

0553

BOX:

166

FOLDER:

1698

DESCRIPTION:

Malone, James

DATE:

02/19/85



1698

0554

BOX:

166

FOLDER:

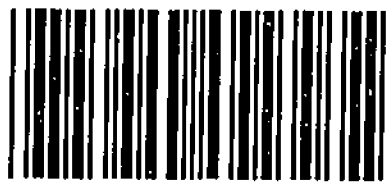
1698

DESCRIPTION:

Giblin, John

DATE:

02/19/85



1698

POOR QUALITY
ORIGINALS

0555

Counsel,

Filed

1885

day of May

Pleas

March 30

THE PEOPLE

vs.

P

James Malone

and P

John Giblin

RANDOLPH B. MARTINE

PEPPER B. OLEARY

District Attorney.

Grand Jurors

A TRUE BILL

W. H. H. H.

Fogelman.

May 19 1885

May 18 1885

May 18 1885

Witnesses:

POOR QUALITY
ORIGINALS

0556

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

James Malone
and John Giblin

The Grand Jury of the City and County of New York, by this indictment, accuse
James Malone and John Giblin
of the CRIME OF GRAND LARCENY in the Second degree, committed as follows:

The said James Malone and John Giblin, each -
late of the First Ward of the City of New York, in the County of New York aforesaid, on the
- tenth - day of February, in the year of our Lord one thousand
eight hundred and eighty-five, in the day time of the said day, at the Ward, City and
County aforesaid, with force and arms,
Did unlawfully, feloniously, steal, take and carry away, from the
of the United States in the District
of Maine and Ireland, of the kind
called registered notes, to wit: five
hundred and thirty pounds each in
handful money of the United States
aforesaid, being then and there
unlawfully, feloniously, and against the peace
of twenty-five dollars each, a more accurate
description of which said five hundred notes is
to the Grand Jury of said New York, and
cannot now be given -
of the goods, chattels and personal property of one John McEvoy -
on the person of the said John McEvoy -
then and there being found, from the person of the said John McEvoy -
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.

Randolph B. Martin,

District Attorney.

POOR QUALITY
ORIGINALS

0557

Rechts
Malone
and
Giblin

POOR QUALITY
ORIGINALS

0558

James Malins } GL 20 -
+
John Gibson

Took money from the
Compliment to suppose
what they were sitting
one on each side of him on
a bench in premises of
Washington Feb 10/85

0559

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

Police Court District
THE PEOPLE, &c.,
ON THE COMPLAINT OF
John M. Barry
92 Broome St.
James Malone
John Giblin
Dated 13 Feb 1885
Offence Larceny from the Person
Magistrate
C. J. Barry
Witnesses
\$2000 & July 13, 1885
No. 43 to answer General Sessions
Committed

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

James Malone
and John Giblin

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 1000
Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated 13 Feb 1885
Samuel C. Barry
Police Justice.

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

Dated _____ 1885 _____
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 _____ 1885 _____
Police Justice.

0560

Sec. 198—200

CITY AND COUNTY }
OF NEW YORK, } ss.

102 District Police Court.

John Giblin 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 Giblin

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

New York

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

Answer.

492 Water St 4 years

Question. What is your business or profession?

Answer.

Blacksmith

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 Giblin,

Taken before me this

day of

February

1885

Samuel W. McCall Police Justice.

0561

Sec. 198—200

CITY AND COUNTY }
OF NEW YORK, } ss.

1st District Police Court.

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

Question. What is your name?

Answer.

James Malone

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

New York

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

Answer.

34 Greenwich St - 6 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.

James Malone

Taken before me this

day of September 1885

Samuel C. McLaughlin Justice.

0562

Police Court—First District.

Affidavit—Larceny.

City and County } ss.:
of New York, }of No. 92 1/2 Bridge Street, aged 35 years,
occupation Laborer being duly sworndeposes and says, that on the 10th day of February 1885 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the presence of the following property viz:

Good and lawful money of the issue of the British Government consisting of five, five Pound notes of about the amount and value of One Hundred and Twenty one Dollars in United States issue

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by James Malone and John

Siblin (both now here) from the fact that while deponent was sitting on a bench in premises 91, 43 Washington Street at about the hour of four o'clock P.M. on the above date and when deponent sat down on said bench deponent put the aforesaid money in the inside coat pocket of deponent's undercoat and the said defendants sat down on said bench one on each side of deponent and when deponent stood up from said bench to pay for some drinks deponent immediately missed the aforesaid money and deponent accused the said defendants of taking and stealing said money and the said defendants

0563

denied taking said money
wherefore deponent charges the said defendants
with taking stealing and carrying away the
aforesaid money from possession and person
of deponent

Sworn to before me
this 11th day February 1885
John M. E. Ewing
Samuel C. Bell Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1885
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1885
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1885
Police Justice.

Police Court, District,	Offence—LARCENY.
THE PEOPLE, de., on the complaint of	
1.	
2.	
3.	
4.	
Dated 1885	Magistrate.
1.	Officer.
2.	Clerk.
Witnesses,	
No.	Street,
No.	Street,
No.	Street,
\$	to answer
	Sessions.

0564

1st District Police Court
W. J. Dwyer 13/85

John McEvoy the complainant being
sworn testified as follows: on

Ans. Exama by sw. Oliver

This was on Monday that ~~you~~ I
had the money that I gave to Mrs
Cully & at 9 o'clock the next
morning she returned it to me &
my watch & chain. Shortly after
I went in this place I saw these
two young men in there. They
were in there when I got the
money back. I had this money
four hours on my person before
I wiped it. I would recognize
anybody else that was there. I
saw an old man there whom I
~~He~~ now see (Frank Gregory) &
There was a stove and a room
running through & three sleep-
ing rooms - three rooms altogether
besides the stove. I had my money
in the bar-room & the first time I
wiped it was when I wanted to

(1)

0565

threat & I miped it. There were four ladies and four men in the store. Somebody was in the kitchen in and out. I remember going in the water-closet ~~there~~. I had money when I went in the water closet. On my way back I ^{did not} meet this old man, Mr. Gregory. I had drank that day but not much. The night before I also drank. It was about an hour before I went to the water-closet that I last saw my money. When I last saw my money there were two ladies and two gentlemen there & those two defendants & I didn't mipe it for an hour after that. When I miped my money I looked at the two defendants - they were sitting alongside of each other. One of these men the night before stole my sleeve buttons and gave them to me again & I was suspicious. I wouldn't like to swear they have the money but I think it was taken out of my pocket by them.

By "The Court"

There was nobody sitting next to

0566

me except the two defendants.
I treated them just after Cully
Cully gave me my watch & money
& they knew I had it for they saw
it. Malme lead me to the Ferry &
paid my fare & when he got to
the ferry-house he turned around &
went back & I turned back. He told
me he lived in Brooklyn. I after
saw the two men standing there.
I returned to Cully's & found the two
defendants in there. I was sitting
in the store when I last had my
money. These two prisoners were next
to me all the time & nobody else. I
was there half an hour. I was walk-
ing around the door half an hour wait-
ing to go to Castle Garden. When I missed
my money I told all hands about it.
I asked these two defendants for my
money & told them I would have them
arrested if the money was not return-
ed to me.

By "The Court"

2 You stated in your affidavit that
you had your money at the time you

0567

Sat on the bench between those
two men & when you got up to
pay for the drinks you missed
it?

A) Yes, it was gone.

Frank Gregory of Washington St.
being duly sworn says on

Direct Exam - by - cu. Oliver

I remember seeing this complainant
at 43 Washington St. He was out in
the water closet - I was out there
before that. It is five steps
down from the stair to the back
yard. When he was going back
he ran against me & he said I
had his money. Mrs. Fultz and
her daughter came then and said
I didn't have his money & I allowed
him to search me.

Margaret Fultz of 43 Washington St.
being sworn says on
Direct Exam - by - cu. Oliver

0568

I keep a boarding house at 43
Washington St. I took charge of
his money on Monday night &
gave it to him on Tuesday. He slept
out of my house that Monday night
& when he came back Tuesday
morning I gave him his money
& watch & chain. Then he went
from my house to the yard & he
came in & said he lost his money
between my house & the yard. He
said Frank Gregory had it. Then he
was searched & nothing found on
him & he then accused the boys
Malone & Giblin

The above is a correct copy of evidence
taken by me in the above matter -
July 14/85

James A. Lyon
Steno-grapher
1st Dist. Police Court

0569

BOX:

166

FOLDER:

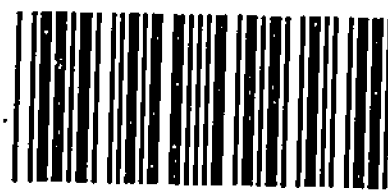
1698

DESCRIPTION:

Malloy, Thomas

DATE:

02/18/85



1698

0570

180/ 10.13

Counsel,
Filed *18* day of *Decr* 188*7*
Pleads *Aggravated* (19)

THE PEOPLE
vs. *P*
Thomas Malloy
19. 10. 1887
16. 10. 1887

Burglary in the THIRD DEGREE,
[Sections 498, 506, 512, 531, 530]

RANDOLPH B. MARTINE,
PETER B. OLNEY,

District Attorney.

