

0461

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Miller, John

**DATE:**

01/20/91



3915

0462

197 Jan

Counsel,  
Filed 29 day of Jan 1891  
Pleads *Christy*

Robbery, *Second degree*, [Sections 224 and 229, Penal Code].

THE PEOPLE

vs.

*F*

*John Miller*

*De Lancy Nicoll*  
~~JOHN R. FELLOWS~~

District Attorney.

A True Bill.

*Franklin Exxon*  
Foreman.

*Jan 20 1891*

*Wm. L. Zuey*  
*Wm. L. Zuey*  
*Jan 20 1891*

23

*Witneses:*

*Witneses:*

*Witneses:*

*John*

0463

Police Court-- District.

CITY AND COUNTY }  
OF NEW YORK, } ss

*59*  
of No *8 Division* Street, Aged *28* Years  
Occupation *Liquor dealer* being duly sworn, deposes and says, that on the  
*6th* day of *November* 18*90*, at the *10th* Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

*One Diamond Stud*

of the value of *One hundred* 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 force and violence as aforesaid by

*John Miller (Banker)*  
for the reason that at about  
*8 o'clock AM* of said date defendant  
came into deponents liquor store  
at the above number and began  
to fight with another man  
in said store. Deponent came  
from behind the bar to stop said  
fight whereupon defendant grabbed  
hold of deponents collar and neck tie  
and tore them from deponents neck  
and ran away. Deponent further  
says that said Stud was fastened

Subscribed and sworn to before me, this  
18*90*  
Police Justice

0464

in said receipt at the time  
defendant took the same from  
deponent's neck.

Deponent did  
not again see defendant until  
about 10 PM October last night  
when he saw him standing in  
front of the Windsor Hotel  
in the Bowery when deponent  
caused his arrest.

Subscribed before me  
this 15th day of January 1891 }  
O. H. [Signature] }  
Police Justice }  
Mary Silverman

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1888  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1888  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1888  
Police Justice.

Police Court, District,

THE PEOPLE, vs.,  
on the complaint of  
vs.  
1  
2  
3  
4

Offence—ROBBERY.

Dated 1888  
Magistrate.  
Officer.  
Clerk.  
Witnesses,  
No. Street,  
No. Street,  
No. Street,  
\$ to answer General Sessions.

0465

Sec. 198-200.

3 District Police Court

CITY AND COUNTY OF NEW YORK, ss.

*John Miller* 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 Miller*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Philadelphia Pa*

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

Answer. *109 Chatham Square New York*

Question. What is your business or profession?

Answer. *Labourer*

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

Answer. *I am not guilty*

*John Miller*

Taken before me this

day of *January* 1891

*[Signature]*

Police Justice

0466

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

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

Dated Jan 15 1891 W. W. W. Police Justice.

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

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

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

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

0467

Police Court--- District. <sup>70</sup>

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Max Silberman*  
8- vs. Division  
*John Miller*

Office *Rosen*

BAILED.

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *Jan 15 1911*

*Mead* Magistrate.

*Mullane* Officer.

11 Precinct.

Witnesses .....

No. .... Street.

No. .... Street.

No. .... Street.

\$ *1000* to answer *yes*



*Om*

0468

**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 Miller*

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

*John Miller*

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

The said *John Miller*,

late of the City of New York, in the County of New York aforesaid, on the *ninth* day of *November*, in the year of our Lord one thousand eight hundred and *eighty* in the *night* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *Max Silverman*, in the peace of the said People, then and there being, feloniously did make an assault, and

*one* *kind* *of* *the* *value* *of* *one*  
*hundred* *dollars*,

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

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*W. J. Sullivan*  
*Attorney*

0469

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Miller, Morris

**DATE:**

01/06/91



3915

0470

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Bernstein, Solomon

**DATE:**

01/06/91



3915

0471

*W. L. ...*

Counsel,  
Filed *6* day of *Jan* 18*91*  
Pleads, *Not guilty*

THE PEOPLE  
vs.  
*Morris Miller*  
*and*  
*Solomon Bernstein*

*Entered in the Third degree  
District Attorney's second  
degree proceeding*  
[Section 488, U.S.C. 1852]

*By* *Henry Russell*  
*JOHN R. FELLOWS*

*Part 2 - Jan. 23 1891*  
*District Attorney*  
*Mr. ... of ... Attorney*  
*Mr. ...*  
**A True Bill.**

*Franklin Edson*  
Foreman.

