, aged 41 years,occupation Leguor Store being duly sworndeposes and says, that the premises No 860 1<sup>st</sup> Ave Street, 19 Wardin the City and County aforesaid the said being a four story brick buildingand which was occupied by deponent as a Leguor Store

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

were BURGLARIOUSLY entered by means of forcibly opening door  
leading into said premiseson the 3<sup>rd</sup> day of December 1888 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:a quantity of ale and  
lead pipe of the value  
of twenty dollars

the property of

Edward Hughes

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen and carried away by

John Malone & Charles Murray

for the reasons following, to wit:

that on said date the  
said premises was securely locked and  
fastened deponent is informed by  
Officer John Hickey of the 23<sup>rd</sup> Precinct  
that he arrested said defendants in  
the above premises  
Q HughesWm H. Burke  
Police Justice



0546

Sec. 193-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. John Malone

Question. How old are you?

Answer. 20 yrs

Question. Where were you born?

Answer. N S

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

Answer. E 34<sup>th</sup> Str

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

John Malone  
subscribed

Taken before me this

day of

189

Police Justice

0547

Sec. 193-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK,

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

Question. What is your name?

Answer. *Charles Murray*

Question. How old are you?

Answer. *27 yrs*

Question. Where were you born?

Answer. *W S*

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

Answer. *346 E 48th St 8 yrs*

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*

*Charles Murray*  
*not*

Taken before me this

day of

*John A. [Signature]*  
189

Police Justice.

0548

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

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

Dated Dec 31 189 Proctor Police Justice.

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

Dated \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice

0549

Police Court---

1282 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Edward Hughes*  
*232 Ave B*  
*John Malone*  
*Charles Murray*

Offence

BAILED,

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

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

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

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

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

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

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

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

3. \_\_\_\_\_

4. \_\_\_\_\_

Dated *Dec 3<sup>rd</sup>* 189 *3*

*Burke* Magistrate.

*Hickey* Officer.

*23<sup>rd</sup>* Precinct.

Witnesses \_\_\_\_\_

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

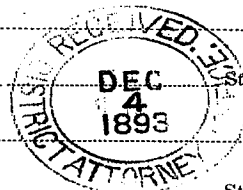
No. \_\_\_\_\_ Street.

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

*2000* to answer \_\_\_\_\_

*Ch* \_\_\_\_\_

*Burg* \_\_\_\_\_





**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 Malone*  
*and*  
*Charles Murray*

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

*John Malone and Charles Murray*  
 of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

*John Malone and Charles Murray, both*

late of the *19th* 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 ninety-*three* in the *eight* time of the same day, at the  
 Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of  
 one *Edward Hughes*

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

*Edward Hughes* in the said *store*  
 then and there being, then and there feloniously and burglariously to steal, take and carry away,  
 against the form of the statute in such case made and provided, and against the peace of the  
 People of the State of New York and their dignity.

*DeLancey Nicoll*  
*District Attorney*

0551

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Manning, Patrick

**DATE:**

12/12/93



4950

0552

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Glennon, Thomas

**DATE:**

12/12/93



4950

0553

Both Convict of Dis. Con. R.B.M.

Witnesses:

Henry Schaffert  
officer  
Michael Breen

Counsel,

Filed

Pleads

*[Signature]*  
12 day of Dec 1893  
Not guilty

THE PEOPLE

19  
40.5  
Patrick Manning  
23  
488  
Thomas Glennon

Degree.  
Robbery, first  
(Sections 224 and 225, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Thos Harris*  
Foreman.

Part 3. Dec 15. 1893  
Both plead guilty  
No 1 S. P. 2 yrs 83 mo  
" 2 S. P. 3 yrs - R.B.M.



0554

Police Court

District.

CITY AND COUNTY } ss  
OF NEW YORK,

Henry Schappert  
of No 209 West 32 Street, Aged 19 Years  
Occupation Groceries being duly sworn, deposes and says, that on the  
5 day of December 1883, at the 20 Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

One pair of Gloves - of the  
Amount and

of the value of One (1) DOLLARS,  
the property of Joseph Schappert, and in deponent's care & custody  
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

Patrick Manning and Thomas Glennon (both  
now here) and while acting in concert with each  
other, from the following facts to wit: that about  
the hour of 10.30 o'clock P.M., of said date, while  
deponent was in the neighborhood of West 31<sup>st</sup>  
Street and 7<sup>th</sup> Avenue, said Manning took hold  
of deponent and held him, while said defendant  
Glennon was in his company, and that said  
Manning made the remark to said Glennon - to  
go through deponent and on deponent breaking  
away from said Manning, he ran into the hallway  
of No 204 West 32<sup>nd</sup> Street - followed by the  
said defendants in company with each other -

Sworn to before me this  
1883

Police Justice

0555

and that while defendant was in said hallway -  
said defendant Manning again took hold of  
defendant and held him - while said defendant  
Glennan went through defendant's pockets and searched  
him - and took and stole the aforesaid  
property - which were in the pocket of the  
coat then worn on his person and that  
defendant is informed by Officer Michael Brown  
of the 20<sup>th</sup> Precinct that he found a pair  
of gloves in the possession of the defendant  
Glennan - and that defendant has seen the  
said pair of gloves found in the possession  
of the defendant Glennan by said Officer and  
fully recognizes the same as his property and  
as the aforesaid property stolen from him on said  
date - defendant therefore charges said defendant  
with having committed a Robbery and asks  
that they may be held and dealt with as the  
Law may direct - *Heeding Schuppert*

From to before me  
this 6<sup>th</sup> day of December 1893  
*Alfred L. Hall*

Dated \_\_\_\_\_ 188\_\_\_\_\_  
Police Justice  
There being no sufficient cause to believe the within named  
guilty of the offense within mentioned, I order he to be discharged.

Dated \_\_\_\_\_ 188\_\_\_\_\_  
Police Justice  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 188\_\_\_\_\_  
Police Justice  
of the City of New York, until he give such bail.  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
committed, and that there is sufficient cause to believe the within named  
If appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offense—ROBBERY.

vs.

1  
2  
3  
4

Dated \_\_\_\_\_ 188\_\_\_\_\_  
Magistrate.

Officer.

Clerk.

Witness,

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

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

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

\$ \_\_\_\_\_ to answer General Sessions.

0556

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877

Michael Green  
aged \_\_\_\_\_ years, occupation Police Officer of No. \_\_\_\_\_  
2nd Precinct Police Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Henry Schappert  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this

day of

189

6 Michael Green  
December

[Signature]  
Police Justice.

0557

Sec. 198/200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK } ss.

*Patric Manning* 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. *Patric Manning*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *W. J.*

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

Answer. *405 West 39th St. - 3 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 -*  
*Pat. m. n. g.*

Taken before me this  
day of *March* 189*7*

*James J. [Signature]*  
Police Justice.



0558

Sec. 199-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Thomas Glennon

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 Glennon

Question. How old are you?

Answer. 29 years -

Question. Where were you born?

Answer. W.V.

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

Answer. 488-7-Allen - 3 mos

Question. What is your business or profession?

Answer. Express

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

Answer. I am not guilty -

Thomas Glennon

Taken before me this  
day of Decr - 1893

Police Justice.

0559

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 Myers

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

Dated Sept 6 1893 John A. [Signature] Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

0560

1303

Police Court---

2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Henry Schappert*  
*Patrick Manning*  
*Thomas Glenn*

*Robert Gray*  
Officer

BAILED,

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

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

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

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

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

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

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

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

3.

4.

Dated

*Dec 6 93*

1893

*Lock* Magistrate.

*Beer* Officer.

*20* Precinct.

Witnesses \_\_\_\_\_

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

Street.

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

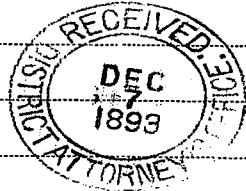
Street.

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

Street.

\$ *25.00* to answer

*Don*



**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 Manning  
and Thomas Glennon

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

Patrick Manning and Thomas Glennon

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

The said

Patrick Manning and Thomas Glennon, both

late of the City of New York, in the County of New York aforesaid, on the fifth day of December, in the year of our Lord one thousand eight hundred and ninety-three, in the night-time of the said day, at the City and County aforesaid, with force and arms, in and upon one Henry Schappert

in the peace of the said People then and there being, feloniously did make an assault; and

one pair of gloves of the value of one dollar

of the goods, chattels and personal property of the said one Joseph Schappert from the person of the said Henry Schappert against the will and by violence to the person of the said Henry Schappert then and there violently and feloniously did rob, steal, take and carry away,

the said Patrick Manning and Thomas Glennon and each of them, being then and there aided by an accomplice actually present to wit: each by the other; against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Lancey Ricoll,  
District Attorney



0562

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Marion, Frank

**DATE:**

12/22/93



4950

0563

Witnesses:

Chas Watson

Lab. T. J. J.

Reilly

Wm. C. J.

Subpoena officers  
J. C. J. for

28th +

Robt. Sgt. Von  
Gerichler

W8 Alter

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

22  
20th  
vs.  
last

Frank Marion

H.D. (1)

DE LANCEY NICOLL,

District Attorney.

Part 2 - Dec. 26, 1893

Ind and Council of  
C. D. 2nd Degree

A TRUE BILL.

28

B. Lockwood

Foreman.

4th of Nov 5. P.  
Dec. 28, 1893

0564

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT / DISTRICT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

of the 24 Precinct Police, being duly sworn, deposes  
and says that Charles Watson  
(now here) is a material witness for the people against  
Frank Mann charged  
with Robbery. As deponent has  
cause to fear that the said Charles Watson  
will not appear in court to testify when wanted, deponent prays  
that the said Charles Watson be  
committed to the House of Detention in default of bail for his  
appearance.

John Mcnary

Sworn to before me, this  
day of December 1899

[Signature]  
Justice

0565

Police Court. / District.

CITY AND COUNTY }  
OF NEW YORK, } ss

Charles Watson

of No. 178 Cherry Street, Aged 18 Years

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

14 day of December 1893, at the 4 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:

Fifty dollars good and lawful money of the United States

of the value of Fifty dollars DOLLARS,

the property of Depoent

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

Frank Marion (now here) for the reason that on said date deponent was in Catherine Street and had the said money in the inside pocket of his vest then on his person. Defendant with ~~by~~ aid by force and violence with his hand in said pocket took out said money and when deponent resisted, defendant struck deponent in the face with his clenched hand and ~~said~~ ran away with said fifty dollars. Wherefore deponent charges defendant with robbery.

Charles Watson

day of

Dec

1893

Sworn to before me this 14

Almace P. J. Justice



0566

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK }

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

Question. What is your name?

Answer. Frank Marin

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. Vermont

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

Answer. 2 Hamilton Street. 7 Weeks

Question. What is your business or profession?

Answer. Bar Tender

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

Answer. I am not guilty.

Taken before me this

day of Dec 1896

Charles J. Wallace  
Police Justice

0567

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

*Defendant*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Five* Hundred Dollars, and be committed to the Warden and Keeper of

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

Dated *Dec 15* 189*3*

*Commence* Police Justice.