A TRUE BILL.
W. H. H. H. H.
12 Feb 26/88 Foreman.
Tried & convicted 1887.
with rec. to mercy by
Sentence suspended.
See within affidavits

Witnesses:

0571

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 Mallory

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

Thomas Mallory

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

The said *Thomas Mallory*

late of the *South* Ward of the City of New York, in the County of New York aforesaid, on the *ninth* day of *February*, in the year of our Lord one thousand eight hundred and eighty-*five*, with force and arms, at the Ward, City and County aforesaid, a certain *part of a* building there situate, to wit: the *Store* of one *Patrick A. Scagerty*,

Scagerty,

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

Patrick A. Scagerty

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.

0572

SECOND COUNT.

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

Shomas Mallory

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

The said Shomas Mallory

late of the South Ward of the City of New York in the County of New York aforesaid, afterwards, to wit: on the said ninth day of February, in the year of our Lord one thousand eight hundred and eighty five at the Ward, City and County aforesaid, in the night time of said day, with force and arms,

eighteen boxes of cigars of the value of four dollars each box,

of the goods, chattels and personal property of one Catrina A. Baggett, in the store of the said Catrina A. Baggett there situate, then and there being found, in the store 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.

0573

THIRD COUNT.

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

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

The said Thomas Mallory

late of the South Ward of the City of New York, in the County of New
York aforesaid, afterwards, to wit: on the said ninth day of Feb =
ruary in the year of our Lord one thousand eight hundred and eighty five,
with force and arms, at the Ward, City and County aforesaid,

five boxes of cigars of the

value of four dollars each

box,

of the goods, chattels and personal property of one Catrina D.

Boagerty,

by a certain person or persons to the Grand Jury aforesaid unknown, then lately
before feloniously stolen of the said Catrina D. Boagerty

unlawfully and unjustly did feloniously receive and have (the said Thomas
Mallory)

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.

RANDOLPH B. MARTINE.

PETER B. OLNEY, District Attorney.

POOR QUALITY
ORIGINALS

0574

People

apok

Thomas Mollay.

City & County of New York

William M^c Elroy, being
 duly sworn deposes and says
 that he resides at No 34
 Rutgers Street - that he is
 a Truckman, and has
 been in the Employment of
 Jackson and Brother for the
 last few years, and that
 he has known Thomas
 Mallory for the last fifteen
 years, and during the whole
 of which he has been an
 honest and worthy boy and
 man, and always as a
 hard working and industrious
 and never charged with
 larceny or any kindred offence
 Sworn & Subscribed
 before me this 26th day
 of February 1885
 Stephen D. Blake
 Commissioner of
 Seeds for the City
 and County of New York

William M^c Elroy

0576

People
against
Theresa Mallory

Affidavit
of
J. K. Chellum

0577

City and County of New York S.S.

John K. O'Sullivan being duly sworn says I live in the city of New York and reside at no. 24 East Broadway. I have known Thomas Mallory for a period of nearly three years. I know him to be a good honest industrious boy and has a first class character in every respect. I have never known him to be in any trouble before.

Sworn to before }
me this 27th day } John K O'Sullivan
of February 1845 }
Stephen A Blake }
Commissioner of Deeds
for the City and
County of New York

0578

City & County of New York.

Charles W. Reinstorff, being duly sworn deposes and says he lives at 41. Attorney St that he is employed by Mr F. Meyers 37 Attorney's Street, that he has been acquainted with Thomas Molloy for several years, between seven and eight years, during all of which time he has known the said David Molloy as an honest hard working, energetic and young man and was so regarded by all who knew him, never having before his arrest for the crime for which he has been convicted before the Hon Judge Cowing heard his integrity doubted or questioned.

Worn & subscribed {

Before me this 27 day
Feb 1885

Emiliano P. Bergamini

Notary Public (216)

W. H. L.

Chas. W. Reinstorff

City & County of New York -

Philip Lahr, being duly sworn, deposes and says that he is a Grocer and dealer of meat at No. 100 St. Louis St., where he has resided and carried on business for over sixteen years, that he has been personally acquainted with Thomas Molloy for the last six or seven years, having seen him almost constantly doing business with his father - that he had abundant opportunities of knowing the said Molloy's habits, character and disposition, and that he always found him to be upright, trustworthy and honest of excellent character and reputation.

Read & subscribed

before me this 27

day of February 1875

Emiliano P. Bergamini

Notary Public (216)
N.Y.C.

Philip Lahr

POOR QUALITY
ORIGINALS

0580

City and County of New York.

Frederick Meier, residing at
No 37 + 39. Attorney St in the
City of New York, being duly sworn
deposes and says, that, he is
the owner of the East Side Cottage
Bakery, located at the above num-
bers, that he has known Thomas
Molloy; who was convicted
in Part II. Court of General
Sessions, before the Hon. Judge
Bowling between four and five
years, that his reputation up
to the time of his arrest for
the offense of which he has been
convicted, was good, never
having heard or doubted or questioned
being regarded as a hard work-
ing and industrious young man,
and of the strictest integrity.

Sworn & subscribed
before me this 27 day
of February 1885
Eugene P. Berghman
Notary Public (216)
N.Y.C.

F. Meier

POOR QUALITY
ORIGINALS

0581



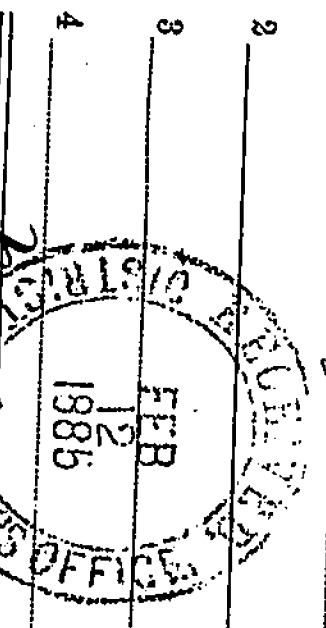
0582

180
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mountain Precinct,
25 Sullivan St.

Thomas Mallory



Offence

1
2
3
4

Dated February 9 1885

Magistrate

Officer

10 Precinct

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

Witnesses
No. 10 Precinct
Street

No. Street

No. Street

No. Street

No. Street

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

Thomas Mallory

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

Dated Feb 9 1885 Police Justice.

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

Dated 1885 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 1885 Police Justice.

0583

Sec. 198-200.

(3)

District Police Court.

CITY AND COUNTY OF NEW YORK, { ss

Thomas Malloy 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 Malloy.

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.

49 Allen St. 9 Years.

Question What is your business or profession?

Answer.

Salesman.

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

Answer.

I am not guilty of the Charge.

Thomas Malloy

Taken before me this

day of *March* 188*8*

Police Justice.

0584

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 32 years, occupation William Stull
Policeman of the
10th Precinct Police. Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Martin Morrissey
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of February 1888

Wm Stull
Police Justice.

0585

Police Court—3 District.City and County } ss.:
of New York,of No. 25 Ludlow Street, aged 20 years,
occupation Bar tender being duly sworndeposes and says, that the premises No. 25 Ludlow Street,
in the City and County aforesaid, the said being a Brick Tenement
in the name of said At Store
and which was occupied by deponent as a Liquor Store
and in which there was at the time no human being, namewere BURGLARIOUSLY entered by means of forcibly breaking
a panel in the door leading from
the hallway of said premises to the
Liquor Store and then breaking the
lock of said door
on the 9th day of February 1885 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:Eighteen Boxes of Segars. Together
of the value of Sixty Seven. 00
dollars. and other personal property
of the value of Twenty five dollars.
all being of the value of Ninety Two.
50 00 dollars.the property of Patrick A. Hogan and in Complainant's care
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

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

Thomas. Mallon (nowhere)For the reasons following, to wit: That at or about the
hour of 11.30 P.M. on the 8th day of
February 1885 deponent left said premises
secured justified and at or about
the hour of Five O'clock A.M. on the
9th day of February 1885 deponent
discovered that the said premises
had been entered as aforesaid and
the said property taken and

0586

Carried away. Dependent is informed by Officer William Stett that at or about the hour of four O'clock A.M. on the 9th day of February 1888. he arrested the said Mallory in Division Street and found in his possession Five Boxes of Segars. which dependent identifies as a portion of the property which had been taken stolen and carried away from said premises as aforesaid.

Spurn before me } Martin Morrissey
this 9th day of February 1888 }
M. A. Hude

Police Justice

Police Court	District.
THE PEOPLE, &c., ON THE COMPLAINT OF	
Degree.	Burglary
28.	
Dated	1888
Magistrate.	
Officer.	
Clerk.	
Witnesses:	
Committed in default of \$	Bail.
Bailed by	
No.	Street.