*John ...*  
*(Witness requested)*

*Officer ... of the ...*  
*Office ... me that ...*  
*... (good) ...*  
*... he has been in the*  
*... only 7 months -*  
*I am ... that*  
*... he had ...*  
*... they were ...*  
*I recommend his ...*  
*... his own ...*  
*Jan 23 91* *Wm. Davis*  
*...*

0472

Police Court— 3 District.

City and County } ss.:  
of New York,

Asher L Gernausky

of No. 30 Canal Street, aged 40 years,  
occupation Dealer in German articles being duly sworn

deposes and says, that the premises No 30 Canal Street, 7<sup>th</sup> Ward  
in the City and County aforesaid the said being a 1<sup>st</sup> story brick  
Cementum 1<sup>st</sup> Ground floor  
and which was occupied by deponent as a German Retail article store  
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking the  
lock and bolts on the inside of the door  
leading from the Hallway into said store

on the 20<sup>th</sup> day of December 1890 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

Seventy nine Dollars Two Scroll Cases  
one Silver scroll ornaments one coat  
and five dollars in gold and  
lawful money of the United States  
the whole valued at Three Hundred  
dollars

\$ 307<sup>00</sup>/<sub>100</sub>

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

Morris Miller and Simon Peristman

for the reasons following, to wit: Deponent usually locked  
and bolted the doors and windows of  
said place at the hour of about 10 o'clock  
p.m. on said date at the hour of six o'clock  
on the 21 day of December 1890 Deponent  
found the door leading from the Hallway  
broken open and said property was missing.  
Deponent is informed by Officers Jacobs  
and Long that they arrested the Defendants

0473

with said property in the property in the possession of Defendants Miller which property defendant identified as the property taken from said premises.

Defendant therefore charges the defendants with knowingly and feloniously entering said premises and taking away and stolen said property and property that was held to answer.

✓ Asher & Penman

Given to J. J. Penman  
this 26<sup>th</sup> day of December 1891

*[Signature]*

Police Justice

Dated 188

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

Dated 188

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

Dated 188

gully 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.

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

Police Court, District.

THE PEOPLE, &c.,  
on the complaint of

vs.

1  
2  
3  
4

Offence—BURGLARY.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

No. Street,

to answer General Sessions.

0474

Sec. 198-200.

3 District Police Court

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Morris Miller* 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. *Morris Miller*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *84 Eldridge Street 2 weeks*

Question. What is your business or profession?

Answer. *Bar tender*

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

Answer. *I am not guilty*  
*морской судья*

Taken before me this  
day of *November*

1891  
*[Signature]*  
Police Justice

0475

Sec. 198-200.

3 District Police Court

CITY AND COUNTY OF NEW YORK } ss.

*Solomon Bernstein* 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. *Solomon Bernstein*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Russia Poland*

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

Answer. *152 Orchard Street*

Question. What is your business or profession?

Answer. *Operator*

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*  
*v Solomon Bernstein*

Taken before me this

*15th*

day of

*[Signature]*

0476

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 they be held to answer the same and they be admitted to bail in the sum of Twenty 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 December 26 1891 [Signature] Police Justice.

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

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

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

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

0477

18. 30. 3 1897  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Abner L. Germaine*  
30- vs. Canal St.

1 *Morris Miller*  
2 *Solomon Perushin*

*Wm. J. ...*  
Offence

BAILED,

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

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

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

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

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

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

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

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

Dated *December 26* 188*90*

*Hogan* Magistrate.

*Jacobs & Long* Officer.

*Central office* Precinct.

Witnesses *Charles Jacobs*

No. *Central office* Street.

*officer K. ...*

No. *13 ...* Street.



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

*2000* to answer *U.S.*

*Com*

*...*

0478

Court of General Sessions

The People

- vs -  
Morris Miller

---

My name is Morris Miller, I reside at 84 Eldridge St, with my wife and two children, I have been in this country ten months, I was in the employ of Davis Selberman off and on, doing occasional jobs as an expressman, I also worked in the restaurant 84 Eldridge St, as a waiter at times, on the day of my arrest I was requested to carry the bundle charged to have been stolen, by Bornstein who gave me twenty five cents for so doing, when I was arrested I immediately told the detective officer that Bornstein gave me the bundle, I have never before been arrested & have always been a good character, I have

0479

been confined in the toils  
one month; I did not know  
the prospect was stolen nor  
did I know that Bernstein  
had ever been charged  
with crime, since I should  
not have carried name -

mona murepys

City Court of New York

Davis Silver  
man by sworn dep. I know  
Morris Wiley, he works for  
me, he has my knowledge  
is an honest reliable and  
trustworthy man - and  
his reputation among those  
who know him is good.