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

Dated 189

Police Justice.

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

Dated 189

Police Justice

0568

45  
Police Court--- / District. 1349

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles Watson  
178 Cherry

1 Frank Merion

2  
3  
4

Offence  
Robbery

Dated Dec 14 1893

Murder Magistrate.

Morney Officer.

4 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

\$ 1000 to answer

Committee

1000 E. 10th St. S. D. S.

BAILED,

No. 1, by

Residence Street

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

COURT OF GENERAL SESSIONS OF THE PEACE, Part 11.

City and County of New York.

11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

The People,

vs.

FRANK MARION.

"

"

"

"

"

"

"

"

Before

HON. FREDERICK SMYTH,

and a Jury.

11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

Tried, DECEMBER 26TH, 1893.

Indicted for ROBBERY, in the SECOND DEGREE.

Indictment filed DECEMBER 22ND, 1893.

-----  
APPEARANCES:

ASSISTANT DISTRICT ATTORNEY THOMAS J. BRADLEY,

For THE PEOPLE.

MARK ALTER, ESQUIRE,

For THE DEFENSE.  
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0570

2

CHARLES WATSON, THE COMPLAINANT, being duly sworn, testified that on the 14th of December, 1893, he lived in the Sailors' Home, in Cherry street. On the night of the 13th of December, or early on the morning of the 14th, he saw the defendant in a saloon in the neighborhood of Cherry street. He did not know the name of the street where the saloon was. He was a sailor and this was the first time he had been in New York in two years. He was with a woman at the time he saw the defendant. He had five ten dollar bills in his inside vest pocket, and more money in another pocket. The girl asked him to treat the defendant, and he treated the defendant two or three times. He then started for home, and, when he got out in the hall, he counted his money, to see if it was all right, and he found that it was all right. He put the money back in his pocket. He looked around when he got to the sidewalk, to see which way to go to get to his home, and the defendant came out of the saloon. He had his vest open, and the defendant put his hand in his pocket and took out

his money and ran away. He tried to stop the defendant, and the defendant struck him in the mouth. The defendant ran down a dark alley, and he did not follow him. He asked a man where the police station was, and he went to the police station. He again saw the defendant about fifteen or twenty minutes after that, about three blocks from where he had first see him, in the saloon. He, the complainant, was accompanied by a police officer at that time.

In cross-examination the complainant testified that he was not intoxicated at the time of the larceny. A little over \$20. was found on the defendant at the time of his arrest.

JOHN MOONEY, being duly sworn, testified that he was a police officer, attached to the Fourth precinct. He arrested the defendant on the 14th of December, about half-past 5 in the morning. He saw the complainant and had a conversation with him, before he arrested the defendant. He first saw the complainant at the

corner of Cherry and Catherine streets. The complainant had a conversation with him, and he and the complainant then went into a liquor store at the corner of Cherry and Catherine streets, and there he found the defendant. The complainant pointed to the defendant, and said, "That is the man who robbed me." He took hold of the defendant and searched him. He found two ten dollar bills and one dollar in silver in the defendant's pockets. He then took the defendant to a saloon at 64 Catherine street, where the complainant claimed he had first met the defendant. He asked the bartender, in the presence of the defendant, if he had seen the complainant and the defendant drinking there together. The bartender said he had seen them drinking together. He asked the defendant where he had gotten the money, and the defendant mumbled something about it being his own. He asked the defendant where he worked, and the defendant told him he had not worked for six weeks.

In cross-examination the witness testified

that the complainant was not drunk on the night in question.

FOR THE DEFENSE, FRANK MARLON, THE DEFENDANT, being duly sworn, testified, in his own behalf, that, previous to his arrest, he had lived at No. 2 Hamilton street. He never saw the complainant until the time of his arrest. He did not take the complainant's money; nor did he strike the complainant. He knew nothing whatever about the loss of the complainant's money. The money which was found upon him at the time of his arrest was money which he had saved up. He had last worked at tending bar, and previous to that he had been captain of a coal boat. He had never been convicted of crime.

In cross-examination the defendant testified that he had been tending bar for a man named Larsen, at 97 Cherry street. At the time of his arrest he was in the saloon for the purpose of getting a drink. He had not been to bed that night. He had been around enjoying himself with the boys.



0574

6

He was at Miner's theatre, in the Bowery, until about 11 o'clock, and then he walked leisurely down to a saloon at 64 Catherine street. Then he played pool with a man named Charley Ross and some strangers. He did not know how long he remained in that saloon, playing pool. He then walked to the saloon in which he was arrested. He did not see the complainant, to his knowledge, in the saloon at 64 Catherine street, nor did he see any women in there. He remembered being taken back into the saloon at 64 Catherine street by the officer, but he did not hear the bartender say that he, the defendant, had been in that saloon drinking with the complainant. He told the officer that the money he had was his own. He was a single man, and lived in a furnished room. His parents were alive, and lived in Southington, Connecticut. He had lived in New York about five years, but he did not see anybody in court that knew him.

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Frank Marmon*

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

*Frank Marmon*

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

The said

*Frank Marmon*

late of the City of New York, in the County of New York aforesaid, on the *fourteenth* day of *December*, in the year of our Lord one thousand eight hundred and ninety-*three*, ~~in the~~ *time of the said day*, at the City and County aforesaid, with force and arms, in and upon one *Charles Watson* in the peace of the said People then and there being, feloniously did make an assault; and

*the sum of fifty dollars in money, lawful money of the United States of America, and of the value of fifty dollars*

of the goods, chattels and personal property of the said *Charles Watson* from the person of the said *Charles Watson* against the will and by violence to the person of the said *Charles Watson* 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.

*De launcy Nicoll*  
District Attorney

05 76

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Markham, Stephen F

**DATE:**

12/20/93



4950

0577

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

McDowell, William H

**DATE:**

12/20/93



4950



0578

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Richmond, John

**DATE:**

12/20/93



4950

*Witnesses:*

Witnesses: Officer Thomas Mc Dermott  
5th Precinct

Part I Feb 2 1894

The People, are with no sufficient evidence on which to convict CRO 1 Feb 3 and therefore recommend that this indictment be dismissed as to them.

St. D. Madonna  
auth

## Counsel

Filed *2* day of *Dec* 189*3*

## Pleads

THE PEOPLE

U.S.

Stephen F. Markham

William H. McDowell

and

3 John Richmond

DE LANCEY NICOLL

*District Attorney*

1105183

en recom. d'adest Atty  
indict des RB

# A TRUE BILL

B. Lockwood  
Per 24/93 Foreman.

*Foreman*

W. L. P. 1

Pen 6 on on the

0580

Police Court— District.

City and County } ss.:  
of New York,

of No. 314 Washington Street, aged 49 years,  
 occupation Lawyer & Producer being duly sworn  
 deposes and says, that the premises No 314 Washington Street,  
 in the City and County aforesaid, the said being a Store

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

were **BURGLARIOUSLY** entered by means of forcibly breaking  
through lights of glass and a  
portion of the sash of a  
rear window leading from  
the yard into said Store  
 on the 23 day of November 1883 in the night time, and the  
 following property feloniously taken, stolen, and carried away, viz:

Six turkeys together of the value of  
seven dollars

the property of Alfred

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

Stephen J. Markham, William N. McDowell  
and John Richmond (all now free)

for the reasons following, to wit:

That after securing  
the premises on said date deponent  
departed and when again  
visiting the premises he found  
them broken as described and  
said property missing. Deponent  
is now informed by Officer  
Thomas McDermott of the 5th Precinct  
that he arrested the defendants for

for the reason that he was informed by one William Shepard of 203 Chambers Street that the defendants Markham and M. Howell entered his premises on said date and left with him six turkeys in a bag requesting him to keep them until the morning for them and further that the defendant Richmond immediately thereafter joined Markham and M. Howell and was in their company. Defendant further says that he has seen the turkeys left with Shepard and fully identifies them as the ones stolen from his said broken premises.

Fred D. Herkman

Sworn to before me  
this 25<sup>th</sup> day of September 1893

Magistrate  
Police Justice

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Degree

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.



0582

CITY AND COUNTY }  
OF NEW YORK, } ss.

Thomas W. McDermott  
Police Officer of No. 54  
Quincy Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Judith D. Herkman  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me this, 25 } Thomas W. McDermott  
day of November 1893 }

[Signature]  
Police Justice.

0583

CITY AND COUNTY }  
OF NEW YORK, } ss.

William Shepard  
aged 38 years, occupation Bar tender of No. 203 Chambers Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Samuel D. Herbermann  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me this, 25 } William Shepard  
day of December 1895 }

Samuel Martin  
Police Justice.

0584

(1885)

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *Stephen F. Markham*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *New York City.*

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

Answer. *174 Hudson Street. 7 years*

Question. What is your business or profession?

Answer. *Truck Driver*

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

Answer. *I am not guilty*

*Stephen F. Markham*

Taken before me this 25

day of June

*William C. Carter*

Police Justice.

0585

(1385)

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William H. McDonnell* 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. McDonnell*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *142 nd street 8th Avenue 5 years*

Question. What is your business or profession?

Answer. *Truck Driver*

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

Answer. *I am not guilty.*

*R. Mc Dowell*

Taken before me this 23

day of

Police Justice.



0586

(1835)

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*John Richmond* 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 Richmond*

Question. How old are you?

Answer.

*21 years*

Question. Where were you born?

Answer.

*England*

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

Answer.

*181 Reade Street. 2 years*

Question. What is your business or profession?

Answer.

*Truck Driver*

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

Answer.

*I am not guilty.**John Richmond*

Taken before me this

day of

189

Police Justice.

0587

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

John 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, March 25 189 3 Samuel Martin Police Justice.

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

Dated, Apr 27 189 3 Samuel Martin Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

0588

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

John 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, March 25 1893 James M. Martin Police Justice.

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

Dated, Nov 25 1893 James M. Martin Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

0589

3043

1261

Police Court---

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Fred D. Herbermann  
314 Washington  
Stephen F. MacKhan  
William H. McElwain  
John Richardson

Offense

BAILED,

No. 1, by M.C. Murphy  
Residence 582 Broome Street.

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

No. 3, by Ludwig May  
Residence 184 Franklin Street.

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

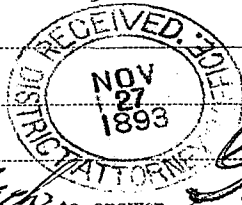
Dated Nov 25 1893  
Martin Magistrate.  
McElwain Officer.

Witnesses William Shepard  
203 Chambers Street.  
Call Officer

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

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

\$ 50.00 to answer.  
No. 1 & 3 Bailed  
Committed





**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against  
*Stephen F. Markham,*  
*William N. McDowell*  
*John and Richmond*

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

*Stephen F. Markham, William*  
*N. McDowell and John Richmond*

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

The said

*Stephen F. Markham, William*  
*N. McDowell and John Richmond, all*

late of the 5<sup>th</sup> Ward of the City of New York, in the County of New York aforesaid, on the

*twenty-third* day of *November* in the year of our Lord one  
 thousand eight hundred and ninety-*three* in the *night* time of the same day, at the  
 Ward, City and County aforesaid, a certain building there situate, to wit, the *store* of  
 one

*Frederick W. Herbermann*

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

*Frederick W. Herbermann* in the said *store*  
 then and there being, then and there feloniously and burglariously to steal, take and carry away,  
 against the form of the statute in such case made and provided, and against the peace of the  
 People of the State of New York and their dignity.