0587

BOX:

166

FOLDER:

1698

DESCRIPTION:

Maloney, John

DATE:

02/10/85



1698

0500

Witnesses:

107
Counsel, *Palmer (W)*
Filed *10* day of *Feb* 1885
Pleads *Magally (11)*

THE PEOPLE
vs.
P
John Maloney
Wife, 21, 210
430
supposedly
husband
John Maloney
Grand Larceny, 528, 530, 550, Penal Code.
[Sections 528, 530, 550, Penal Code]

RANDOLPH B. MARTINE,
PETER B. O'NEV,
District Attorney.

A True Bill.
McCoy
Dr Feb 18/85
Wife removed to 2nd
with new to marry.
Foreman.
Feb 18
Elmer Ref.

0589

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 Maloney

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

John Maloney

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

The said *John Maloney*

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

one vehicle of the kind commonly called cab, of the value of five hundred dollars, and one horse of the value of two hundred dollars,

of the goods, chattels and personal property of ~~one~~ *the New York Cab Company, Limited,*

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.

0590

SECOND COUNT—

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

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

The said John Maloney

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

one vehicle of the kind
commonly called cabs, of
the value of five hundred
dollars, and one horse of
the value of two hundred
dollars,

of the goods, chattels and personal property of ~~one~~ the New York
Cab Company, Limited,

by ~~a certain person or persons~~ to the Grand Jury aforesaid unknown, then lately
before feloniously stolen, taken and carried away from the said the New
York Cab Company, Limited,
unlawfully and unjustly did feloniously receive and have; the said John
Maloney,

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.

RANDOLPH B. MARTINE.

PETER B. OLNEY,

District Attorney.

0591

Dated 188 *Police Justice.*

0592

Sec. 198-200.

Second District Police Court.

CITY AND COUNTY
OF NEW YORK, ss

John Maloney 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 Maloney

Question. How old are you?

Answer

21 years

Question. Where were you born?

Answer.

New York

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

Answer.

430 East 15th street, for five years

Question. What is your business or profession?

Answer.

Cigar Maker

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

Answer.

I am not guilty.

John Maloney

Taken before me this

7th

day of February 1885

John J. W. W. W. Police Justice.

0593

Sec. 198-200.

Second District Police Court.

CITY AND COUNTY OF NEW YORK, ss

John Maloney 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 Maloney

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

New York

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

Answer.

430 East 15th street, for five years

Question. What is your business or profession?

Answer.

Cigar Maker

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

Answer.

I am not guilty.

John Maloney

Taken before me this

2nd

day of February 1885

John J. McManis Police Justice.

0594

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 34 years, occupation James Heffernan
Manager of No.

130 West 32nd Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of John Kane
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 3rd
day of February 1885 } James Heffernan

John J. Germaine
Police Justice.

0595

Police Court—2nd District.

Affidavit—Larceny.

City and County } ss.:
of New York, }of No. 343 1/2 west 53rd Street, aged 35 years,
occupation Driver being duly sworndeposes and says, that on the 3rd day of February 1885 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the night time, the following property viz:One horse and Cab of the Value
of Seven Hundred dollars
(\$700.00)the property of Deponent as driver in an incorporated
Company under the laws of New York State, known
as the New York Cab Company; and in Care
and Charge of Deponent as driver and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by John Maloney (now here)for the following reasons, to wit: That
about the hour of 1.45 o'clock on the morning
of the above date, deponent had the afore-described
property on the North west Corner of 46th
Street and Broadway, when deponent went
into a Liquor store on said Corner and
staid and remained in said store about
six minutes. That deponent then came
out of said store and found said
property missing. That deponent then
looked around in search of said
property and was subsequently informed
by one James Hefferman of No 130 West
3rd Street that he had the said MaloneySworn to before me, this
1885 day

Police Justice.

0596

Arrested as he was driving down Broadway near 31st Street about the hour of 1.45 o'clock on the Morning of said date with a horse and Cab in his possession That defendant has since seen said property and fully identifies the same as the property stolen from his possession

Sworn to before me
this 3rd day of February 1885 } John Harn
John Harn
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1885
Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1885
Police Justice.
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated 1885
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—LARCENY.

vs.

1.
2.
3.
4.

Dated

1885

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street.

No.

Street.

No.

Street.

\$

to answer

Sessions.

0597

BOX:

166

FOLDER:

1698

DESCRIPTION:

Martin, James

DATE:

02/11/85



1698

Witness:

137

Counsel, *Mulligan* a. 1885
Filed 11 day of Feb

Pleads *Attorney H.*

THE PEOPLE

vs.

P

James Martin

*Phil.
du omib*

*Burglary, 1st Degree,
Grand Larceny,
and Receiving Stolen Goods,
(Sections 407, 500, 529, 531, and 532)*

RANDOLPH B. MARTINE,

JOHN McKEON

District Attorney.

22 Feb 1885

Pleads Burg L.

A True Bill.

Wiley

Foreman

S. P. H. 1/2 - year

POOR QUALITY
ORIGINALS

0598

0599

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Martin

The Grand Jury of the City and County of New York, by this indictment, accuse *James Martin*, —

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

The said *James Martin*, —

late of the *Third* Ward of the City of New York, in the County of New York aforesaid, on the *ninth* day of *September*, in the year of our Lord one thousand eight hundred and eighty-*five*, with force and arms, about the hour of *seven* o'clock in the *day* — time of the same day, at the Ward, City and County aforesaid, the dwelling house of *one Charles*

Schomaker, —

there situate, feloniously and burglariously did break ~~into~~ and enter,

whilst there was then and there some human being, to wit, ~~one~~ *the said* *Charles Schomaker*, within the said dwelling house, the said

— *James Martin* —

then and there intending to commit some crime therein, to wit: the goods chattels and personal property of *the said Charles Schomaker*, 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.

Randolph B. Martin,

District Attorney

0600

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

107
Police Court... 156
Circuit District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles O. Macdonald
149 West 84th St.
New York City
James Martin
Burglary

1
2
3
4
Dated FEB 10 1985
OFFICE
188

Magistrate,
James Martin
27
Precinct.

Witnesses
No.
Street
No.
Street
No.
Street
\$ 1100 to answer
Sessions.
Cm

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

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 Feb 9th 1888
James C. Bell
Police Justice.

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

Dated 1888
Police Justice.

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

Dated 1888
Police Justice.

0601

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

James Martin 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 to 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
James Martin

Taken before me this

day of

188

James Martin
Police Justice.

0602

Police Court—First District.City and County } ss.:
of New York,of No. 149 West North River Hotel Street, aged 29 years,
occupation Hotel Keeper being duly sworndeposes and says, that the premises No 149 West
in the City and County aforesaid, the said being a Four story Brick Building
in 3rd Ward
and which was occupied by deponent as a Hotel
and in which there was at the time no human being, by namewere BURGLARIOUSLY entered by means of forcibly entering several
Rooms on the Third floor with a skeleton key
and opening said room doors with said
skeleton keyon the 9th day of February 1888 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:A quantity of wearing apparel
together of the value
One hundred Dollarsthe property of The Guests of said Hotel and in the care and charge of deponent
as proprietor
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
James Martin (now here)

for the reasons following, to wit:

That at about the hour of
six o'clock and thirty minutes A.M. on the
above described date deponent securely locked
and fastened the several doors on the said
third floor of said Hotel and at about the
hour of seven o'clock and thirty minutes A.M.
deponent saw the said defendant going from
door to door on the said third floor and
unlocking the several doors with the said

0603

O'Keeton Key and going in the several
rooms after he had opened them ^{the doors} with said
Key

Wherefore Dependant Charges the said
defendant with Burglariously entering the
aforesaid rooms and attempting to take steel
and carry away the aforesaid property

Sworn to before me

this 9th day of May 1888 (Chas. Schomaker
Saml. C. Bailey) Police Justice

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.

0604

BOX:

166

FOLDER:

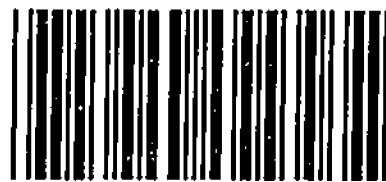
1698

DESCRIPTION:

Martin, James

DATE:

02/17/85



1698

Witnesses:

Counsel,

A. L. [Signature]

Filed

17 day of

July

1885

Pleads

Not guilty

THE PEOPLE

vs.

vs.

James Martin

James Martin

Grand Larceny, 2nd degree
[Sections 628, 628, 628, Penal Code].

RANDOLPH B. MARTINE,

PETER B. GLENDA

District Attorney.

A True Bill.

[Signature]

22 Feb 24/85 Foreman.

Head P.C.

Pen 3 months. 3

0605

0606

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Martin

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

James Martin

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

The said *James Martin*,

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

one watch of the value of
forty dollars, and one
chain of the value of
fifteen dollars,

of the goods, chattels and personal property of one *Sammy Schmidt*

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.

Randolph B. Martin,
District Attorney.

0607

137 *Michael*
Police Court *2d* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
James Schmitt
60 East 25th St.

1 *James Martin*
2
3
4

BAILED,
No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Witnesses *Charles A. Hareley*
No. *3rd Street*
Street, _____

No. _____
Street, _____

No. _____
Street, _____

Dated *February 6* 188 *8*
Harold Magistrate

Charles to answer *2d*
Street

Offence

OFFICE

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

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

Dated *February 6* 188 *8* *John Thomas* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0608

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, { ss

2d District Police Court.