I come before me

July 23/91

Ed. Fried  
Not Public  
J.F.

Davis his  
Mark Ciliauan

0480

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*  
*Morris Miller and*  
*Solomon Bernstein*

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

*Morris Miller and Solomon Bernstein*

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

The said *Morris Miller and Solomon*  
*Bernstein, both* \_\_\_\_\_

late of the *seventh* Ward of the City of New York, in the County of New York  
aforesaid, on the *twentieth* day of *December* in the year of our Lord one  
thousand eight hundred and *ninety* \_\_\_\_\_, with force and arms, in the  
*night* — time of the same day, at the Ward, City and County aforesaid, the  
dwelling house of one *a certain building, to wit;*

*the store of one Asher L. Germansky*

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

0481

SECOND COUNT—

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

*Morris Miller and Solomon Bernstein*

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

The said *Morris Miller and Solomon Bernstein*, both

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

*seventy-nine talises of the value of three dollars each, two scroll covers of the value of ten dollars each, one silver scroll ornament of the value of thirty dollars, one coat of the value of ten dollars and the sum of five dollars in money, lawful money of the United States of America and of the value of five dollars*

of the goods, chattels and personal property of one *Asher L. Gernansky*

*store* in the dwelling house of the said *Asher L. Gernansky*

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

0482

THIRD COUNT—

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

*Morris Miller and Solomon Bernstein*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said: *Morris Miller and Solomon Bernstein, both*

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

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

of the goods, chattels and personal property of *Asher L. Gernansky*

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

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

*Miller and Solomon Bernstein*

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.

*Debeney McCall,*  
JOHN R. FELLOWS,

District Attorney.

0483

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Minnaugh, James

**DATE:**

01/26/91



3915

0484

POOR QUALITY ORIGINAL

Howe & Mox H. J. Moore  
268  
May 11

Witnesses:

Counsel,  
Filed 26 day of Jan'y 1881  
Pleads, Not Guilty

THE PEOPLE

vs.

June 3

29  
Settler,  
387 E. 44

James E. Minnaugh

Part in June 9 1891  
and convicted of  
murder in the first degree

DE LANCEY NICOLL,  
JOHN R. FELLOWS,

MURDER IN THE FIRST DEGREE,  
(Section 183, Penal Code.)

District Attorney.

A True Bill

Presented to the COURT of  
Sesions of NEW YORK  
by the Minutes  
of the Court  
June 16 1891  
Foreman.

Sentences to the  
penitentiary of State

Monday July 27. 1891

0485

Fourth District  
Police Court

John J. Cuff }  
-vs- } Before Hon.  
James Minnaugh } Ches. N. Taintor,  
Justice

New York, Dec 21<sup>st</sup>, 1890.

Appearances:

No one for Complainant,  
James McLaughlin Esq,  
for defendant.

John J. Cuff, the Com-  
plainant, sworn, testified  
as follows:

By the Court.

I am a Police Officer  
of the City of New York,  
connected with the 23<sup>d</sup>  
Precinct. I arrested the  
defendant James Minnaugh  
for shooting Edward  
Moran in the Saloon  
at 822 Second Avenue.

0486

The case was reported at the Station House about eleven o'clock on Monday, December 22<sup>d</sup>. I went down to the saloon 822 Second Avenue and made inquiries in relation to the shooting, and afterwards I located the man at 317 East 114<sup>th</sup> St. He had just gone up the stairs ahead of me two flights up. I went in the apartments in front of the house and searched for him and found him under the bed. I took him out and brought him to Bellevue Hospital. He was identified there by Edward Moran as the man who shot him. Moran said "That is the man who shot me" then he said 2 again: "That

0487

is the man who shot me; he shot me twice."

I asked the defendant how he came to do the shooting. He said he had some difficulty the night before, that Moran made some remarks about his wife; that that was the cause of the trouble.

I saw C. J. Maxwell about an hour after the shooting;

he told me he was present when the shooting took place at 822 2d Avenue in a saloon kept by Joseph Downing.