## SECOND COUNT.—

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

*Stephen F. Markham, William N. McDowell and John Richmond*  
of the CRIME OF *Petit* LARCENY committed as follows:

The said

*Stephen F. Markham, William N. McDowell and John Richmond*, all  
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid  
at the Ward, City and County aforesaid, in the *right*-time of said day, with force and arms,

*six ~~the~~ dead turkeys of the  
value of one dollar and  
twenty-five cents each*

of the goods, chattels and personal property of one

in the

*store*

of the said

*Frederick D. Kerbermann*  
*Frederick D. Kerbermann*

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

*store*

## THIRD COUNT.—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*Stephen F. Markham, William N. McDowell and John Richmond*  
 of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Stephen F. Markham, William N. McDowell and John Richmond*, all  
 late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year afore-  
 said, with force and arms, at the Ward, City and County aforesaid,

*six turkeys of the value  
 of one dollar and twenty five  
 cents each*

of the goods, chattels and personal property of

*Frederick D. Herbermann*

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

*Frederick D. Herbermann*

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

*Stephen F. Markham, William N. McDowell and John Richmond*  
 then and there well knowing the said goods, chattels and personal property to have been felon-  
 iously stolen, against the form of the statute in such case made and provided, and against the  
 peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

0593

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Marks, Meyer

**DATE:**

12/22/93



4950



0594

**BOX:**

**544**

**FOLDER:**

**4950**

**DESCRIPTION:**

**Humphreys, Joseph E**

**DATE:**

**12/22/93**



4950

0595

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Collins, James

**DATE:**

12/22/93



4950

0596

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Meegan, Martin J.

**DATE:**

12/22/93



4950

0597

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Murray, John J

**DATE:**

12/22/93



4950



POOR QUALITY  
ORIGINAL

0598

266

COURT OF OYER AND TERMINER.

Hugh Helderbach

Michael T. Blask

Patrick J. Kelly

Leon A. Dufour

Abraham Samuel

Wm B. Lounsbury

Manuel Devine

No. 1 Bailed Dec. 23/93 by

Harris Cohen

168 Park Row 180 Murray St.

No. 2 Bailed Dec. 24/93 by

Hugh Friel

29 New Chambers

No. 3 Bailed Dec. 24/93 by

Frank Ralke

120 Centre St.

No. 4 Bailed Dec. 24/93 by

Harris Cohen

180 Broadway 180 Murray St.

No. 5 Bailed Dec. 24/93 by

Harris Cohen

180 Murray St.

day of Dec. 1893  
Not Guilty with leave to appear Jan 3/94  
Plea as Not Guilty (Jan 3/94)  
THE PEOPLE

Meyer Marks, B  
Joseph E. Humphreys, B  
James Collins, B  
Martin J. Neegan, B  
John J. Murray, B  
(Inspectors of Election and Poll Clerks of  
Election District of  
Assembly District.)

Making a false statement of the result of  
canvass of the ballots cast at an election.  
[Section 41n, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

March 2. 1894

Indictment dismissed as to  
Neegan and Murray

A True Bill.

May 21. 1894

Indictment dismissed as to Marks  
Humphreys and Collins. (See memorandum  
within)

R. D. Cross Foreman.

# 1, 4, 3 - (Marks & Collins) F. March 2/94  
# 2 - (Humphreys) F. March 5/94

POOR QUALITY  
ORIGINAL

0599

26

COURT OF OYER AND TERMINER.

Filed 22 day of Dec 1893

1.3.45  
Pleas, Not Guilty with back to jail Jan 3/94  
#2 Pleas as to demurr  
Not Guilty (Jan 3/94)

THE PEOPLE

vs.

Meyer Marks, B  
Joseph E. Humphreys, B  
James Collins, B  
Martin J. Neegan, B  
John J. Murray, B

(Inspectors of Election and Poll Clerks of  
Election District of  
Assembly District.)

Making a false statement of the result of  
canvass of the ballots cast at an election.

[Section 41n, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

March 2. 1894  
Indictment dismissed as to  
Neegan and Murray

A True Bill.

May 25. 1894  
Indictment dismissed as to Marks  
Humphreys and Collins. (See memorandum  
within)

R. D. Cross Foreman.

# 1 & 3 - (Marks & Collins) F. March 2/94  
# 2 - (Humphreys) F. March 2/94

Hun Heldenbrand  
Michael F. Blarke  
Patrick J. Scully  
Leon A. Dufour  
Abraham Samuel  
Wm B. Lounsbury  
Manuel Lerick

No. 1 Bailed Dec. 23/93 by  
Harris Cohen  
168 Park Row 180 Henry St  
No 2 Bailed Dec 23/93  
by Hugh Steel  
29 New Chambers

No. 3. Bailed Dec. 24/93 by  
Fredk. Rabbe  
120 Centre St.

No. 4 Bailed Dec. 24/93 by  
Harris Cohen  
180 Henry St.

No. 5 Bailed Dec 24/93 by  
Harris Cohen 180 Henry St.



The whole Number of Votes given for the Office of  
**JUSTICE OF THE DISTRICT COURT**  
 For the Second Judicial District

was Three Hundred and sixty Three { 363 }  
 of which

Herman B. B. B. received Three Hundred and sixty Two { 362 }  
Antonio A. A. A. received one { 1 }

received \_\_\_\_\_ { \_\_\_\_\_ }

received \_\_\_\_\_ { \_\_\_\_\_ }

received \_\_\_\_\_ { \_\_\_\_\_ }

received \_\_\_\_\_ { \_\_\_\_\_ }

received \_\_\_\_\_ { \_\_\_\_\_ }

received \_\_\_\_\_ { \_\_\_\_\_ }

there were DEFECTIVE none { \_\_\_\_\_ }

there were BLANK none { \_\_\_\_\_ }

Total Vote, { 363 }

And do certify that the foregoing statement is correct in all respects.

In Witness Whereof, we have hereunto subscribed our names this seventh  
 day of November, in the year 1893.

The total must agree with the whole number  
 of Votes.

Defective Ballots are those which are so irregular,  
 ambiguous or informal, that they cannot be canvassed.

The Vote must be written in words at length in every  
 instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must  
 sign every page.

Wm. B. B. B. {  
J. A. A. A. } Inspectors.

James C. C. C. {

Wm. B. B. B. {  
J. A. A. A. } Poll Clerks.



The whole Number of Votes given for the Office of  
**CORONERS**

was	Three Hundred and Sixty Three	{ 363 }
of which		
EDWARD T. FITZPATRICK	received Three Hundred and Sixty Three	363
WILLIAM H. DOBBS	received Three Hundred and Sixty Two	362
EGBERT P. FRITZ	received none	
PETER H. McDONALD	received none	
J. HOWARD YARNALL, M. D.	received none	
GEORGE G. NEEDHAM, M. D.	received none	
GEORGE C. STIEBELING	received none	
WOLDEMAR DORFMANN	received none	
EDWARD B. FOOTE, JR.	received none	
WALTER C. MOORE	received none	
	received	
	received	
	received	
	received	
	received	
	received	
	received	
	received	
	received	
	received	
	received	
there were DEFECTIVE	none	
there were BLANK	none	
	Total Vote,	{ 363 }

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

Meigs Mader

for a third time

James Collins

Inspectors.

Martin J. Meagan

John J. Meagan

Poll Clerks.

The whole Number of Votes given for the Office of  
**SHERIFF**

was <u>Three Hundred and sixty three</u>	{	<u>363</u>
of which		
CHARLES M. CLANCY ..... received <u>Three Hundred and sixty three</u>	{	<u>363</u>
THOMAS L. HAMILTON ..... received <u>none</u>		
WILLIAM SMAGG ..... received <u>none</u>		
SAMUEL JACOBSON ..... received <u>none</u>		
JOHN HAGGERTY ..... received <u>none</u>		
..... received .....		
..... received .....		
..... received .....		
there were DEFECTIVE <u>none</u>		
there were BLANK <u>none</u>		
Total Vote,	{	<u>363</u>

The whole Number of Votes given for the Office of  
**DISTRICT ATTORNEY**

was <u>Three Hundred and sixty three</u>	{	<u>363</u>
of which		
JOHN R. FELLOWS ..... received <u>Three Hundred and sixty two</u>	{	<u>362</u>
CHARLES H. MURRAY ..... received <u>none</u>		
ATKINSON SCHAUMBERG .... received <u>none</u>		
HOWARD BALKAM ..... received <u>none</u>		
THOMAS J. SANDFORD... .. received <u>none</u>		
..... received .....		
..... received .....		
..... received .....		
there were DEFECTIVE <u>none</u>		
there were BLANK <u>1</u>		
Total Vote,	{	<u>363</u>

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The Vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

James Collins  
John R. Murray

Inspectors.

James Collins  
John R. Murray

Poll Clerks.



The whole Number of Votes given for the Office of  
**SURROGATE**

was Three Hundred and Sixty Three } 363  
of which

JOHN H. V. ARNOLD ..... received Three Hundred and Sixty Three } 363  
WILLIAM H. TOWNLEY ..... received none  
THOMAS DREW STETSON .... received none  
CHARLES FRANZ ..... received none  
WILBUR ALDRICH ..... received none  
..... received  
..... received  
..... received  
..... received

there were DEFECTIVE none  
there were BLANK none

Total Vote, } 363

The whole Number of Votes given for the Office of  
**COMPTROLLER OF THE CITY OF NEW YORK**

was Three Hundred and Sixty Three } 363  
of which

ASHBEL P. FITCH ..... received Three Hundred and Sixty Three } 363  
HENRY C. ROBINSON ..... received none  
FREDERICK C. ALBRECHT ... received none  
THEODORE BIRK ..... received none  
H. ALDEN SPENCER ..... received none  
..... received  
..... received  
..... received

there were DEFECTIVE none  
there were BLANK none

Total Vote, } 363

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed. The vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

James Collins  
James Collins } Inspectors.  
Martin J. Morgan  
John J. Murray } Poll Clerks.

The whole Number of Votes given for the Office of  
**JUSTICES OF THE CITY COURT**

was <u>Three Hundred and Sixty Three</u>	{ <u>363</u> }
of which	
JAMES M. FITZSIMONS ..... received <u>Three Hundred and Sixty Three</u>	{ <u>363</u> }
LEWIS J. CONLAN ..... received <u>Three Hundred and Sixty Three</u>	{ <u>363</u> }
WILLIAM M. K. OLCOTT ..... received <u>none</u>	
JOHN O'CONNELL ..... received <u>none</u>	
ALFRED L. MANIERRE ..... received <u>none</u>	
JAMES H. LAIRD ..... received <u>none</u>	
ENOCH K. THOMAS ..... received <u>none</u>	
HENRY FOTH ..... received <u>none</u>	
NICHOLAS ALEINIKOFF ..... received <u>none</u>	
EDWARD W. CHAMBERLAIN.. received <u>none</u>	
..... received .....	
..... received .....	
..... received .....	
..... received .....	
..... received .....	
..... received .....	
..... received .....	
..... received .....	
..... received .....	
..... received .....	
..... received .....	
..... received .....	
..... received .....	
there were DEFECTIVE <u>none</u>	
there were BLANK <u>none</u>	
Total Vote, { <u>363</u> }	

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The Vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

James Collins  
John J. Munn  
 Inspectors.