James 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. James Martin

Question. How old are you?

Answer. 34 years.

Question. Where were you born?

Answer. England.

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

Answer. 461 6th Avenue. 3 months

Question. What is your business or profession?

Answer. Cook

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

Answer.

I am guilty of the charge.
James Martin

Taken before me this

day of February 1888

John J. McManis
Police Justice.

0609

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 36 years, occupation Charles A. Handley
Detective at of No.

the Central Office Street, being duly sworn deposes and

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

Sworn to before me, this

day of February 1885

Chas A. Handley

John J. Mann

Police Justice.

0610

Police Court—31 District.

Affidavit—Larceny.

City and County } ss.:
of New York,

Fannie Schmidt

of No. 60 West 25th Street, aged 27 years,
occupation Housekeeper being duly sworn

deposes and says, that on the 5th day of February 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz :

One Gold Watch & Chain
Being of the value of
Forty five Dollars

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by James Martin (now here) for the reason that on said day said property was in a bureau drawer for a woman in said premises and when deponent went to look for said property she found it missing. Deponent is informed by Charles A. Stanley a detective Sergeant of the Police Central office that the arrested said Martin and found a pawn ticket in the possession of said Martin representing a gold watch & chain, which was pawned in the pawn office of one Blau on 6th Avenue for 12 dollars and that said Martin admitted & confessed

Sworn to before me, this 1888 day

Police Justice.

06 11

Said Stanley that he had taken statement
and carried away the said property
Dependent fully identified said property
as being brass and having been taken
from him carried away from her
our charges said Martin with the
forfeiting a foresaid

sworn to before me
this 6th day of July 1885 } Harry Schmidt
John J. Brown }
Deputy Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1885
Police Justice.

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1885
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 1885
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—LARCENY.

Dated 1885

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer Sessions.

06 12

N. Y. General Sessions

The People vs
Jas. Martin

Affidavit of
Fanny Schmidt

A. H. Van
Canneghs Off

06 13

New York
Court of General Sessions

The People vs }
vs. } Upon an indictment
James Martin? for Larceny.

Fanny Schmidt, being duly sworn says
that she is the complainant in this
action; that when she reported the
loss of her property to the police, she
^{did not know} had no suspicion that the defendant
had taken it; that when she made
her affidavit in the Police Court in this
case she did not know that she was
making a charge of larceny against the
defendant, but supposed she was
swearing to a paper which was necessary
to enable affiant to recover her pro-
perty, affiant being unfamiliar with
judicial proceedings, and never having
been in a court before. If affiant had
then known that she was making a
charge of larceny against defendant
she would not have signed or sworn to
her said complaint.

Affiant has never been examined
as a witness before the grand jury in

06 14

this case, and if she had been so examined she would have informed the said grand jury that she did not believe that said defendant intended to steal her property, and would have requested them not to find an indictment.

Affiant has known defendant for twelve years, and known him to have a good character during all that time, and affiant believed that if defendant took her property, he did not do so with the intention of permanently depriving her of it, but intended to return the said property to affiant.

Affiant earnestly desires that this action may be no further prosecuted, and she makes this statement freely and without the hope or promise of any reward or benefit therefrom.

Signed and sworn to before me this 24th day of

February 1885.

Thos. J. Schmitt

Wm. D. Schmitt
Notary Public for
Ill. & Co.

06 15

BOX:

166

FOLDER:

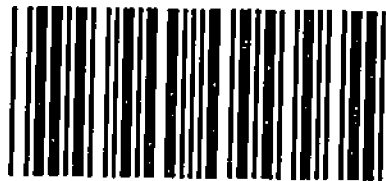
1698

DESCRIPTION:

Mascaro, Francesca

DATE:

02/25/85



1698

POOR QUALITY
ORIGINALS

06 16

Counsel

C. H. Gungley
Filed 25 day of Feb 1885

Pleads

Nov 4 July 16

THE PEOPLE

vs.

F

Francesca Moscaro
Charged 14/85

Fred X Ching charged
for 14/85

Director of the Court

RANDOLPH B. MCKEON

JOHN MCKEON

District Attorney

unknown in

A True Bill

[Signature]

May 15, 1885
Foreman
(see address served)

Mar. 7, 90 Mar 11 1885

Mar. 11. 1885

Mar. 18. 1885

06 17

COURT OF GENERAL SESSIONS OF THE PEACE
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Francesca Mariano

The Grand Jury of the City and County of New York, by this indictment, accuse
Francesca Mariano of the crime of
attempting to commit
of the CRIME OF RAPE, committed as follows:

The said *Francesca Mariano*,

late of the First Ward of the City of New York, in the County of New York, afore-
said, on the ~~mountain~~ day of *February*, in the year of our Lord
one thousand eight hundred and eighty ~~two~~ *five*, at the Ward, City and County
aforesaid, with force and arms in and upon one *Margaret M. Brown*
wilfully and feloniously made an assault, and the said *Francesca Mariano*,

her the said
Margaret M. Brown, then and there by force and with
violence to her, the said *Margaret M. Brown*, and against her
will, did wilfully and feloniously ~~attempt to~~ *ravish* and carnally know, 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.

Grand Count:

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

Francesca Mariano
in this Grand Count,
of the CRIME OF ASSAULT WITH INTENT TO RAVISH, committed as follows:

The said *Francesca Mariano*,

late of the Ward, City and County aforesaid, afterwards, to wit, on the
day and in the year aforesaid, and at the place aforesaid, with force and arms, in and
upon her, the said *Margaret M. Brown*, wilfully and feloniously
made an assault, with intent her the said *Margaret M. Brown*,
against her will, and by force and violence, to then and there wilfully and feloniously
ravish and carnally know, against the form of the Statute in such case made and provided,
and against the peace of the People of the State of New York, and their dignity.

~~JOHN MCKEON, District Attorney~~

06 18

First COUNT.

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

Francesca Mancuso
of the CRIME OF Sexual Intercourse with the Victim of Rape,
committed as follows:

The said Francesca Mancuso,
late of the First Ward of the City of New York, in the County of New York, on the
seventeenth day of February, in the year of our Lord one thousand
eight hundred and eighty-five, at the Ward, City and County aforesaid, with force and arms,
in and upon one Angeles M. Scavetta,
in the presence of the said Pro D., then and
there being, willfully and feloniously
did make an assault, upon the said Angeles M. Scavetta being then and there
a female under the age of ten years, to
wit: of the age of eight years, and the
said Francesca Mancuso, with the said
Angeles M. Scavetta, did then and there
willfully and feloniously attempt to
perpetrate an act of sexual intercourse,
against the form of the Statute in
such case made, as is provided, and
against the peace of the State of New York, and their dignity

Charles C. Martin,

District Attorney

POOR QUALITY
ORIGINALS

06 19

The People of the State of New York
PART 2.

THE COURT-ROOM IS IN THE THIRD STORY, AND FRONTING THE PARK.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA *You will be in the Court-Room promptly at ten o'clock for the purpose of making a statement or your evidence to the District Attorney or his assistant who will then be present the same.*
FOR A WITNESS TO ATTEND THE
Court of General Sessions of the Peace
The People of the State of New York
To *Rocco Frannetta*
of No. *68 James* Street,
WE COMMAND YOU, That, all business and excuses ceasing, you **GREETING:** appear in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building in the Park of the said City, on the *15* day of **M A Y** instant, at the hour of ten in the forenoon of the same day, to testify the truth and give evidence in our behalf, against *F. Macaro*
in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.
WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of **M A Y**, in the year of our Lord 1885
RANDOLPH B. MARTINE, *District Attorney.*

0620

N. Y. GENERAL SESSIONS.

THE PEOPLE



CRUELTY TO CHILDREN.
Raye

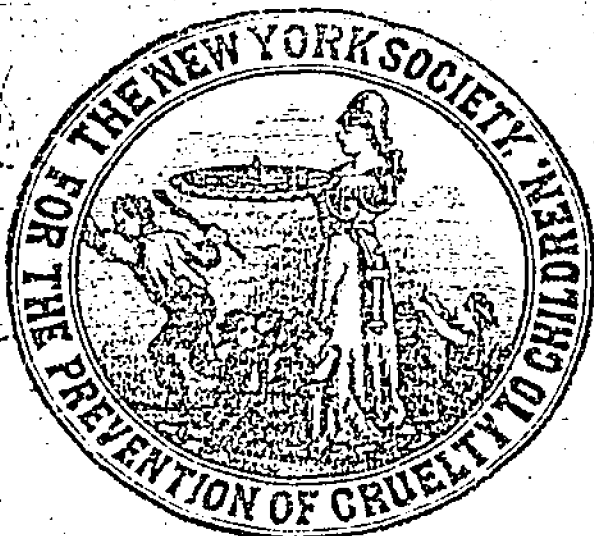
NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,
President, &c.

POOR QUALITY
ORIGINALS

0621



*The New York Society for the
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, March 4 1885

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

*The People
against
Francesca
Mascano*

Notice of Prosecution.