He, Maxwell, told me that Michael Reilly, Michael O'Connor, John Wickham, the bartender, and John Shields & also John McGath were there when the shooting took place.

0488

Officer Neggersmith brought  
this revolver (Pointing to revolver)  
to the Station House and  
the two shells that were  
fired off. The other  
cartridges corresponded  
with the shells that were  
shot off. I also have the  
box of cartridges found in  
the defendant's possession  
and they correspond with  
the shells that were fired  
off.

By Mr. McLaughlin

Q At the time you were in  
the hospital and the  
deceased identified the  
defendant, was anything  
said except what you  
stated here?

A There was not anything  
said in relation to the  
shooting. The defendant  
wanted to speak to the

0489

man when he was dying  
and I wouldn't let him.  
Q Was there not something  
else said by the deceased  
in the presence of the  
defendant other than what  
you said?  
A No, sir, not a word.

Charles J. Maxwell, called  
for the People, sworn, tes-  
tified as follows:

By the Court:

I live at 378 East  
56<sup>th</sup> Street. I am a  
superintendent of the con-  
struction of buildings.  
I was at Joseph Downing's  
saloon 822 2<sup>d</sup> Avenue  
on December 22<sup>d</sup>, 1890, between  
9 & 10 o'clock in the  
morning. I saw the def-  
endant there and I saw

0490

Edward Moran then also.

I have known Edward Moran personally for about a year and a half or two years.

I have known the defendant about the same length of time. I happened in the saloon to get a drink. Mc-Gath and I went up to the bar, and I asked Moran and several others to have a drink. I believe I had just paid for the drinks when my attention was attracted by a shot.

I looked around and saw a revolver in the defendant's hand. I couldn't swear that this is the revolver I saw in the defendant's hand (Pointing to Revolver)

I did not see the shot fired; I only heard the noise; it was done so quickly. I think there

0491

were two shots fired. I didn't hear the defendant say a word. When Moran was down on the floor he said "I am shot." I couldn't say exactly who were in the saloon at the time. John McGrath, the bartender and several others were there. I couldn't say who they were though. I took hold of the defendant as he was going out of the door and said: "What are you doing? Are you crazy?" He made no answer. I thought it was all a joke. I didn't have any idea any one was shot at the time. The defendant didn't have the pistol in his hand when I saw him going out.

0492

of the door. I was informed afterwards it was taken away from him.

By Mr. McLaughlin:

Q They seemed to be friendly at the time you were in the saloon?

A. I didn't see them speak.  
Q There was no noise or quarrel?

A No sir.

Q They had been friends to your knowledge?

A As far as I know.

Michael O'Connor, called for the People, sworn, testified as follows:

By the Court:

I live at 333 East 39<sup>th</sup> St. I am a tenant for the Consumers' coal

8

0493

Company. I was in Joseph Downings saloon about nine o'clock in the morning on December 22<sup>d</sup>, 1890. I know the defendant Minnaugh. I have known him for about two years. I knew Edward Moran in his lifetime. I saw Minnaugh and Moran in Downings saloon last Monday, the 22<sup>d</sup> inst. I heard the firing of a revolver and turned around and saw a man - Moran - on the floor and a revolver in Minnaugh's hand. I saw Minnaugh go in the saloon. Moran was in the saloon before. We were all drinking at the bar and I didn't see anything until I heard the report of the revolver.

0494

I was standing at the bar. After the shooting Minnaugh was standing near the side entrance. I believe there were two shots fired. I didn't see Minnaugh point the revolver at Moran. All I saw was the revolver in his hand. I didn't hear Minnaugh say a word. Moran was standing along side the bar. I didn't see Moran until he was on the floor after the shooting. After Moran was shot he said "I am shot in the stomach". I took hold of Minnaugh, took the revolver from him and gave it to the officer. This revolver (Pointing to revolver) looks like the revolver I took from Minnaugh; I

0495

couldn't swear it is the same revolver. He had the revolver in his hand when I took hold of him. He didn't say a word to me; Moran didn't say anything to me either. There was a big crowd in the store; you couldn't hear very well if he did speak. When I took the revolver from Minnaugh he walked out the side entrance. I heard two shots fired. I didn't see Minnaugh point the revolver at Moran; I only heard the report. Minnaugh made no statement after the shooting that I heard.