Matthias J. Munn  
John J. Munn  
 Poll Clerks.



The whole Number of Votes given for the Office of

# MEMBER OF ASSEMBLY

For the

Second

Assembly District

was Three Hundred and sixty three  
of which

363

Michael J. Callahan received Three Hundred and fifty nine

359

James L. Lamm received Two

2

Chas. Fairclough received Two

2

received

received

received

received

received

there were DEFECTIVE none

there were BLANK none

Total Vote,

363

The whole Number of Votes given for the Office of

# JUDGE OF THE COURT OF COMMON PLEAS

was Three Hundred and sixty three  
of which

363

MILES BEACH ..... received Three Hundred and sixty three

363

MORTIMER C. ADDOMS ..... received none

CHARLES E. MANIERRE ..... received none

ISAAC BENNETT ..... received none

received

received

received

received

there were DEFECTIVE none

there were BLANK none

Total Vote,

363

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

Inspectors.

Poll Clerks.

received	
received	
received	
received	
received	
received	
received	
received	
received	
received	
there were DEFECTIVE	
there were BLANK	
Total Vote,	363

The whole Number of Votes given for the Office of  
**SENATOR**

For the	<i>Eighteenth</i>	Senate District
was	<i>Three Hundred and sixty three</i>	363
of which		
<i>John B. Adams</i> received	<i>Three Hundred and sixty three</i>	363
received		
received		
received		
received		
received		
received		
received		
received		
there were DEFECTIVE		
there were BLANK		
Total Vote,	363	

☒ The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

<i>James Collins</i>	} Inspectors.
<i>John B. Adams</i>	
<i>James Collins</i>	} Poll Clerks.
<i>John B. Adams</i>	





*received.*

*received*

*received*

*received.*

*received*

*received.*

*received*

*received.*

*received*

*received.*

*received.*

*received.*

*received...*

*received.*

*received...*

received

*received.*

received.

received...

*received*

received

*received...*

received.....

received...

*received....*

*there were* DEFECTIVE

there were BLANK

**Total Vote,**

☞ The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The Vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

Wengert

Post Humphreys

James Collins

martin

John F. Murray

**Inspectors.**

## Poll Clerks.



CHARLES WENDELSTEIN	received	<i>[signature]</i>
AUGUST HEIMS	received	<i>[signature]</i>
HENRY KATZKY	received	<i>[signature]</i>
FREDERICK SCHAEFER	received	<i>[signature]</i>
HENRY GLYN	received	<i>[signature]</i>
ERASMUS PELLENZ	received	<i>[signature]</i>
LINNIE H. GRIFFIN	received	<i>[signature]</i>
THOMAS K. BEECHER	received	<i>[signature]</i>
HENRY A. HICKS	received	<i>[signature]</i>
PATRICK S. O'HENEY	received	<i>[signature]</i>
GEORGE F. CLARK	received	<i>[signature]</i>
JOHN TAFTE	received	<i>[signature]</i>
GEORGE GIFFORD	received	<i>[signature]</i>
JOHN J. LIPPERT	received	<i>[signature]</i>
AMBROSE L. NORTON	received	<i>[signature]</i>
EDWARD O. BALL	received	<i>[signature]</i>
DR. ROBERT BOOCOOK	received	<i>[signature]</i>
JOHN J. JUNIO	received	<i>[signature]</i>
THOMAS H. CONLEY	received	<i>[signature]</i>
DR. EDWARD B. FOOTE	received	<i>[signature]</i>
ANDREW MURRAY	received	<i>[signature]</i>
J. EVANS SCUDDER	received	<i>[signature]</i>
	received	<i>[signature]</i>
	received	<i>[signature]</i>
	received	<i>[signature]</i>
	received	<i>[signature]</i>
	received	<i>[signature]</i>
	received	<i>[signature]</i>

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed. The vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

*Meyer Marks*

*Foot. Humphreys*

*James Collins*

Inspectors.

*Martin J. Morgan*

*John J. Murray*

Poll Clerks.

The whole Number of Votes given for the Office of

# DELEGATES-AT-LARGE TO CONSTITUTIONAL CONVENTION

was	Three Hundred and Sixty Three	363
of which		
ALLEN C. BEACH	received Three Hundred and Sixty Three	363
HENRY BACON	received Three Hundred and Sixty Three	363
CHARLES E. PATTERSON	received Three Hundred and Sixty Three	363
JOHN HACKETT	received Three Hundred and Sixty Three	363
NICHOLAS M. BANKER	received Three Hundred and Sixty Three	363
JOHN D. HENDERSON	received Three Hundred and Sixty Three	363
EDWARD H. HOYT	received Three Hundred and Sixty Three	363
GEORGE J. MAGEE	received Three Hundred and Sixty Three	363
MARTIN S. LYNCH	received Three Hundred and Sixty Three	363
JACOB STERN	received Three Hundred and Sixty Three	363
HALBERT S. GREENLEAF	received Three Hundred and Sixty Three	363
J. HORATIO EARLE	received Three Hundred and Sixty Three	363
EDWARD A. BATES	received Three Hundred and Sixty Three	363
WILLIAM P. CANTWELL	received Three Hundred and Sixty Three	363
CLARENCE A. FARNUM	received Three Hundred and Sixty Three	363
JOSEPH H. CHOATE	received none	
ELIHU ROOT	received none	
EDWARD LAUTERBACH	received none	
JESSE JOHNSON	received none	
FREDERICK W. HOLLS	received none	
MICHAEL H. HIRSCHBERG	received none	
J. RIDER CADY	received none	
JOHN T. McDONOUGH	received none	
JOHN M. FRANCIS	received none	
JOHN F. PARKHURST	received none	

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed. The Vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

Major Markes

for E. Humphreys

James Collins

Inspectors.

Walter J. Morgan

John F. Murray

Poll Clerks.



COMMODORE P. VEDDER	received	<i>none</i>
JOHN I. GILBERT	received	<i>none</i>
AUGUSTUS FRANK	received	<i>none</i>
WILLIAM P. GOODELLE	received	<i>none</i>
DANIEL H. McMILLAN	received	<i>none</i>
H. CLAY BASCOM	received	<i>none</i>
MARTIN A. TUTTLE	received	<i>none</i>
ANDREW J. COWLES	received	<i>none</i>
THOMAS J. BISSELL	received	<i>none</i>
W. T. WARDWELL	received	<i>none</i>
GEORGE W. HALLOCK	received	<i>none</i>
ISAAC K. FUNK	received	<i>none</i>
STANLEY R. ROBERTS	received	<i>none</i>
THOMAS G. SAYRE	received	<i>none</i>
FRED. F. WHEELER	received	<i>none</i>
GEORGE H. NIVER	received	<i>none</i>
FRANCIS CRAWFORD	received	<i>none</i>
WILLIAM R. RATHBUN	received	<i>none</i>
WILLIAM E. BOOTH	received	<i>none</i>
ALBERT J. RUMSEY	received	<i>none</i>
ALEXANDER JONAS	received	<i>none</i>
LUCIEN SANIAL	received	<i>none</i>
CHARLES H. MATCHETT	received	<i>none</i>
FREDERICK GERNER	received	<i>none</i>
OTTO SCHMIDT	received	<i>none</i>
ALBERT SCHMIDT	received	<i>none</i>
JOHN H. MOORE	received	<i>none</i>
JOHN SCHUCHMAN	received	<i>none</i>

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

*James H. Humphreys*

*James Collins*

Inspectors.

*Martin J. Morgan*

*John J. Murray*

Poll Clerks.



The whole Number of Votes given for the Office of  
**ATTORNEY-GENERAL**

was	Three Hundred and Sixty Three	{ 363 }
of which		
SIMON W. ROSENDALE	received Three Hundred and Sixty Three	{ 363 }
THEODORE E. HANCOCK	received none	
EDWIN C. ENGLISH	received none	
FREDERICK BENNETTS	received none	
THADDEUS B. WAKEMAN	received none	
	received	
	received	
	received	
there were DEFECTIVE	none	
there were BLANK	none	
Total Vote,		{ 363 }

The whole Number of Votes given for the Office of  
**STATE ENGINEER AND SURVEYOR**

was	Three Hundred and Sixty Three	{ 363 }
of which		
MARTIN SCHENCK	received Three Hundred and Sixty Three	{ 363 }
CAMPBELL W. ADAMS	received none	
CHESTER BELDING	received none	
CHARLES F. WILSON	received none	
JOHN AVERIT WEBSTER	received none	
	received	
	received	
	received	
there were DEFECTIVE	none	
there were BLANK	none	
Total Vote,		{ 363 }

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

<i>James Collins</i>	} Inspectors.
<i>John E. Thompson</i>	
<i>James Collins</i>	} Poll Clerks.
<i>John E. Thompson</i>	



## ASSOCIATE JUDGE OF THE COURT OF APPEALS

363

第 6 章

\_\_\_\_\_

*received*

*received.*

*received.*

*received.*

*received.*

*received*

*received.*

*received.*

*received.*

*received.*

*received*

*received*

*received*

*received*

*received*

*received*

*received*

\_\_\_\_\_

362

**NOTE.**—All the Inspectors and Poll Clerks must sign every page.

major marks

For E. Humphreys

Laura Collins

**Inspectors.**

Martin J. McLean

*John W. W.*

### Poll Clerks.



# CANVASSERS' STATEMENT.

STATEMENT OF VOTES given for Secretary of State, Comptroller, Treasurer, Attorney-General, State Engineer and Surveyor, Associate Judge of the Court of Appeals, Delegates-at-Large to Constitutional Convention, District Delegates to Constitutional Convention, Senator, Member of Assembly, Judge of the Court of Common Pleas, Justices of the City Court, Surrogate, Comptroller of the City of New York, Sheriff, District Attorney, Coroners and Justices of the District Courts,

at a General Election held in and for the Twenty Second Election District of the Second Assembly District, in the City and County of New York, on the Seventh day of November, 1893, made by the Inspectors and Poll Clerks of Election in and for the said District, on which said day the Polls were opened in said District at 6 o'clock A. M., and closed at 4 o'clock P. M.

The whole Number of Votes given for the Office of

## SECRETARY OF STATE

was

as follows:

CORD MEYER	received	<u>Three Hundred and Sixty Three</u>	<u>363</u>
JOHN PALMER	received	<u>none</u>	
JOSEPH A. BOGARDUS	received	<u>none</u>	
DANIEL DE LEON	received	<u>none</u>	
JAMES WRIGHT	received	<u>none</u>	
	received		
	received		
	received		
there were DEFECTIVE	<u>none</u>		
there were BLANK	<u>none</u>		

Total Vote,

363

<sup>137</sup> The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed.