*To the District Attorney of the
City and County of New York,*

*Sir: This Society is interested in the prosecution of
the above defendant, and is familiar with the facts of the
case. It respectfully requests that before sending the papers
to the Grand Jury, fixing the day of trial, consenting to
any postponement thereof, or to any reduction of bail,
or final disposition of the charge, you will duly notify me as
its President and Counsel, so that I may confer with you
in regard thereto. This request is made pursuant to the
statute (Laws of 1875, Chapter 130, Section 3), and in
furtherance of the ends of Justice.*

I have the honor to remain, with great respect,

Elbridge T. Gerry,

President, &c.

0622

Court of General Sessions

The People

- vs -

Frances Macart

Factor for Prosecution

0623

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

The People
- vs -
Francesco Mascaro } Rape

Facts for Prosecution

Rocina Dragonetta, mother of child
left her daughter in her room to go on
an errand to buy a pair of shoes for her
little boy and was out of her room about
ten minutes. when she left she told
defendant to mind the baby in the cradle
while she went out and when she returned
the child Angelo who was assaulted
informed her what the defendant did
to her.

Rocco Milonica, says that about 12-M.
of February - 17 - 1885 was told by his
wife that defendant had the child on
the bed and was about to assault her he
then went out of his room and burst open
the door of the room where defendant
was with the child I heard the child cry

0624

a kind of smothered one and the defendant then and there had his pantaloons open and he saw him button them up -

I then got hold of defendant and had him arrested -

Lucia Dragonetta - says that she saw the defendant buy and open the child's drawers and she went and called her husband Rocco who pushed open the door.

I went to the room to call Rocco Dragonetta to dinner and I found the door locked and I then looked in through a crack in the door and saw what I have heretofore stated -

0625

N.Y. GENERAL SESSIONS.

THE PEOPLE

AGAINST

Frank

Mascaro

Raymond Child
JAMES COPELAND 278

BRIEF FOR THE PEOPLE

0626

COURT OF GENERAL SESSIONS OF THE PEACE
IN AND FOR THE CITY AND COUNTY OF NEW YORK.

The People
against
Frank Mascaro.

BRIEF FOR THE PEOPLE.

HISTORY OF THE CASE.

The prisoner, who is an Italian, is indicted under § 213 of the Penal Code, for an attempted rape on Angela Maria Traunetto, a child of nine years of age, in the premises No. 68 James Street in this City, on Tuesday February 17, 1885. The facts of the case appear in the evidence.

WITNESSES.

test of Lucia
1. LUCIA MIGLIANICO:- Occupies two rooms in 68 James Street, third floor, in the rear of the Traunetto family. While she was making up the bed at about 11 A.M., she heard the child Angela Maria Traunetto scream. She looked through the crack in the bedroom, the four rooms all being in a line, and there saw the prisoner have the child on the floor in the front room, with his hands between her legs. He then placed his hand over the child's mouth and took her in the bed-room and placed her on the bed and unbuttoned the child's drawers and his own pantaloons, and while in the act of going on top of her witness knocked on the door and called to her husband to come and prevent the child from being ruined.

test of Rocco
2. ROCCO MIGLIANICO:- Was in the building when the previous witness, who is his wife, called to him. He rushed to the hall door of the Traunetto family and found it bolted. Witness forced

0627

2

it open and was met by Mascaro with a knife about eight inches long (which will be produced in court by Officer Cranen of the 4th Precinct) in his hands, and the prisoner drove him out of the house. The prisoner's pantaloons were unbuttoned.

3. LUCIA TUCIO:- Also of 68 James Street, heard the noise made by Miglianico when he forced in the Traunettos door, and witness immediately went in the room where the child Angela Maria Traunetto told her of the assault that Mascaro committed on her. Witness then went after the Police officer.

4. GIOVANNI SAN ANGELO:- 20 Roosevelt Street, took the knife away from the prisoner after he had tried to stab Miglianico. Will describe where he saw the prisoner and Miglianico, and corroborate the above evidence.

5. ROSA TRAUNETTO:- 68 James Street. At 10 A.M. she left the child, whose age is eight years, in the house, with Vincenzo, six months old, and Francesco Mascaro who has been lodging in the house about a month. Witness went out to buy a pair of shoes for her child three years old, and when she returned she learned of the assault.

6. ANGELA MARIA TRAUNETTO:- The child in question, will be produced in court and will identify the prisoner and describe the attempt made by him upon her.

7. OFFICER CRANEN:- 4th Precinct, will produce the knife attempted to be used by the prisoner upon Miglianico when he interfered.

POOR QUALITY
ORIGINALS

0628

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

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Lucia Trancetta
68 Grand St

Francis Macara

1
2
3
4

Offence *attempt Rape*

Dated *Febry 18* 1885

J O Kelly Magistrate.

John G. Garand Officer.

H Precinct.

Witnesses *Angella M Trancetta*

No. *68* Lane Street.

Rocco Trancetta

No. *68* Lane Street.

Emmanuel Truland.

No. *100 E 23d* Street.

\$ *1000* to answer Sessions.

MM

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 *10* 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 *Febry 18* 1885 *Samuel O Kelly* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0629

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

10 District Police Court.

Francesco Mascaro 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. *Francesco Mascaro*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *68 James St one month*

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 innocent of the charge I was lying in the bed when Angella came in and asked me for a penny when Complainant called out and made a noise*

Francesco Mascaro
made

Taken before me this

18

day of

Feb

1888

Samuel M. Kelly
Police Justice.

0630

CITY AND COUNTY
OF NEW YORK, } ss.

POLICE COURT, / DISTRICT.

Lucia Traumetta

of No. *68 Janus* Street, aged *24* years,
occupation *Housekeeper* being duly sworn deposes and says

that on the *17* day of *February* 188 *5*
at the City of New York, in the County of New York, *Francesco Mascaro*

did violently make an assault upon the
body of *Angella M Traumetta* aged
8 years and against her will did
thrust and thrust ^{attempts to} ravish and carnally
know. Deponent further says that she saw
said defendant in a room no 68 Janus
Street and he then and there threw said
Angella on a bed in said room and
placed his hand on her mouth, raised
her clothes and unbuttoned his pantaloons
and took out his "penis" when deponent

Subscribed before me, this

188

day

Police Justice

0631

called out to said defendant to stop
and let the child go and said
defendant let said child up who
^{then} ran away. Therefore deponent prays
that said defendant may be held
to answer and dealt with as the Law
directs

Sworn to before me

^{by} Lucca & Trauonetta
mark

This 18th day of Feb'y 1885-

Sam'l A. Reilly Police Justice

Police Court, District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated

188

Magistrate

Officer

Witness,

Disposition,

0632

BOX:

166

FOLDER:

1698

DESCRIPTION:

McCaffrey, John

DATE:

02/17/85



1698

POOR QUALITY
ORIGINALS

0633

Witnesses:

Counsel,
Filed 17 day of May 1885
Pleads, *Guilty* (1885)

THE PEOPLE

vs.

F

John McCaffrey

*Pr. June 10, 1885.
Fried & acquitted.*

RANDOLPH B. MARTINE,

District Attorney.

A True Bill

May 10, 1885
McCaffrey

Pr. May 28/85
Fried & jury disagreed

1885
40

W. H. ...

16 AM

[Sections 196, 506, 529, 530, Penal Code].

0634

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 McCaffrey

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

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

The said *John McCaffrey*

late of the *22nd* Ward of the City of New York, in the County of New York aforesaid, on the *12th* day of *January* in the year of our Lord one thousand eight hundred and eighty *five*, with force and arms, about the hour of *three* o'clock in the *night* time of the same day, at the Ward, City and County aforesaid, the dwelling house of *one Dennis S. Stenness*

there situate, feloniously and burglariously did break into and enter, *(the said John McCaffrey being then and there armed with some dangerous weapon to the said jury afore-said intended)* whilst there was then and there some human being, to wit, one *Catharine Mullins*, within the said dwelling house, the said *John McCaffrey*

then and there intending to commit some crime therein, to wit: the goods chattels and personal property of *the said Dennis S. Stenness* 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.

0635

SECOND COUNT.

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

——— *John McCallister* ———
of the CRIME OF GRAND LARCENY IN THE *first* DEGREE, committed as follows:

The said *John McCallister* ———

late of the Ward, City and County aforesaid, afterwards, to wit: on the said ———
nineteenth day of *February*, in the year of our Lord one thousand eight
hundred and eighty — *five* —, at the Ward, City and County aforesaid, in the
night time of said day, with force and arms, *two watches*
of the value of fifty dollars
each, two chains of the value
of twenty five dollars each,
two pockets of the value of
twenty dollars each, two finger
rings of the value of fifteen
dollars each, two earrings of
the value of twenty five dollars
each, one coat of the value of
one hundred dollars, and fifty
pearl beads of the value of
one dollar each, ———

of the goods, chattels and personal property of one *Dennis J.*

Demersay, ——— in the dwelling house of ~~one~~ *the*

said Dennis J. Demersay, there situate, then and there being found
from ~~in~~ 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.