0496

John Wickham, called  
for the People, sworn  
testified as follows:

By the Court:

I live at 864 First  
Avenue. I am a bartender  
for Joseph M. Downing  
at 872 Second Avenue.  
I was in the saloon on  
December the 22<sup>d</sup> last.  
I know the defendant  
Minnough. I have known  
him for about five months.  
I knew Edward Moran  
about the same length of  
time. Minnough and  
Moran were in the saloon  
on December 22<sup>d</sup>. There  
was several drinking at  
the bar. Mr Maxwell, Mr  
O'Connor, Mr Reilly and McGrath I  
think were there. They had  
three drinks apiece except  
Moran. He had one.

0497

They came in and were there about fifteen or twenty minutes. The accident happened between half past ten & eleven o'clock. Minnaugh came in about fifteen or twenty minutes after they were there. He walked in and spoke to McGrath. McGrath shook hands with him and they walked to the end of the store and talked there, and during that time a lady came in to the bar for some whiskey. I went to wait on her and walked to the end of the bar. I had to stoop down to draw the whiskey. While I stooped down I heard a shot, and just as I got

0498

up I heard another shot and I heard Moran "haloo" I am shot, my God" Then I saw O'Connor wrestling for the pistol and he got the pistol from Minnaugh. after the shooting I saw Minnaugh standing from the bar and Moran was lying down against the bar. Minnaugh was about four feet from the bar. I didn't see the shot fired. I saw them taking the pistol from Minnaugh. I didn't see Minnaugh have the pistol in his hand. <sup>I believe</sup> Mr. Shields and O'Connor took the pistol from him. I am not sure whether Mr. Shields was there or not. O'Connor took hold of his arm and took the revolver from

0499

him. I seen O'Connor hand  
the revolver to the officer.  
I can't say that this is  
the revolver (Pointing to  
revolver.) It appeared like  
that. I didn't handle  
the revolver. After the  
shooting they all went  
out the side door. I  
believe Maxwell had  
hold of Minnaugh. Then  
Minnaugh was missing for  
about an hour after until  
Mr Cuff got him. I  
didn't hear Minnaugh make  
any statement. I didn't  
hear Moran say anything  
either. All I heard Moran  
say was "My God, I am  
shot, kill him". I  
couldn't see whether Min-  
naugh pointed at any one.  
I was down behind the  
bar. Moran didn't say

0500

where he was shot. I saw them examining him around the stomach.

Q You testified that McPath and Minnaugh went down to another part of the saloon?

A Down to the forward part of the saloon by the screen. The other parties were on the other side of the screen.

John Shields, called on behalf of the People, sworn, testified as follows:

By the Court:

I live at 330 East 43rd St. I am a plumber.

I was in Joseph Downing's saloon 872 2d Avenue

0501

December 22<sup>d</sup>. I think it was between ten and eleven o'clock in the morning I know the defendant Minnaugh. I have known him five or six years. I knew Edward Moran. I saw Moran and Minnaugh in Downing's saloon on the 22<sup>d</sup> inst. I saw Minnaugh come in the door of the saloon. There were in the saloon Edward Moran, Michael Reilly, Charles Mapuell, Michael O'Connor. That is about all. I don't know whether McGrath was there. I don't know him. Minnaugh came in the front door. I was standing at the bar having a drink - two of us. He came in and walked to the

0502

back of the saloon. Then I heard two shots. I didn't see either of the shots fired. I jumped from behind the screen to see what the firing was. Michael O'Connor and I were the two that caught Minnaugh. He had the revolver in his hand at that time. I couldn't say whether it was smoking or not. There was smoke in the room. I caught hold of one of Minnaugh's arms and O'Connor got hold of the other - the hand that had the revolver. I don't know whether O'Connor took the revolver from him or not. I couldn't say that this is the revolver (Pointing to revolver).

0503

It resembled this revolver  
in its general appearance.  
I did not see Minnough  
pointing the revolver at  
Moran. I was behind the  
screen when the first  
shot was fired. I thought  
there was some little fun  
going on. I came from  
behind the screen when  
the second shot was  
fired. The shots were  
fired about a half a  
minute or a minute  
apart. I could not  
see through the glass  
screen. When I came  
from behind the screen  
I walked along the bar  
until I came to Min-  
nough. I seen the  
revolver in his hand.  
Minnough didn't say  
anything. Moran was

0504

down on the floor. Moran  
said "Hold him, he is  
after shooting me. He,  
Moran, didn't mention  
any name when he said  
that. He didn't point  
to anyone that I noticed.  
I didn't see Minnaugh  
point the revolver at  
Moran. I grabbed hold  
of Minnaugh's arm. He  
didn't make any state-  
ment when I took hold  
of him. After the revolver  
was taken from Minnaugh  
he went out the side  
door. As soon as I  
came from behind the  
screen I saw Moran  
was lying down and  
Moran said "He shot  
me, hold him". He  
pointed at Minnaugh.  
He, Moran, didn't say

0505

anything else to my  
knowledge.