The Vote must be written in words at length in every instance, and also carried out in figures.

NOTE.—All the Inspectors and Poll Clerks must sign every page.

<u>Mary M. M. M.</u>	} Inspectors.
<u>J. E. M. M.</u>	
<u>James Collins</u>	
<u>Martin J. M. M.</u>	} Poll Clerks.
<u>John J. M. M.</u>	



The whole Number of Votes given for the Office of  
**COMPTROLLER**

was	Three Hundred and Sixty Three	{	363
of which			
FRANK CAMPBELL	received Three Hundred and Sixty Three	{	363
JAMES A. ROBERTS	received none		
GEORGE T. CHESTER	received none		
JAMES WITHERS	received none		
DE MYE S. FERO	received none		
	received		
	received		
	received		
there were DEFECTIVE	none		
there were BLANK	none		
	Total Vote,	{	363

The whole Number of Votes given for the Office of  
**TREASURER**

was	Three Hundred and Sixty Three	{	363
of which			
HUGH DUFFEY	received Three Hundred and Sixty Three	{	363
ADDISON B. COLVIN	received none		
WILLIAM R. HUNT	received none		
WILLIAM F. STEER	received none		
FRANK H. PURDY	received none		
	received		
	received		
	received		
there were DEFECTIVE			
there were BLANK			
	Total Vote,	{	363

The total must agree with the whole number of Votes.

Defective Ballots are those which are so irregular, ambiguous or informal, that they cannot be canvassed. The vote must be written in words at length in every instance, and also carried out in figures.

NOTE—All the Inspectors and Poll Clerks must sign every page.

<p>major marks</p> <p>for C. Humphrey</p> <p>James Collins</p> <p>Martin J. Macguff</p> <p>John J. Humphrey</p>	<p>Inspectors.</p> <p>Poll Clerks.</p>
---	--

**Court of Oyer and Terminer**  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

*Meyer Madar,*  
*Joseph R. Humphreys,*  
*James Collins,*  
*Martin J. Meegan*  
*and John J. Murray*

The Grand Jury of the City and County of New York, by this Indictment accuse *Meyer Madar, Joseph R. Humphreys, James Collins, Martin J. Meegan and John J. Murray* of the crime of intentionally making a false statement of the result of a canvass of the ballots cast at an election, committed as follows:

Heretofore, to wit: on Tuesday, the seventh day of November, in the year of our Lord one thousand eight hundred and ninety-three (the same being the Tuesday succeeding the first Monday in the said month of November), there was held a general election throughout the State of New York, and in and throughout the said City and County of New York, and in and for the ~~22nd~~ Election District of the ~~Second~~ Assembly District of the said City and County, at which said election divers persons were voted for, and divers ballots cast, for such persons in the said election district, by the electors thereof, for the following offices, to wit: the office of Secretary of State of the State of New York, the office of Comptroller of the State of New York, the office of Treasurer of the State of New York, the office of Attorney General of the State of New York, the office of State Engineer and Surveyor of the State of New York, the office of Associate Judge of the Court of Appeals of the State of New York, the office of Delegate-at-Large to the Constitutional Convention of the State of New York, the office of Delegate to the said Constitutional Convention for the ~~12th~~ Senate District of the said State, the office of Senator of the State of New York for the said Senate District, the office of Member of Assembly of the State of New York for the said Assembly District, the office of Judge of the Court of Common Pleas for the said City and County, the office of Justice of the City Court of the said City, the office of Surrogate of the said County, the office of Comptroller of the said City, the office of Sheriff of the said County, the office of District Attorney of the said County, the office of Coroner of the said City and County, and the office of Justice of the District Court of the said City for the ~~Second~~ Judicial District thereof.

And on the day and in the year aforesaid, and at the said election, the said *Meyer, Joseph and James,* all late of the City and County aforesaid, were Inspectors of Election of the said Election District, duly appointed, qualified and then and there acting as such, and the said *Martin and John,* both late of the same place, were Poll Clerks, of the same election district, likewise duly appointed, qualified and then and there acting as such.

And on the day and in the year aforesaid, at the City and County aforesaid, the polls of the said election, in and for the said election district having been closed, and the canvass and estimate of the ballots so cast at the said election, in the said election district by the electors thereof, having been ~~duly~~ made and completed, the said *Meyer, Joseph, James, Martin and John,* feloniously did wilfully and intentionally make a certain false statement of the result of the said canvass and estimate of the ballots so cast at the said election in the said election district, by the electors thereof, as aforesaid, to wit: a certain statement, partly written and partly printed, then and there purporting to be in the form prescribed by the statute in such case made and provided, and to contain a statement showing the whole number of votes given for each person voted for at the said election in the said election district by the electors thereof, and at the end thereof being a certificate that such statement was correct in all respects, the same being then and there made up and composed of divers, to wit: eight sheets of paper and each sheet of which, as well as the said certificate, being then and there subscribed by the said *Meyer, Joseph, James, Martin and John,* and each of them, as such inspectors of election and poll clerks, respectively, which said false statement is as follows, that is to say:

which said statement was then and there false, in this, to wit: that it did not then and there contain a statement showing the whole number of votes given for each person voted for at the said election in the said election district by the electors thereof, and was also then and there false in divers other respects, and among them in this, to wit: that whereas the said statement purported to set forth and indicate and did in substance and effect signify and declare that at the said election the whole number of votes given in the said election district by the electors thereof for the said office of Associate Judge of the Court of Appeals was Three hundred and sixty three

that of the votes so given, Isaac H. Maynard received Three hundred and sixty three, and Edward T. Bartlett received none, and that the said canvass and estimate of the ballots so cast at the said election in the said election district by the electors thereof had so shown;

in truth and in fact of the votes given at the said election in the said election district by the electors thereof the said Isaac H. Maynard did not receive Three hundred and sixty three, and the said Edward T. Bartlett received divers votes, of a number to the Grand Jury aforesaid unknown, and the said canvass and estimate of the ballots so cast at the said election in the said election district by the electors thereof had so shown;

all of which they, the said Meyer, Joseph, James, Martin

then and there well knew.

And the said Meyer, Joseph, James, Martin

did then and there make and subscribe the said false statement, in the form and containing the matters hereinbefore set out, in triplicate, and within twenty-four hours after the said several statements had been subscribed, by the act and procurement of the said Meyer, Joseph, James, Martin and John,

one of the said statements was duly delivered to the Clerk of the Board of Aldermen of the said City by one of the said Inspectors of Election, another of the said statements was duly delivered to the County Clerk of the said County, by another of the said Inspectors, and the other of the said statements was by the other of the said Inspectors duly delivered to the Chief of the Bureau of Elections of the Police Department of the said City, as and for the statements of the result of the canvass and estimate of the votes cast at the said election in the said election district by the electors thereof, required by the statute in such case made and provided, to be so made in triplicate and to be so delivered to the above named officers respectively in the manner aforesaid.

And so the Grand Jury aforesaid do say, that the said Meyer, Joseph, James, Martin and John

in manner and form aforesaid, feloniously did wilfully and intentionally make a false statement of the result of a canvass of the ballots cast at the said election, 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.

DE LANCEY NICOLL,  
District Attorney.



06 18

May 27 1894

After a thorough examination of the evidence within the reach of the People in this case I find that but five or six witnesses can be relied upon to testify that they cast their ballots for the Republican nominee for Justice of the Court of Appeals. These ballots were not returned as counted in the official Statement of Canvass. Further investigation developed the fact that at the first count of the ballots there appeared nine more votes cast than the Poll List showed there had been votes. These nine ballots were withdrawn, unfolded, & in a manner in substantial compliance with the Statute,

The defendants have surrendered themselves and demand trial, but I am of the opinion that the State would not be justified in bringing their cases to trial.

I therefore respectfully recommend the dismissal of this indictment.

Francis L. Millman.

Asst. Dist. Atty. -

Since this application was made upon the 21<sup>st</sup> inst. I have carefully gone over the testimony adduced before the Grand Jury and have conferred with the Assistant District Attorney with regard to the case. The fact that these defendants failed to appear for trial when called to the bar demanded close scrutiny. The result of my examination and inquiry however is that notwithstanding the sense of guilt which these defendants have evinced the evidence which it was possible for the People to obtain was insufficient to render a conviction possible or even to permit the case to go to the jury. I feel constrained therefore though I must confess, in view of the defendants' attitude, reluctantly, to accede to the District Attorney's request and to consent to the dismissal of the indictment. May 28 1894

Wm. C. Barrett Secy



06 19

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Martin, Joseph

**DATE:**

12/05/93



4950

0620

Witnesses:

Gerard Loun

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

Joseph Martin

Dec 27/93

Discharged under  
warrant

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL,

B. Lockwood

In this case be sure that <sup>Foreman.</sup> personal service is made.

Grand Larceny, Second Degree.  
[Sections 538, 539, Penal Code.]

The Complainant  
cannot be found and  
I am informed by  
the Representatives  
of the Society for  
the Formation of a  
to custom. That is  
his interest is  
proper description of  
the case must be  
the discharge of the  
upon his own Recognition.  
Dec 22<sup>nd</sup> 93 / John A. Thomas  
D. Am. Dist. Ct.

062

1900

CITY AND COUNTY } ss:  
OF NEW YORK,

POLICE COURT, DISTRICT.

of No. 21' Precinct Street, aged 21 years,  
occupation Police Officer being duly sworn, deposes and says,  
that on the 20 day of March 1899  
at the City of New York, in the County of New York, arrested

Sworn to before me this  
of 22 day  
1899

John J. Sheridan  
Police Justice.

Joseph Martin (numbers) on the  
charge of having committed a larceny  
on the complaint and oath of  
Grand Jury of 307 West 22 Street  
and deponent asks that said Martin  
may be held to enable him to produce  
the proper evidence in court

John J. Sheridan

0622

68  
Police Court, X District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

*Joseph Muntz*

AFFIDAVIT.

Dated, *Nov 27* 1893

*Bink* Magistrate.

*Shindler* Officer.  
*21*

Witness, \_\_\_\_\_

Disposition, \_\_\_\_\_

*Exp. Cor. m. 9 am*  
*\$1000*



0623

**PART I**

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Gerard J. ... Personal  
of No. 317 W 22 Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 22 day of DECEMBER, 1893, at 10.30 o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Joseph Martin

Dated at the City of New York, the first Monday of December,  
in the year of our Lord 1893.

DE LANCEY NICOLL, District Attorney.

# Court of General Sessions.

THE PEOPLE

vs.

*Gerard Leon.*

City and County of New York, ss :

*John Reilly* being duly  
sworn, deposes and says : I reside at No. *706 Washington*  
Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the  
City and County of New York. On the *21<sup>st</sup>* day of *December* 18*93*,  
I called at *317 West 22 St.*

the alleged *Residence* of *Gerard Leon.*  
the complainant herein, to serve him with the annexed subpoena, and was informed by *The*  
*Boarding House keeper, that Gerard Leon had left*  
*There about two weeks ago and she did not know*  
*when he would return or if he will return*

Sworn to before me, this *22* day  
of *December* 18*93*

*John H. Reilly*  
*Subpoena Server*  
*Thos G. McGuire*  
*Clerk of Court*  
*Dr. F. Co.*

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

Gerard Leon

Offence:

Debauchery, etc.  
JOHN R. FELLOWS,

District Attorney.