0636

Third COUNT.

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

John McCallum
of the CRIME OF Burglary in the first degree
committed as follows:

The said John McCallum
late of the Third Ward of the City of New York, in the County of New York, on the
Eight day of February, in the year of our Lord one thousand
eight hundred and eighty-nine, at the Ward, City and County aforesaid, with force and arms,
about the hour of three o'clock in the
night time of the same day, the dwell-
ing house of one Dennis S. Sturges,
there situate, feloniously and unlaw-
fully did break and enter, whilst
there was then and there some human
being, to wit: one Catherine Mullins
within the said dwelling house, with
intent the goods, chattels and personal
property of the said Dennis S. Sturges,
in the said dwelling house then and
there being, then and there feloniously
and unlawfully to steal, take and
carry away; and the said John Mc.
Callum, having so as aforesaid com-
mitted the crime and burglary fore-
said in manner aforesaid, afterwards
to wit: on the day and in the year
aforesaid, and whilst engaged in escaping
from the dwelling house aforesaid,
with force and arms, in and upon

0637

the said Catharine Mullins, as
 aforesaid then and there being, del-
 oniously did make an assault, and
 then the said Catharine Mullins, did
 then and there feloniously strike
 beat and otherwise ill-treat 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

Randolph P. Martin

District Attorney

POOR QUALITY
ORIGINALS

0638

People
Hunting
by
Broke her leg
John McCaffrey

0639

To Whom it may concern:

This is to certify that Catharine
Mullins is confined in Bellevue
Hospital with a broken thigh &
is unable to appear in court,

Am. H. Vazettini

House Surgeon

Bellevue Hospital.

New York, Mar 9/85

0640

FRANK J. KELLER,
COUNSELLOR-AT-LAW,
346 BROADWAY,
(NEW YORK LIFE INSURANCE BUILDING.)
NEW YORK.

Belandry mine by
my dear Sir

New York, June 5 1885

John W. Caffrey

I was unaware until I saw the
Register this morning, that the
above case was on the calendar,
not having received the usual
notice. It is a case that for a
long time I have ^{been} anxious to try.
The jury disagreed last week.
I have not summoned a witness.
Will you kindly set it down
for any day, and I will be
ready

Yours truly
Frank J. Keller

POOR QUALITY
ORIGINALS

0641

141
192

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Mc Caffrey
1112 St.

John Mc Caffrey
1112 St.

Offence *Burglary and Larceny*

BAILLED,
No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Dated *February 14* 188 *3*

James H. Kelly Magistrate.
Precinct.

Witnesses *Catherine Mullins*
No. *519* *4* *42* Street.
Angie Henderson
No. *6419* *W. 42* Street.
Martha Henderson
No. _____ Street.
\$ *5000* - to answer *Good*
(*Don't*)

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

Dated *Feb 14* 188 *3* *Henry Hanna* Police Justice.

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

Dated _____ 188 . _____ Police Justice.

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

Dated _____ 188 . _____ Police Justice.

0642

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK,

District Police Court.

John McCaffrey 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 of the charge
I know nothing about it*

John McCaffrey

Taken before me this

day of

1880

Police Justice.

8-9-10-11-12

0643

CITY AND COUNTY
OF NEW YORK.

Catherine Mullins
aged *38* years, occupation *Servant* of No.
579 West 42 Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Dennis Hennessy*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of

188

February
Henry Murray

Police Justice.

Catherine Mullins
Mary

0644

Police Court— District.

City and County }
of New York, } ss.:of No. 579 West 42nd Street, aged 43 years,
occupation Carriage Maker being duly sworndeposes and says, that the premises No. 579 West 42nd Street
in the City and County aforesaid, the said being a Dwelling where
deponent resides with his family
and which was occupied by deponent as a Dwelling
and in which there was at the time a human being, by name Catherine
Mullins

were BURGLARIOUSLY entered by means of forcibly raising

A Rear Window leading from the
Yard into said premiseson the 8th day of February 1885 in the Night time, and the
following property feloniously taken, stolen, and carried away, viz:Two Gold Watches two gold chains
and Rockets two gold Rings
two gold earrings. A Self Blush
Coffin. And one set of Pearl
beads, collectively of the value
of four hundred dollars & more

the property of Deponent

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

for the reasons following, to wit:

That about 3 O'clock
A.M. on the night of said day deponent
found said window which had been previously
fastened, raised up and open, and the
aforesaid property which was in a room
into which said window opened, stolen and
carried away. And deponent is informed by
Catherine Mullins a servant in deponent's
employ who was asleep in the room and

0645

Who was Awakened by the Milkman
 who was delivering Milk. That she
 Saw the defendant in the room
 And when she raised an alarm
 Saw him leave through the door
 leading to the hallway and saw
 him have in his possession at the
 time the cleat heretofore described
 And when the defendant found
 that he was discovered he threatened
 to Kill her if she made further
 noise And deponent verily believes
 the same to be true

Doris L. Messy

Sworn to before me this
 14th day of July 1883
 Wm. M. Murr Office Justice

Police Court District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

Degree.

vs.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.

0646

BOX:

166

FOLDER:

1698

DESCRIPTION:

McCarthy, Charles

DATE:

02/03/85



1698

POOR QUALITY
ORIGINALS

0647

Witnesses:

Counsel, *7*
Filed *3* day of *Feb* 188*5*
Pleads

THE PEOPLE

vs.

P

Charles McCarthy

Grand Larceny in the
(MONEY)
(Sec. 528 and 531, Penal Code.)

RANDOLPH B. MARTINE,

Per Feb 4/85 District Attorney.

Pleads guilty. Emr. Ref.
A True Bill.

W. H. H. H.

Foreman.

0648

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles McCarthy

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

Charles McCarthy
of the crime of GRAND LARCENY IN THE *Second* DEGREE, committed as follows:

The said *Charles McCarthy*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *twenty sixth* day of *November*, in the year of our Lord one thousand eight hundred and eighty-*four*, at the Ward, City and County aforesaid, with force and arms, in the *day* time of the same day, *one* promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars; *three* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars *each*; *six* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars *each*; *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars *each*; *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar *each*; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars; *three* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars *each*; *six* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each*; *divers* coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *twenty eight cents*, *one pocket watch of the value of one dollar*, and *two cuff buttons of the value of one hundred and fifty dollars each*,

of the proper moneys, goods, chattels, and personal property of one *Anderson Stogard* ~~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.

RANDOLPH B. MARTINE,

District Attorney.

POOR QUALITY
ORIGINALS

0649

Witnesses:

Counsel,

Filed 4 day of Feb'y 1885

Pleads

THE PEOPLE

vs.

Charles McCarthy

(2 cases)

Grand Larceny, 2nd degree
[Sections 528, 53 Penal Code].

RANDOLPH B. MARTINE

PETER B. OLNEY

Pr Feb'y 1885 District Attorney.

That ~~guy~~ ^{stated} on

A True Bill.

[Signature]

Foreman.

0650

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles McCarthy

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

Charles McCarthy

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

The said *Charles McCarthy*.

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *26th* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*five*, at the Ward, City and County aforesaid, with force and arms,

one watch of the value of

thirty dollars,

of the goods, chattels and personal property of one *Mary F. Stanley*

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.

Randolph B. Martine

District Attorney

0651

LAW OFFICE OF
BUTTS & MERRITT,

ARTHUR C. BUTTS,
JOSEPH MERRITT }

12 CENTER STREET,

Cor. of Chambers,

NEW YORK,

Room 3.

Poley 9th 1885

Mr. Coleman
Dear Sir.

Receiving Station
Good

The People &
John O'Brien &

Will you kind-
ly put this case on the
Calendar for Monday
16th next as I have to leave
the City tomorrow to be a-
way till that time & oblige

Yours Truly
Arthur C. Butts
Counsel for deft.

0652

Mr. Coleman

Present

13th Street

128

Filed day of Feb 1885

Pleads Nov 4th 4.

THE PEOPLE
vs.
John O'Brien
N.Y.C.
17 E 41
145 E 41
RECEIVING STOLEN GOODS
(Sec. 550)

vs. RANBOLPH B. MARTINE.
JOHN MCKEON.

22 Feb 10/85. District Attorney.

Pleads guilty.
A True Bill.
J. J. McKeon
Foreman.

Emilia R. L.

0653

0654

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 O'Brien

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

John O'Brien

_____ of the crime of RECEIVING STOLEN GOODS,
committed as follows :

The said *John O'Brien*,
late of the First Ward of the City of New York, in the County of New York aforesaid, on
the *26th* day of *November*, in the year of our Lord one thousand
eight hundred and eighty *four*, at the City and County aforesaid, with force and arms.

two cuff buttons of the

value of one hundred

and fifty dollars each,

of the goods, chattels and personal property of *Andrew Hoagland*
and one Charles W. Carthy certain other
~~by a certain person or persons to the~~ aforesaid unknown; then lately before
feloniously stolen, taken and carried away from the said *Andrew*
Hoagland,
unlawfully and unjustly, did feloniously receive and have he the said _____

John O'Brien

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.