Michael Reilly, called for  
the People, sworn, testified  
as follows:

By the Court:

I live at about 50 St.  
I am a shoe cutter. I  
was in the saloon 822  
2<sup>d</sup> Avenue between half  
past ten and eleven  
o'clock on the morning  
of December 22<sup>d</sup>, 1890. I  
saw the defendant there.  
I knew Edward Moran,  
the deceased. He was also  
in the saloon. Minnough  
came in the door and  
Charlie Maxwell was standing  
in there and Charlie said  
"Hello Jim", and he said  
"Don't you know this fellow."

0506

over here", meaning McGrath.  
They got talking together  
and that is the last I  
saw of him. I was  
standing near the glass screen  
when I heard the pistol  
shots. I looked around  
and saw Moran lying on  
the floor. The shots were  
fired one right after  
another. I thought they  
were fire crackers first.  
Then I saw Moran on the  
floor. I looked about  
and saw Minnaugh stand-  
ing at one side of the  
bar. I didn't wait but  
ran out for a policeman.  
When I came back Min-  
naugh was gone. Moran  
said "Oh; I am shot" I  
didn't hear him say where  
he was shot; he held  
his hand on his side. He

0507

didn't point towards  
anyone. When I came  
back I saw a policeman  
in the saloon. He had  
sent for an ambulance.  
It was a young policeman.  
I didn't know his name,  
only what I seen in the  
paper - Nezzaremith. That  
is all I know about the  
matter.

Defendant's Counsel  
waives examination.

0508

Police Court, 4 District.

City and County } ss.  
of New York,

of No. 23<sup>rd</sup> Precinct, John T. Buff Street, aged 42 years,

occupation Police Officer being duly sworn, deposes and says,

that on the 22<sup>nd</sup> day of December 1891 at the City of New York, in the County of New York,

James Minnaugh  
(now here) did feloniously kill  
a human being, to wit: Edward  
Moran by wilfully pointing and  
aiming a revolving pistol loaded  
with cartridges containing powder  
and leaden balls and discharging  
said revolver at said Moran's  
body so that two of said balls  
entered Moran's body from which  
wounds the said Moran died  
That death was procured by  
the wilful act of said defendant  
Deponent is informed by Charles  
Maxwell (now here) <sup>now James Max</sup> that, he  
entered the liquor store situated  
822 Second Avenue, in company  
with John McGrath and in the  
saloon saw the deceased and  
several other men; Maxwell  
invited Moran and the other men  
to drink which they did. While  
Moran and the others were standing  
at the bar Maxwell ~~noticed~~ heard  
two shots in rapid succession  
and then saw the <sup>defendant</sup> in the saloon  
with ~~in~~ a pistol in his hand  
and saw Moran lying on the  
floor and heard him say: "I am  
shot."

Deponent upon information  
received from various persons  
who were present in the said  
saloon, searched for the defendant  
and arrested him in premises

0509

317 East 44<sup>th</sup> Street in  
apartments on the second  
floor found the defendant  
secreted under a bed. Depo-  
nent then took the defendant to  
Bellevue Hospital and into  
the presence of the <sup>said Moran</sup> ~~defendant~~  
who upon seeing the defendant  
did say: "that is the man  
who shot me", "he fired two  
shots at me"

Depo-  
nent has since seen  
the body of said Edward Moran  
and it was dead.

Therefore deponent charges  
the defendant with causing  
the death of the said Edward  
Moran by the wrongful act  
aforesaid and asks that the  
defendant be held and dealt  
with as the law directs.

Sworn to before me  
24 December, 1890

Charles K. Smith  
Police Justice

John J. Buff  
District Attorney

05 10

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 30 years, occupation Charles Maxwell  
Superintendent of No. 378 East 56<sup>th</sup> Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of John T. Coffey  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 24 day of December 1890 } C. Maxwell

Charles N. Juntor  
Police Justice.

0511

Sec. 198-200.