Affidavit of

John W. Reilly

Subpoena Server.

Failure to Find Witness.

0628

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

Len guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 25 Hundred Dollars, and it appearing that he is under the age of sixteen years, that he be committed to the custody of the New York Society for the Prevention of Cruelty to Children, until he give such bail.

Dated, November 21 1895

Chas. C. Burke Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_

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

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_

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



062

108/ ✓  
Police Court---

1259  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Erhard Leow  
317 No. 22 St.  
Joseph M. Martin

Offense *Larceny*

BAILED.

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Date

November 27

1895

Magistrate.

Burke  
Sheridan

Officer.

21

Precinct.

Witnesses

No.

No.

No.

\$ 1000 to answer

Com. to S. P. C. C.



Street.

922

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Joseph Martin*

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

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

The said

*Joseph Martin*

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

*one watch of the value of  
eighty dollars, one chain of  
the value of forty dollars and  
one locket of the value of  
thirty dollars*

of the goods, chattels and personal property of one

*Grand Leon*

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.

*DeLancey Nicoll*  
*District Attorney*

0629

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Joseph Martin* 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. *Joseph Martin*

Question. How old are you?

Answer. *16 yrs*

Question. Where were you born?

Answer. *W S*

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

Answer. *517 E 14<sup>th</sup> St 4 yrs*

Question. What is your business or profession?

Answer. *Washer*

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**J. Martin*

Taken before me this *24*  
day of *May* 189*5*  
*[Signature]*  
Police Justice

0630

Police Court— District.

1912

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 317 West 22 Street, aged 31 years.

occupation Actor being duly sworn,

deposes and says, that on the 21 day of Nov 189 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in Aug time, the following property, viz:

One Gold Watch and Chain  
and Pocket of the value of  
One hundred and fifty dollars

\$150.00

the property of Deponent

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

from the fact that on said date said deponent was in deponent's employ as Tony Pastor's Theatre. 14th Street near 3rd Avenue deponent sent the said deponent to his dressing room to get a hat and on deponent's return to said room deponent missed the said property. The said deponent was arrested by Officer John Sheridan of the 21 Precinct who informed deponent that the manager of the said deponent told him that the said property had been pawned by the said deponent and said Officer saw

Sworn to before me, this  
of 189 day

Police Justice



Since received said property from  
 the Kuma Shop where said property  
 was purchased and deposited fully and  
 positively identifies said property as the  
 property that was taken etc and  
 carried away from the possession  
 of defendant

Done to before me this } Given Leave  
 20 day of November 1993

Mr. C. B. Rube  
 Notary Public

~~Given Leave~~

0632

**BOX:**

**544**

**FOLDER:**

**4950**

**DESCRIPTION:**

**Marx, Joseph**

**DATE:**

**12/15/93**



4950

0633

Witnesses:

officer L. Thompson  
14<sup>th</sup> Precinct

170  
Counsel,

Filed

15 day of Dec

1893

Pleads,

Guilty

THE PEOPLE

vs.

Joseph Marx

Grand Larceny, First Degree  
From the Person.  
[Sections 528, 530, 531 Penal Code.]

Durphy  
DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

B. Lockwood

Elmira Rep. Foreman.

0634

Police Court—3 District.

1913

Affidavit—Larceny.

City and County } ss.  
of New York,of No. 258 - East 10 Street, aged 24 years,  
occupation Reverenddeposes and says, that on the 11 day of December 1899 being duly sworn,York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in night time, the following property, viz:

Gold and lawful money  
of the United States of  
the amount and value  
of twenty-eight dollars  
\$28.00  
100

the property of Deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen  
and carried away by Joseph Morris and Henry

deponent Henry received the  
said money from the person  
of the trunk which he then  
was the deponent and defendant  
being the only persons in a room at  
the time the defendant when  
arrested by Officer Kadish  
Stronsky admitted having  
said money and returned to him  
Stronsky twenty-five dollars  
of said money

Morris Trachtel

Sworn to before me this  
of December 1899  
at New York  
City

Police Justice



0635

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 28 years, occupation Officer of No. 14 Primer Street, being duly sworn, deposes and

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

Sworn to before me this 13 day  
of November 1895

Louisiana Strassky

John Ryan

Police Justice.

0636

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I found the money  
in the room and then  
it belonged to the complain-  
ant.*

*Joe Marx*

Taken before me this  
day of *March* 189*7*

Police Justice

0637

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.....

*Refrain*  
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 *Dec 13* 189 *J. M. Ryan* Police Justice.

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

Dated..... 189..... Police Justice.

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

Dated..... 189..... Police Justice.

0638

Police Court---

1328  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Maria Kachtel*  
*258<sup>th</sup> E. 15<sup>th</sup>*  
*Joseph Morris*

*Arrested from post office*

BAILED,

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

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

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

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

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

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

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

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

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

Dated *Dec 13* 189

*Ryan* Magistrate.

*Shanley* Officer.

*14* Precinct.

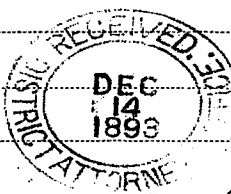
Witnesses *Officer*

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

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

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

No. *1870* to answer *G.S.*



*C*

*941*



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

THE PEOPLE OF THE STATE OF NEW YORK

against

*Joseph Marx*

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

*Joseph Marx*  
of the CRIME of GRAND LARCENY in the *first* degree, committed as follows:  
The said *Joseph Marx*

late of the City of New York, in the County of New York aforesaid, on the *seventh*  
day of *December*, in the year of our Lord, one thousand eight hundred and  
ninety-*three*, in the *night* time of the said day, at the City and County aforesaid,  
with force and arms,

*the sum of twenty-*  
*eight dollars in money, law-*  
*ful money of the United*  
*States of America, and of the*  
*value of twenty-eight dollars*

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

*De Launcy*

## SECOND COUNT—

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

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

The said

*Joseph Marx*  
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,

*the sum of twenty five dollars  
in money, lawful money of  
the United States of America,  
and of the value of twenty five  
dollars*

of the goods, chattels and personal property of one

*Morris Wachtel*

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

*Morris Wachtel*

unlawfully and unjustly did feloniously receive and have; the said

*Joseph Marx*

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

DE LANCEY NICOLL,

*District Attorney.*

064

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Masterson, John

**DATE:**

12/07/93



4950

0642

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

138

COURT OF OYER AND TERMINER.

Counsel,

Filed,

day of Dec 1893

Pleads,

THE PEOPLE

vs.

B

John Masterson.

General Sessions

Dec 22 93

VIOLATION OF THE EXCISE LAW.  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

Complaint sent to the Court  
A TRUE BILL Sessions.

Part III, Dec 22 1893.

R. J. Cross

Foreman.



0643

6131

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*John Masteron*

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

*John Masteron*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*John Masteron*

late of the City of New York, in the County of New York aforesaid, on the *with* day of *July* in the year of our Lord one thousand eight hundred and ninety-*four*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

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 New York and their dignity.

## SECOND COUNT—

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

*John Masteron*

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*John Masteron*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

*Jacob Brimmer*  
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.

DE LANCEY NICOLL,

District Attorney.

0644

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Matthesius, Louisa

**DATE:**

12/08/93



4950

0645

Witnesses:

Court of Oyer and Terminer  
163

Counsel,

Filed, 8 day of Dec 1893

Pleads,

Transferred to the Court of Special  
Sessions for trial and final disposition.

THE PEOPLE  
Part 2. Dec 1893

B  
Louisa Matthesius

General Sessions

Dec 8 & 9, 1893

DE LANCEY NICOLL,

District Attorney.

VIOLATION OF THE EXCISE LAW

Selling, etc., on Sunday.

[Chap. 401, Laws of 1892, § 32.]

FILED DEC. 15  
1896

A TRUE BILL.

R. J. Cross

Foreman.

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

THE PEOPLE OF THE STATE OF NEW YORK  
 against

*Louisa Matthews*

**The Grand Jury of the City and County of New York**, by this indictment, accuse  
*Louisa Matthews*  
 of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND  
 BEER ON SUNDAY, committed as follows:

The said *Louisa Matthews*

late of the City of New York, in the County of New York aforesaid, on the  
 day of *October* in the year of our Lord one thousand eight hundred and  
 ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong  
 and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill  
 of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,  
 one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-  
 ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to ~~one~~ *first*

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  
 New York and their dignity.

SECOND COUNT—

**And the Grand Jury aforesaid**, by this indictment, further accuse the said  
*Louisa Matthews*  
 of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,  
 WINES, ALE AND BEER, committed as follows:

The said *Louisa Matthews*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the  
 same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of  
 wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one  
 gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of  
 a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and  
 expose for sale to one

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.

DE LANCEY NICOLL,

*District Attorney.*



0647

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

McAvoy, Daniel

**DATE:**

12/06/93



4950

0648

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*J. H. W.*  
COURT OF OYER AND TERMINER.

Counsel,

Filed,

Pleads,

*6<sup>th</sup>* day of *Dec* 189*3*  
*Guilty*

THE PEOPLE

vs.

*B*  
*Daniel Mc Coy*

*General Sessions*

*Dec 8<sup>th</sup> 93.*

VIOLATION OF THE EXCISE LAW.  
Selling, etc., on Sunday.  
[Chap. 401, Laws of 1892, § 32.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*R. J. Cavan* Foreman.  
of Special Sessions.  
*Dec 20 1893*

# Court of Oyer and Terminer

OF THE CITY AND-COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Samuel McAvoy*

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

*Samuel McAvoy*  
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

*Samuel McAvoy*

late 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 ninety-*three*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

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 New York and their dignity.

## SECOND COUNT—

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

*Samuel McAvoy*

of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*Samuel McAvoy*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

*Edward G. Mull*  
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.

DE LANCEY NICOLL,

District Attorney.

0650

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

McCarthy, Edward

**DATE:**

12/13/93



4950



065

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Lyons, John

**DATE:**

12/13/93



4950

0652

Witnesses:

officer James Masters  
13th Precinct

113  
Counsel,

Filed

day of

1893

Pleads

Guilty  
THE PEOPLE

vs.

Edward McCarthy  
and  
John Lyons

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. L. Woodward  
Dec 13/93

Foreman.

Each 5 P 3 years

Burglary in the Third Degree  
Section 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

0653

Police Court 3 District.