RANDOLPH B. MARTINE.

~~JOHN MCKEON~~ District Attorney.

0655

District Attorney's Office.

PEOPLE

vs.

Chas. M. Clouty
vs. The People

The complainant in
this case is a school
teacher, and has
been here several times
and she desires this
case disposed of
has been adj'd on Sept 1st
Amesbury Motion —

POOR QUALITY
ORIGINALS

0656

BAILED,

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Witnesses, *John O'Brien*
No. _____
Street _____

No. _____
Street _____

No. _____
Street _____

\$ *700* to answer _____ Sessions.
Arnold

Police Court *2* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William O'Sullivan
Shannon Hoisted 14. 18
Charles Mc Carthy
John O'Brien
John O'Brien

Offence *Mafia Larry*
McC. Stolen Goods

Dated *Feb 1* 188
Magistrate *John O'Brien*
Officer *24* Precinct.

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 *Charles Mc Carthy*

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

Dated *Feb 1* 188 *John O'Brien* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0657

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, { ss

John O'Brien 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 O'Brien

Question. How old are you?

Answer

17 years

Question. Where were you born?

Answer.

New York

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

Answer.

145 East 41. Street 1 1/2 years

Question. What is your business or profession?

Answer

Work in Paper factory

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

Answer.

I am guilty I sold the Buttons to a Restaurant keeper for \$4 — and I spent the money.

John O'Brien
mark

I taken before me this

day of February 1885

John O'Brien

Police Justice.

0658

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY {
OF NEW YORK, } ss

Charles M. Carthy 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 M. Carthy*

Question. How old are you?

Answer *17 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *Corner 33rd Street & 3rd Avenue 9 months*

Question What is your business or profession?

Answer *Messenger.*

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

Answer. *I am guilty of the charge*

C. M. Carthy

Taken before me this

day of February

1885

John J. Thompson
Police Justice.

0659

Police Court—2 District.

Affidavit—Larceny.

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

Hudson Hoagland
of the Sherwood House 5th Avenue to 44 Street, aged 60 years,
occupation Gentleman being duly sworn
deposes and says, that on the 26 day of November 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property viz:

One pocket book containing gold and
lawful money of the issue of the
United States to the amount
and of the value of thirty-four
dollars & sixty-eight cents
and one pair of gold cuff buttons
with diamond setting of the value
of three hundred dollars said
property being in all of the value
three hundred & thirty-four 68/100 dollars
the property of deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by Charles Mc Carthy and
John O'Brien (both now here)
from the fact that said Mc Carthy
was in deponent's premises when
said property was in a batchell
said Mc Carthy acknowledged to
deponent in the presence of witnesses
that he did steal said property
and that he gave said gold buttons
to said O'Brien and that he told
said O'Brien that he stole said
property. said O'Brien acknowledged
to deponent that he received said
gold buttons from said Mc Carthy and
that he knew they were stolen, and

Sworn to before me, this

day

1888

Police Justice.

0660

that he sold them for \$1.40.
deponent therefore charges that said
Mr. Carthy did feloniously steal
said property from deponent
and that said O'Brien did feloniously
receive said Gold Buttons from
said Mr. Carthy, he O'Brien well knowing
at the time that said Buttons
had been stolen property -

Sworn to before me this
1st day of February 1885
J. H. Hougham
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1885 Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1885 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 1885 Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

vs.

1
2
3
4

Offence—LARCENY.

Dated 1885

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street.

No. Street.

No. Street.

\$ to answer Sessions.

0661

BOX:

166

FOLDER:

1698

DESCRIPTION:

McCarthy, James

DATE:

02/19/85



1698

Witnesses :

Counsel,

Filed 19 day of May 1885

Pleads

THE PEOPLE

vs.

F

James McCarthy
B. Moore.
J. H. V.

Grand Larceny
(From the person.)
[Sections 528, 530, — Penal Code].

RANDOLPH B. MARTINE.

DEEDER B. OLENEY.

District Attorney.

A True Bill

[Signature]

Foreman.

For J. H. V. 20/85
pleads & L. H. V.

S. P. 3 1/4 yrs.

0662

0663

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James McCarthy

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

James McCarthy
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said *James McCarthy*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
fourteenth day of *February* in the year of our Lord one thousand
eight hundred and eighty-*five*, in the *night* time of the said day, at the Ward, City and
County aforesaid, with force and arms,

one watch of the value of two
dollars, of the goods, chattels
and personal property of a certain
person to the Grand Jury
aforesaid unknown,

~~of the goods, chattels and personal property of one~~

on the person of *the said unknown person*,
then and there being found, from the person of the said *unknown person*,
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.

Donald P. Martin,

District Attorney

0664

211
Police Court 3d District.
1905

THE PEOPLE, &c.
ON THE COMPLAINT OF

George J. Bennett
626 East 12th St.
Offence *See entry*
from Prison

BAILED,
No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

No. 5, by _____
Residence _____
Street _____

No. 6, by _____
Residence _____
Street _____

No. 7, by _____
Residence _____
Street _____

Dated February 15 1885

W. J. Bennett Magistrate.
George J. Bennett Officer.

Witnesses *George J. Bennett*
No. 626 East 12th Street.

James Burke
No. 10th Street.

No. _____
Street _____

No. _____
Street _____

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

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

Dated *February 15* 1885 *W. J. Bennett* Police Justice.

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

Dated _____ 1885 _____ 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 _____ 1885 _____ Police Justice.

0665

Sec. 198-200.

34

District Police Court.

CITY AND COUNTY { ss
OF NEW YORK,

James H. 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 *James H. McCarthy*

Question How old are you?

Answer *23 years*

Question Where were you born?

Answer *Ireland*

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

Answer *242 Madison Street ten years*

Question What is your business or profession?

Answer *Along shore man*

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

Answer *I am not guilty*

James H. McCarthy
at work

Taken before me this

13

day of *September* 1885*Frank* Police Justice.

0666

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss: '1

POLICE COURT, 3d DISTRICT.

James Burke

of No. 10th Precinct Police Street, being duly sworn, deposes and says,

that on the 14th day of February 1885

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

James Mc Carthy now here in Chryote
Street near Grand and saw the said
Mc Carthy take from his pocket the
watch here shown, and offer it to
another person and then throw the same
into the street.

James Burke

Sworn to before me, this

of February

15th day

1885

Wm. Burke

Police Justice.

0667

STATE OF NEW YORK.
CITY AND COUNTY OF NEW YORK, } ss: -4

POLICE COURT, 3^d DISTRICT.

George F. Bierwirth

of No. 626 East 12th Street, being duly sworn, deposes and says,

that on the 14th day of February 1885

at the City of New York, in the County of New York, on or about the

hour of 9 o'clock P.M. on said date, deponent saw James M. Canthy, now here, feloniously and unlawfully take steal and carry away from the possession of and person of a person unknown to deponent, one silver watch of the value of two dollars, from the fact that deponent saw the said Mc Canthy, in company with two other persons unknown to deponent, approach the said unknown person, and deponent saw the said Mc Canthy take steal and carry away

Sworn to before me, this

15th

1885

day

Police Justice.

0668

the said watch from the right hand
pocket of the vest then on the person
of the said unknown person in front
of premises No 75 Christie Street. De-
ponent therefore prays that the said Mc
Carthy be dealt with as the law directs

{ Sworn to before me this }
15th day of February 1885 }

W. C. F. Smith
Police Justice

Georg. S. Pierworth

POLICE COURT—	3d DISTRICT.
THE PEOPLE, & C.,	
ON THE COMPLAINT OF	
<i>Geo. S. Pierworth</i>	
<i>vs.</i>	
<i>James McCarthy</i>	
Dated <i>February 14th</i> 188 <i>5</i>	
<i>W. C. F. Smith</i>	Magistrate.
Witness, <i>Geo. S. Pierworth</i>	Officer.
<i>626. E. 12 st</i>	
<i>James Barker</i>	
<i>15th Street</i>	
Disposition	

0669

Sec. 198-200.

34

District Police Court.

CITY AND COUNTY { ss
OF NEW YORK,

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

Question What is your name?

Answer

James H. McCarthy

Question. How old are you?

Answer

23 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

242 Madison Street ten years

Question What is your business or profession?

Answer

Along shore man

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

Answer.

I am not guilty

James H. McCarthy
at work

Taken before me this

day of *February* 188*5*

Wm. J. Hall
Police Justice.

0670

BOX:

166

FOLDER:

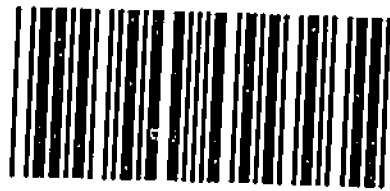
1698

DESCRIPTION:

McCarthy, John

DATE:

02/19/85



1698

0671

BOX:

166

FOLDER:

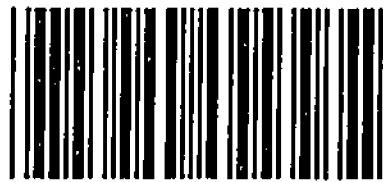
1698

DESCRIPTION:

Sullivan, James

DATE:

02/19/85



1698

POOR QUALITY
ORIGINALS

0672

Day of Trial,

Counsel,

Filed 19 day of

Pleaded

1888

July 20

THE PEOPLE

vs.