4

District Police Court

CITY AND COUNTY OF NEW YORK, ss.

*James Minnaugh* 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 Minnaugh*

Question. How old are you?

Answer.

*28 years old*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*No 317 East 44th Street, New York*

Question. What is your business or profession?

Answer.

*Tile setter*

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 Minnaugh*

*Peoples Ex*

(?)

Taken before me this

day of

*March 1887*

Police Justice

05 12

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 4<sup>th</sup> DISTRICT.

John T. Coffey

of No. 23 Precinct Police Street, aged 42 years,  
occupation Police Officer being duly sworn deposes and says,  
that on the 22<sup>nd</sup> day of December 1889

at the City of New York, in the County of New York, deponent  
arrested James Minnaugh (now here)  
for the reason that deponent was  
informed by Edward Moran, that  
he, said Minnaugh, did on two different  
times feloniously point aim and discharge  
or fire a revolving pistol loaded with  
powder and ball at his Moran's body  
said balls or bullets so discharged from  
said pistol by said Minnaugh striking  
and piercing his, Moran's, abdomen  
and leg, inflicting such injuries that said

Sworn to before me this 23<sup>rd</sup> day of Dec 1889

Justice of the Peace

0513

Sumner to inform me this 22  
day of December 1890  
Charles W. Carter  
Police Justice

Moran is now confined in Bellevue Hospital  
under medical treatment and care and is  
unable to appear in Court and deponent is  
informed that such injuries so inflicted on  
said Moran may prove fatal to him, Moran's  
C/o. Deponent therefore charges said acts  
that said James Minnecough may be committed  
to avoid the result of the injuries so inflicted on  
said Moran as aforesaid John J. Cuff

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

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John J. Cuff  
vs.  
James Minnecough

317 E 44<sup>th</sup> St. N.Y.  
Dated Dec 22 1890  
Tambor  
Magistrate.

Cuff 73  
Officer.

Witness,

Committed for Ex. treatment  
Ex. Dec. 23<sup>rd</sup> 1890 3 P.M.  
Cuff  
Disposition,  
to Camp  
Cuff

AFFIDAVIT.

05 14

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~~  
~~Hundred Dollars~~ and be committed to the Warden and Keeper of  
the City Prison of the City of New York, ~~without bail~~  
*without bail*

Dated *December 24* 18*90* *Charles N. Sinton* Police Justice.

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

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

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

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

05 15

Police Court--- 4 District. 1904

THE PEOPLE, &c.,  
OF THE COMPLAINT OF

*John Cuff*  
23 vs. *James Munnigh*

Offence *Armed*

BAILED

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

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

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

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

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

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

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

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

*Mrs Hastings*  
*304 E 44th St*

*Mrs Ureal*  
*304 E 44th St*

Dated *December 24 1900*

*Hunter* Mag. strate

*Cuff 23* Officer

\_\_\_\_\_ Precinct

Witnesses

*Michael Kelly*  
*150 East 50th St*

*Charles Masnick*  
*378 East 57th St*

*Michael Connors*  
*300 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

No. *John Wickham* Street

*John Wickham*  
*204 East 57th St*

05 16

4 DISTRICT POLICE COURT.

THE PEOPLE  
ON COMPLAINT OF

*John J. Cuff*  
agst.  
*James Minnaugh*

Examination had *Dec 26* 18*90*  
Before *Chas. N. Tainter* Police Justice.

I, *George Ziegler* Stenographer of the 4 District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of *John J. Cuff*  
*& others*

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

Dated *Dec 26* 18*90*

*Charles N. Tainter*  
Police Justice.

*George Ziegler*  
Stenographer

0517

Coroner's Office.

TESTIMONY.

Autopsy

Mozque, December 23<sup>d</sup>, 1890.

11.30 A.M.

Body of Edward Moran, age, 26 years, white; married; said to have died at 9 p.m., December 22<sup>d</sup>, 1890, in Bellevue Hospital.

Body well nourished; rigor mortis well marked.

1 Penetrating bullet wound in abdomen  $3\frac{1}{4}$  inches to the left of the median line and 1 inch above a horizontal line drawn through the anterior superior spinous process ilium. There is an incision in the median line (sutured) beginning  $1\frac{1}{2}$  inches above the umbilicus, 7 inches in length, extending to  $\frac{1}{2}$  inch above the symphysis pubis.