City and County of New York ss.:

of No. 101 Avenue D Street, aged 38 years,  
 occupation Married being duly sworn

deposes and says, that the premises No. 101 Avenue D Street,  
 in the City and County aforesaid, the said being a five story flat  
~~house~~ house the fifth floor of  
 and which was occupied by deponent as a dwelling flat  
 and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking open  
a door leading into said flat

on the 21 day of November 1893 in the day time, and the  
 following property feloniously taken, stolen, and carried away, viz:

The silver napkin-ring  
valued at five dollars and  
the following property was feloniously  
attempted to be taken, stolen and  
carried away a quantity of clothing  
jewelry and linen - values all  
valued at two hundred 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

Adrian McCarthy and  
John Henry (both now living  
 for the reasons following, to wit: At the hour of 8 o'clock  
A.M. on said date deponent seeing  
locked and fastened the door  
and windows of said premises  
the said property being in wardrobe  
and closets in said premises.  
Deponent hearing forced the  
said door broken open and the  
said property scattered on the floor

0654

preparatory to being removed she  
 is informed by Respondent William  
 Jordan that he Jordan found  
 the said defendants in said flat  
 saw the property scattered on said  
 floor, and in the possession of  
 the defendants. McCarthy he Jordan  
 found in the possession of them  
 a silver napkin-ring, which ring  
 defendant identifies as being a  
 portion of the said property.

Given to before me  
 This 22<sup>nd</sup> day of November 1893  
 John P. Woodruff

John P. Woodruff

Police Justice

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Degree

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No.

Street.



0655

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

aged 34 years, occupation Houseman of No. 134

William Jordan Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Betsy White  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 2 day  
of March 1897.

William M. Jordan

John P. Rochis Police Justice.

0656

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*  
*John Lyons*

Taken before me this

21st

day of

189

John H. McArthur

Police Justice.

0657

Sec. 193—200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

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

Question. What is your name?

Answer. *Edward McCarthy*

Question. How old are you?

Answer. *38 years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *421 East 11<sup>th</sup> Street, 4 months*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty*  
*Edward McCarthy*

Taken before me this *22*

day of *Nov*

189*3*

*John H. [illegible]*

Police Justice

0658

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

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

Dated Nov 22 189 3 John H. Woods Police Justice.

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

Dated \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.



0650

Police Court--- 3 District. 1248

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Betsy White*  
*101 1/2 Ave D.*  
1 *Edward McCarthy*  
2 *John Lyons*  
3  
4

Offence

BAILED,

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

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

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

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

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

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

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

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

Dated *Nov 22* 189 *3*

*Doornik* Magistrate.

*William Jordan* Officer.

*13* Precinct.

Witness *James Masters*

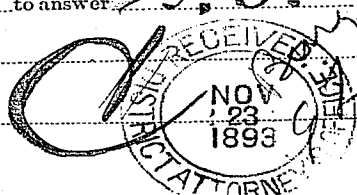
No. *13* Precinct Street.

*William Jordan*

No. *13* Precinct Street.

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

\$ *1000* to answer *G.S.* *3*



0660

## Police Department of the City of New York,

No. 300 MULBERRY STREET,

189

By Officer Meyer <sup>New York,</sup> 14<sup>th</sup> Precinct,  
 Edward Haren Arrested for Robbery  
 under the name of "Edward McDonald"  
 Aug 31<sup>st</sup> 1884. Committed Sept 16<sup>th</sup> 1884  
 and sentenced to State Prison for  
 2 years + 3 Months by  
 Recorder Smyth

Edward Clark or Edward Haren  
 Age 32. Single of 334 E. 9<sup>th</sup> St  
 for Robbery. Sentenced to State  
 Prison for 2 years by  
 Judge Cowing

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

THE PEOPLE OF THE STATE OF NEW YORK

against  
*Edward McCarthy*  
 and  
*John Lyons*

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

*Edward McCarthy and John Lyons*

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

The said

*Edward McCarthy and John Lyons, both*

late of the 11<sup>th</sup> Ward of the City of New York, in the County of New York aforesaid, on the twenty-first day of November, in the year of our Lord one thousand eight hundred and ninety-three, with force and arms, in the day-time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

*Betsy White*

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

## SECOND COUNT—

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

*Edward McCarthy and John Lyons*

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

The said

*Edward McCarthy and John Lyons, both*

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

*one napkin - ring of the value of five dollars, divers articles of clothing and wearing apparel of a number and description to the Grand Jury aforesaid unknown, of the value of one hundred dollars, divers articles of jewelry of a number and description to the Grand Jury aforesaid unknown, of the value of one hundred dollars, and divers other goods, chattels and personal property of a more particular description, whereof is to the Grand Jury aforesaid unknown, of the value of thirty dollars*

of the goods, chattels and personal property of one

*Betsy White*

in the dwelling house of the said

*Betsy White*

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

*Dehaency Nicoll,  
District Attorney.*



0663

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

McCarthy, John

**DATE:**

12/08/93



4950

0664

**BOX:**

544

**FOLDER:**

4950

**DESCRIPTION:**

Moran, Thomas

**DATE:**

12/08/93



4950

Witnesses:

Officer Peter Doolin  
6th Precinct

No. 1. first arrested  
real name

Eusebio - see Report  
Subpoena officers  
+ counsel  
8th.

Counsel,

Filed

day of

189

Pleads,

24

THE PEOPLE

81

vs.

John McCarthy

and  
Thomas Moran

De Lancey Nicoll,  
District Attorney.

Aug 3/94

No. 2. Trial & Conviction  
R. J. Gove

A TRUE BILL.

John Harris  
Foreman.

Part 2 - Dec. 14, 1893.

No. 1 Pleads Guilty 3rd Degree

No. 2 El. Def. Jy.  
No. 3 El. Def. Jy.  
Jan 1994

80  
Burglary in the Third Degree.  
Grand Jurors in the County of New York  
[Section 498, Code of 1880, § 1700 I.]

To the Honorable

Fred~~erick~~ Smyth,

Recorder.

Sir:-

My investigations in the case of John McCarthy, charged with burglary, reveals the following:

F I R S T: His true name is SIGMUND ~~ELSON~~ ELSON.

S E C O N D: He came to this country about four years ago; came to this City about one year ago from Chicago Ills., during which period he has been employed as a tailor's cutter.

T H I R D: I have seen a number of people who have known him since living in this city and who regard him in a favorable light and believe the present crime committed him to be his first act of wrong doing.

Respectfully submitted

*Philip Rully*  
Detective Sergeant

Dated New York January 19th 1894.



Police Court— / District.

City and County } ss.:  
of New York,

of No. 331 5<sup>th</sup> Street Conrad Muller Street, aged 37 years,

occupation Travelling Stable Business being duly sworn

deposes and says, that the premises No 331 5<sup>th</sup> St Street,

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

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

were **BURGLARIOUSLY** entered by means of forcibly breaking  
a light of glass in a  
window of said premises  
the shut into said premises

on the 1 day of December 1887 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

Two Blankets One Lap robe  
One coat One Vest One  
vest together of the value  
of Forty dollars

the property of

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

John W. Carthy and Thomas Moran  
for the reasons following, to wit: that said premises were  
entered as described and said  
property stolen.

Deponent now says that he is  
informed by Officer Peter Deolin of  
the City of New York that he arrested  
the defendants as suspicious persons  
and in their possession found a  
coat and blanket which deponent  
has seen and fully identifies as a portion  
of the stolen property.

Subscribed and sworn to before me this 1st day of December 1887  
J. J. [Signature]  
Notary Public

0668

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 34 years, occupation Police Officer of No. 100

Frank Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Conrad Muller

and that the facts stated therein on information of deponent are true of deponent's own

knowledge.

Sworn to before me this, 1

day of December 1893

Peter Deulir

Conrad Muller  
Police Justice.

0669

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Thomas Moran* 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~~ *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 Moran*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Canada*

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

Answer. *29 - 2<sup>nd</sup> Street*

Question. What is your business or profession?

Answer. *Shoemaker*

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

Answer. *I am not guilty*

*Thomas Moran*

Subscribed before me this  
day of *Sept* 188*8*  
*Marshall*  
Police Justice.

0670

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer. John McCarthy

Question. How old are you?

Answer. 34 years

Question. Where were you born?

Answer. Wastona

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

Answer. 11 Broadway

Question. What is your business or profession?

Answer. Cutter

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

Answer. I am not guilty

John McCarthy

Taken before me this

James M. McArthur

Police Justice.



067

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

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 200 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 1 1893 James Martin Police Justice.

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

Dated, Dec 1 1893 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

0672

1280

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Conrad Kuller*  
*John McCarthy*  
*Thomas Morden*

*Offense*  
*Burglary*

8

4

Dated, *December 1* 189

*Martin* Magistrate.

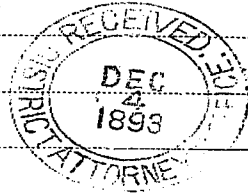
*Peter Hurling* Officer.

Precinct.

Witnesses

No. Street.

No. Street.



No. Street.

\$ *1000* to answer

*Committed*

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

48

The People v. Court of General Sessions, Part I  
 Thomas Moran Before Judge Fitzgerald. January 3, 1894.  
 jointly indicted with John M. Carthy for  
 burglary in the third degree.  
 Conrad Muller, sworn and examined,  
 testified: Where do you live? No. 325 Fifth  
 street in this city. What is your business?  
 Livery stable and feed store. Where do  
 you carry on the business? No. 325 Fifth  
 street. I remember the last day of Nov-  
 -ember. I locked up my place that night  
 between nine and ten o'clock. I went  
 home again and had to go to a meeting  
 that night. I generally go through the  
 place no matter what time I go home  
 and I went through between ten and  
 eleven o'clock, and everything was in  
 good order; it was locked. When did  
 you return to your place the next  
 morning? In the morning the stableman  
 was ahead of me; he came running up  
 stairs and called me down about  
 five o'clock. In what condition did  
 you find the locks on the doors  
 of that place? When I came down  
 I saw that a pane of glass was  
 pushed or broken in and the latch  
 on the window was broken, and

all the goods was missing. I looked around when I went in and I missed those two blankets, lap robes, two overcoats and two fur cloaks and a vest. They were there the night before when I locked up. That was the value of the property? About fifty dollars. No. 321 Fifth street is in the seventh ward of the city of New York.

When did you next see these things? In the Sixth precinct station house in Elizabeth street on the 1<sup>st</sup> of December, the same morning the crime was committed; I went to the station house about ten o'clock. I saw officer Devlin at the station house in charge of the goods.

Peter Devlin sworn and examined testified. I am a police officer attached to the Sixth precinct. On the morning of the 1<sup>st</sup> of December my beat was Van Dyke street from Canal street to Park Row; my tour of duty was from 8 until one o'clock and No. 55 Baxter street is on that beat. Did you on the morning of the first of December see this defendant on your beat? Yes, in Baxter street near Canal street; he was alone when I saw him first on the west side of Baxter street.