P

John Mc Carthy

P

James Sullivan

RANDOLPH B. MARTINE,

JOHN McKEON,

District Attorney.

A True Bill

W. J. Mc

Foreman.

Healy & Co

(Broth)

James J. McKeon

INJURY TO PROPERTY.
Sec. 654, Penal Code.

POOR QUALITY
ORIGINALS

0673

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 McRathmy^(u)
James Sullivan

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

John McRathmy and James Sullivan
of the CRIME OF UNLAWFULLY AND WILFULLY ~~destroying~~
PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said John McRathmy and James Sullivan,
late of the 23rd Ward of the City of New York, in the County of New York

aforesaid, on the 16th day of February, in the year
of our Lord one thousand eight hundred and eighty-five, at the Ward, City and
County aforesaid, with force and arms, a certain ~~part of~~ ~~of~~

of the value of ~~sixty dollars~~,
of the goods, chattels and personal property of one George Davis,
then and there being, then and there feloniously did unlawfully and wilfully
~~break and destroy~~,
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 McRathmy and

James Sullivan

of the CRIME OF UNLAWFULLY AND WILFULLY ~~destroying~~
REAL PROPERTY OF ANOTHER, committed as follows:

The said John McRathmy and James Sullivan,
late of the 23rd Ward of the City of New York, in the County of New York

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

of the value of ~~sixty dollars~~,
in the ~~building~~ of one George Davis,
there situate, then and there being, of the real property of the said George

~~Ward~~,
then and there feloniously did unlawfully and wilfully ~~break and~~
~~destroy~~;

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.

RANDOLPH B. MARTINE.

JOHN McKEON.

District Attorney.

0674

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

No. 10
Police Court - 10th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George Weiss

764 Street 9th Av.

Attest 1866 7 157 26

William M. Scarlett

James M. Scarlett



Offence Malicious Mischief

Dated February 17th 1885

Magistrate.

Henry Morris

Officer.

Witnesses

No. _____
Street _____

No. _____
Street _____

No. _____
Street _____

\$ 700 each to answer

[Signature]

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

John M. Scarlett & James Scarlett
guilty thereof, I order that they be held to answer the same and be admitted to bail in the sum of Seven Hundred Dollars each and be committed to the Warden and Keeper of the City Prison of the City of New York, until they give such bail.

Dated February 1885. [Signature] Police Justice.

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

Dated _____ 188 _____. _____ Police Justice.

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

Dated _____ 188 _____. _____ Police Justice.

0675

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.6th

District Police Court.

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

Question. What is your name?

Answer. *James Sullivan*

Question. How old are you?

Answer. *35 years -*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *East 24th St, 4 years -*

Question. What is your business or profession?

Answer. *Boatman*

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 have nothing to say*

James Sullivan
witness

Taken before me this *17th*

day of *February* 188*5*

Wm. E. Brink
Police Justice.

0676

Sec. 198—200

CITY AND COUNTY }
OF NEW YORK, } ss.

6th

District Police Court.

John M. 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.

John M. McCarthy

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

145th St. & Brooklyn? 8 months

Question. What is your business or profession?

Answer.

Painter

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

Answer.

*I didn't intend to break the glass -
I did it accidentally.*

John McCarthy

Taken before me this

17th

day of

February

1885

at

New York

City

Police

Justice.

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

of No. 767 - North 3rd Avenue bet 156th & 154th street, aged 27 years, occupation *Salesman*, being duly sworn, deposes and says,
that on the 16th day of February 1855
at the City of New York, in the County of New York,

John McCarthy ^{and} James Sullivan
(both here present), came into deponent's
premises No 767 North 3rd Avenue
at the hour of about 10 O'clock P.M.,
and a few minutes thereafter they sat
down and both went asleep, that
about 11 O'clock P.M. on said day
deponent awoke John McCarthy ^{and}
James Sullivan and requested them
to leave his premises as he wanted to
close his premises and go to bed
whereupon the said James Sullivan
did use vile and abusive language
to deponent and did say to deponent
"why the hell don't you go to bed"
deponent then said "I will put you
out", and deponent then put him
out, said James Sullivan out of said
premises, that immediately after the
said John McCarthy ^{and} James Sullivan
were on the sidewalk in front of said
premises making a noise and disturbing
the peace and deponent saw the said
John McCarthy ^{and} James Sullivan together
break an ash barrel which was standing
on the sidewalk in front of deponent's
premises, and deponent saw the said
John McCarthy have a stove of the barrel
in his hand, and did unlawfully, maliciously
and unlawfully go up to deponent's store
window and with said barrel stove which
he the said John McCarthy then & there
held in his hand did strike the plate
glass window, and did break said plate

0678

glass window, thereby doing damage to said plate glass window to the amount and value of sixty dollars - that at the time said John McCarthy was advancing towards said window with the panel stone in his hand, the said James Sullivan was close behind him and following him towards said window - deponents therefore charge and alleges that the said John McCarthy and James Sullivan were in each other company and were consorting together, and evil wilfully maliciously and unlawfully damage deponents store window as aforesaid

Shewn before me this } George Weiss
17th day of February 1885 }
Attest
Police Justice

Form 9.

POLICE COURT-SIXTH DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

25.

AFFIDAVIT.

Dated

187

Magistrate.

Officer.

0679

BOX:

166

FOLDER:

1698

DESCRIPTION:

McCormick, John

DATE:

02/10/85



1698

POOR QUALITY
ORIGINALS

0680

168
Counsel,
Filed *10* day of *July* 188*5*
Pleads *July 11.*

THE PEOPLE
vs. *P*
John McCormick
Burglary in the THIRD DEGREE,
[Sections 498, 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]

RANDOLPH B. MARTINE,
PETER B. OLNEY,

July 24/85 District Attorney.
atty at law
Grand Jury 3d day

A True Bill.
W. H. Hickey

Foreman.
July 24/85
an indictment against
24/85 Wm. J. P.
July 27/85

Witnesses:
Alphas Dean.
Dean in Dean
Ed

0681

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 McCormick

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

John McCormick

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

The said *John McCormick*,

late of the *12th* Ward of the City of New York, in the County of New York aforesaid, on the *nineteenth* day of *February* in the year of our Lord one thousand eight hundred and eighty-*five*, with force and arms, at the Ward, City and County aforesaid, a certain *part of a* building there situate, to wit: the *store* — of one *Joseph R.*

McSimmon, —

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

Joseph R. McSimmon —

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.

Randolph S. Martine,

District Attorney

POOR QUALITY
ORIGINALS

0682

Part One
Grand Jury Room.

PEOPLE

⁰⁸
John McCormick
Tues. Feb. 24 / 80

All served by
Dumbell
Feb 20

0603

Dated 188 *Police Justice.*

0684

Sec. 198—200

CITY AND COUNTY
OF NEW YORK, } ss.

District Police Court.

John M^c Cormick being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is his 10 right to make a statement in relation to the charge against him un; that the statement is designed to enable him un if he see fit to answer the charge and explain the facts alleged against him un that he is at liberty to waive making a statement, and that his 10 waiver cannot be used against him un on the trial.

Question. What is your name?

Answer.

John M^c Cormick

Question. How old are you?

Answer.

29 years

Question. Where were you born?

Answer.

New York

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

Answer.

140 Mott St. 2 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

John^{his} M^c Cormick
Mark

Taken before me this

day of

February 1887

John M. Peterson

Police Justice.

0685

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles Garritt
aged *31* years, occupation *Porter* of No.

95 Reade Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Joseph R McKinnon*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of

8
February 188*5*

J M Patterson

Charles Garritt
Police Justice.

0686

Police Court—1st District.City and County }
of New York, } ss.:of No. 95 Readeoccupation MerchantJoseph R McKeenStreet, aged 50 years,

being duly sworn

deposes and says, that the premises No 95 Reade Street,
~~in the City and County aforesaid, the said being a~~ Stone buildingin part
and which was occupied by deponent as a Sales Room of Wool and Woollen
and in which there was at the time no human being, by namewere **BURGLARIOUSLY** entered by means of forcibly breaking off
the lock of the door leading from the hallway
into said premises and entering thereinon the 7 day of February 1885 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:one piece of Woollen of the value
of twenty five dollarsthe property of deponent and Isaac Denby copartners
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed, and the aforesaid attempted to be property taken, stolen, and carried away by
John McCormick (now here)for the reasons following, to wit: that deponent was informed
by Charles Garritt one of deponents employees
that at or about the hour of 10.30 A M on said
day he heard a noise in said premises (the third
floor of said premises) and found that the lock
of the door had been broken and found said
defendant in said premises
wherefore deponent charges said defendant
with burglariously entering said premises and

0687

attempting to take steal and carry away
the aforesaid property

Sworn to before me this 3rd of March
8 day of February 1885

M. Patterson Police Justice

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Burglary
Degree.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.