0679

He had a bundle with him. It was wrapped in brown paper and tied with a piece of rope. It was a rainy morning. The defendant was walking through Baxter street, and every store he came to the "pullers in" would stop him and he would pull away from them and go down further. How far did you follow him? From about No. 100 Baxter street down to No. 53 near to Canal and Franklin streets. When he got to No. 53 what did he do? He was on the west side of the street, he walked across the street to No. 53 and he turned around and looked down the street and ran in. No. 53 is on the east side of Baxter street. The defendant was on one side of the street and this McCarthy was on the other, the east side. Did you see another man go into the place No. 53 immediately before he (the defendant) did before he crossed from the west side? Right ahead of him. I went into the store and when I got in I saw two bundles lying on a table in the back room. Who did you see in the store? There was the proprietor

and two clerks. The defendant was not there then. I saw somebody fall down on the floor and roll under the table. I took him out and it was McCarthy the other defendant. What became of this man, did you get in soon enough to see what he did? I do not know how he got out. Did you see his bundle that you saw under his arm in that store? Yes. I peeped out and I saw him standing on the corner of Baxter and Leonard Streets without a bundle. I got one of the clerks outside and sent him down to the Truhs after a policeman, and told him to bring him into the store while I had McCarthy and the two bundles inside. He went down and got officer Ford and brought him into the store. I asked him what he was doing with that bundle? and he said he did not have it. I took him and all the property to the station house. I went out on foot and left the property in charge of the Sergeant. The bundle that Mosam had contained a blanket and a lap robe; the bundle was wet when I noticed the other man both

he and Moran had a bundle. The other man's bundle contained a coat and a vest, and he had the other coat on him which was identified by the livery man.

Cross Examined. It was a few minutes after 8 o'clock when I first saw the defendant having a bundle under his arm and also McCarthy with another bundle. McCarthy went in first to No. 55 Baxter St. I was about half a block away at that time near Franklin street. I did not see them speaking together. The clerks in that place are not here today, nor were they in the Police Court. I can swear that one of the bundles I saw with the defendant was in that store. I can identify it by the paper and the twine on it. When I first saw the defendant in Baxter near Canal street I was alongside of him. I did not suspect him of having stolen goods at that time. I have been in the Baxter street post for five years and have made arrests of parties who have had stolen property with them. I did not arrest the proprietor of the store as a receiver. In the defendant only ran in and left the bundle

0678

Thomas Moran, sworn and examined in his own behalf testified. Where do you live? No. 29 Second street. I have lived there going on two months, and before that I lived at 137 Christie street. I came from Canada about two years and three months ago. I have a mother living in Montreal.

When I came here first I was shining shoes and selling papers; then I went to work in Latimer's shoe factory, and after that I was peddling in the streets, selling candy and different things.

Tell the jury how you came in possession of flatulents and coats which were taken from the complainant and how you met McCarthy? That morning I was after getting out of bed and I stood on the corner of Third Avenue and Second street. I was standing there a little while and the other man who was arrested came up to me and asked me if I wanted to make something? I said, "yes." He said, "will you carry a bundle down Baxter street for me?" I said, "yes," and he said he would pay me for doing it. I took the bundle and followed him down Baxter street. Then we got down



there he paid me and discharged me and said he would not need me any more. I walked out as far as the corner I was standing there a while thinking whether I would go down and buy some candy or whether I would go and get my breakfast because I did not have my breakfast when this policeman came up and he caught me. I did not attempt to run away from him. I asked him what was the matter? He told me he did not know what was the matter, that he was sent around to arrest a man on the corner I was brought over to the station house. That is all I know about the bundle. I did not know what it contained. I was never arrested before in my life. I think it was on the corner of White street that I stood near Baxter street. The officer did not bring me back to where those bundles are. I saw a big bundle in the station house that the officer who had the other man was tying up a bundle. Then I thought right away that the man may have stolen the thing. I did not see any other bundle in the station house.

Cross Examined: This morning I came out to go to a restaurant to get my breakfast. I sometimes eat in a restaurant between First and Second streets. It is not true that I first met McCarthy at the factory in which I worked. I never saw him before that morning. I did not notice whether or not he was struggling under the weight of the two bundles. We both walked down together to Baxter street. I thought he had something to do in the store. I did not suspect him of stealing the bundles. I told the officer I was carrying the bundle for the man. The officer is wrong when he states that I went through Baxter street on a different side of the way from McCarthy. When I sold newspapers I stopped at the Newsboy's lodging house. I try to make an honest dollar whatever way I can.

Officer Devlin recalled. When I arrested Devlin he had no money on him. McCarthy pleaded guilty to this offence. The jury rendered a verdict of guilty of receiving stolen goods with a recommendation to the mercy of the Court. He was sent to the Elmira Reformatory.

0681

Testimony in the  
case of  
Thomas. Moore  
filed

Dec  
1893

20th

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*  
*John Mc Carthy*  
*and*  
*Thomas Moran*

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

*John Mc Carthy and Thomas Moran*

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

The said

*John Mc Carthy and Thomas Moran, both*

late of the *17th* Ward of the City of New York, in the County of New York, aforesaid, on the  
*first* day of *December* in the year of our Lord one  
thousand eight hundred and ninety-*three* in the *night* time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the *stable* of  
one *Conrad Muller*

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

*Conrad Muller* in the said *stable*  
then and there being, then and there feloniously and burglariously to steal, take and carry away,  
against the form of the statute in such case made and provided, and against the peace of the  
People of the State of New York and their dignity.



## SECOND COUNT—

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

*John Mc Carthy and Thomas Moran*  
 of the CRIME OF *Grand* LARCENY *in the second degree*, committed as follows:  
 The said *John Mc Carthy and Thomas Moran, both*

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

*two blankets of the value of five dollars each, one lap-robe of the value of ten dollars, one coat of the value of ten dollars, one ulster of the value of fifteen dollars, one vest of the value of five dollars*

of the goods, chattels and personal property of one

in the

*Conrad Muller*  
*stable* of the said *Conrad Muller*

there situate, then and there being found, in the

*stable*  
 aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

## THIRD COUNT:

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

*John McCarthy and Thomas Moran*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

*John McCarthy and Thomas Moran, both*

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

*two blankets of the value of five dollars each, one lap-robe of the value of ten dollars, one coat of the value of ten dollars, one ulster of the value of fifteen dollars, one vest of the value of five dollars*

of the goods, chattels and personal property of

*Conrad Muller*

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

*Conrad Muller*

unlawfully and unjustly did feloniously receive and have: (the said

*John McCarthy and Thomas Moran*

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

DE LANCEY NICOLL,

*District Attorney.*

0685

**BOX:**

**544**

**FOLDER:**

**4950**

**DESCRIPTION:**

**McCarthy, Michael F**

**DATE:**

**12/22/93**



4950

0686

300

J.B. a

Witnesses:

Officer Owen Keelney  
Park Police

Counsel,

Filed

day of

189

Pleads,

Not Guilty 26

THE PEOPLE

vs.

Michael F. McCarthy

Robbery,  
attempt at  
Degrees.  
(Sections 224 and 228, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

B. Lockwood  
Part 3, January 29/94 Foreman.  
Rephalich  
his own Recd  
on Mr. of Recd  
Ry

In this case the Complainant  
has never been found and  
the officer informs me that  
he cannot be found. He saw  
him at the address he gave  
the case cannot be proven  
without him. The deft. should  
be discharged on his own  
recognizance

Jan. 29/94 - Stephen J. Hare  
D.A. District Atty.

I concur.  
V. M. Dain - Asst  
Jan 29/94



0687

Police Court - 2<sup>nd</sup> District.

CITY AND COUNTY }  
OF NEW YORK, ss

William Benson  
of No 136 West Houston - Street, Aged 28 Years

Occupation Cook being duly sworn, deposes and says, that on the  
23 day of November 1883, at the 18<sup>th</sup> Ward of the City of New York,  
attempted to be  
in the County of New York, was feloniously taken, stolen, and carried away from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

good and lawful money of the United  
States

of the value of two dollars & twenty five cents (2 <sup>25</sup>/<sub>100</sub>) DOLLARS,  
the property of deponent

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

Michael Mc Carthy (now here) and other man  
(not yet arrested), and while acting in concert  
with each other, from the following facts to  
wit: that between the hours of 4.30 and 5  
o'clock A.M. of said date, while deponent was  
walking along and through Union Square Park  
said defendant came up to him, and asked  
him the time, and on deponent telling him  
the time, said defendant then asked deponent  
for a chew of tobacco, and that just then  
said other man, came to where the deponent  
and defendant were, when said defendant  
went behind deponent, and placed his arm

City of New York

Subscribed and sworn to before me this 23<sup>rd</sup> day of November 1883

Police Justice

0688

Around defendant's neck, thereby stopping and preventing defendant from making an outcry - and that while holding defendant in said position, the defendant made the remark to said other man, take what defendant had, and that said other man then attempted to place his hands in defendant's pockets where the aforesaid property was - and that said defendant ran away, followed by defendant and said other man then escaped, defendant therefore asks that said defendant may be held to answer -

William Benson

Sworn to before me  
This 20 day of November 1893

Police Justice

Dated 1888 Police Justice

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

There being no sufficient cause to believe the within named

Dated 1888 Police Justice

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 1888 Police Justice

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

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

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

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

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

Police Court, District.

THE PEOPLE, &c.,  
on the complaint of

1. 2. 3. 4.

Offence—ROBBERY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses.

No. Street.

No. Street.

No. Street.

\$ to answer General Sessions.

0689

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer.

*Michael McCarthy*

Question. How old are you?

Answer.

*19 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*252 West 20 St. 6 months*

Question. What is your business or profession?

Answer.

*Iron finisher*

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*  
*Michael McCarthy*

Taken before me this  
day of November 1893,

23

Police Justice.

0690

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

defendant

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

Dated Nov 23 1892 [Signature] Police Justice.

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

Dated 18 [Signature] Police Justice.

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

Dated 18 [Signature] Police Justice.



0691

1254

Police Court--- 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*William Benson*  
*136 West Houston*  
*Michael McCarthy*

2  
3  
4

Offense *Robbery*

Dated *Nov 23* 1893

*Hogan* Magistrate.  
*Owen Delaney* Officer.  
*Park* Precinct.

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

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

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

to answer

*Om* *Att*

BAILED,

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

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

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

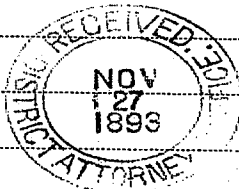
Residence \_\_\_\_\_ Street.

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

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

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

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



**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Michael J. McCarthy*

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

*Michael J. McCarthy*  
of attempting to commit the CRIME OF ROBBERY in the first degree, committed as follows:

The said

*Michael J. McCarthy*

late of the City of New York, in the County of New York aforesaid, on the 23rd day of *November* in the year of our Lord one thousand eight hundred and ninety-*three*, in the night-time of the said day, at the City and County aforesaid, with force and arms, in and upon one *William Benson* in the peace of the said People then and there being, feloniously did make an assault; and

*the sum of two dollars and twenty-five cents in money, lawful money of the United States of America, and of the value of two dollars, and twenty-five cents;*

of the goods, chattels and personal property of the said *William Benson* from the person of the said *William Benson* against the will and by violence to the person of the said *William Benson* then and there violently and feloniously did, rob, steal, take and carry away,

*the said Michael J. McCarthy* being then and there aided by an accomplice actually present, whose name is to the Grand Jury aforesaid unknown; against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*De Lancey McCall*  
District Attorney