The <sup>bullet</sup> wound is  $\frac{1}{4}$  inch in diameter at entrance. Direction: from right to left, slightly backwards and downwards, penetrating mesentery and intestine and lodging in front of in the pelvis on the left side on the upper border of the true pelvis 1 inch anterior to the sacro-iliac synchondrosis.

The wounds in intestine and mesentery had been sutured in the

Taken before me

this

day of

188

CORONER.

0518

Coroner's Office.

TESTIMONY.

operation of laparotomy.

2. Bullet wound on the outer aspect of the right thigh, about the junction of the middle and upper third. The wound is  $\frac{1}{4}$  inch in diameter. The bullet can be located under the skin by the finger on the inner posterior aspect of the thigh about 1 inch below a horizontal line drawn around the leg from the point of entrance. There is a bluish discoloration of the skin around the bullet due to haemorrhage.

Lungs, heart, kidneys and other organs normal.

Cause of death: Shock from penetrating pistol shot wound of abdomen above described (No. 1).

J. J. Jenkins, M.D.,  
Coroner's Phy.

I was assisted at autopsy by  
D. Walter Wood

Jenkins

Taken before me

this

day of

188

CORONER.

05 19

Coroner's Office,

CITY AND COUNTY  
OF NEW YORK, } ss.

*James Edward Minnaugh* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz.:

Question—What is your name?

Answer—*James Edward Minnaugh*

Question—How old are you?

Answer—*28 years*

Question—Where were you born?

Answer—*New York City*

Question—Where do you live?

Answer—*317 E. 44<sup>th</sup> St*

Question—What is your occupation?

Answer—*Tile setter*

Question—Have you anything to say, and if so, what, relative to the charge here preferred against you?

*In the absence of <sup>my</sup> counsel  
I have nothing to say.*

*James Ed. Minnaugh*

Taken before me, this *29<sup>th</sup>* day of *December* 189*0*

*Michael J. Brennan*

CORONER.

0520

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
26 Years Months 7 Days	U.S.	Morgue for Bellevue Hospital	Dec 20 <sup>th</sup> /90

416 947  
HOMICIDE  
1890

AN INQUISITION.

On the VIEW of the BODY of

Edward Scurron

whenever it is found that he came to his death by the hands of

James M. Munnough

I request notice on the 12<sup>th</sup> of the day of December 1890

James M. Munnough  
Governor.



- Committed
- Examined
- Discharged
- Date of death

0521

4th. 947 1890

HOMICIDE

AN INQUISITION.

On the VIEW of the BODY of

Edward Moran

whereby it is found that he came to his Death by the hands of

James Munnough

Inquest taken on the 29th day of December 1891

before J. J. McManus Coroner.



Committed Bailed Discharged

Date of death

MEMORANDA

AGE	26 Years
PLACE OF NATIVITY	Irish
WHERE FOUND	Morgan
DATE When Reported	Dec 23/90

for further reports

0522

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the house of Coroners Office  
No. 124 Second Avenue Street, in the 17th Ward of the City of  
New York, in the County of New York, this 29th day of December  
in the year of our Lord one thousand eight hundred and 90.

before  
M. J. B. Messerer  
Coroner

of the City and County aforesaid, on view of the Body of Edward Moran  
lying dead at

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

two pistol shot wounds of the abdomen & thigh,  
inflicted with a pistol in the hands of James C.  
Whinnamugh at the corner of 44th Street and  
Second Avenue December 22<sup>d</sup> 1890.

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

JURORS.

John Dueser 917-3 one  
Jacob Wisniam 154 & 43  
Lewis Saffers 928 Broadway  
Bernard Frank 706 3 av  
Leo Riester 838. 3. av  
W. Jones 131 & 43

Richard Brooks 714 3rd  
Frederick Pfeffer 919-34  
Herman Hoops 694 8 av

Francis Shrag 1795 Bway M. J. B. Messerer  
CORONER, S. S.

Henry Brunner 863. 3. av

0523

Coroners Office, N. Y. County.

INQUEST INTO THE  
DEATH

- of -

EDWARD J. MORAN.

) Before  
) HON. M. J. B. MESSMER,  
) and a Jury.

New York, December 29th, 1890.

OFFICER HARRY N. NEGGE SMITH, of the 23rd Precinct,  
duly sworn, testified:

By the Coroner:-

Q When did this occur? A. Monday morning about half  
past ten.

Q How was your attention drawn to it? A. I was stand-  
ing at 42nd Street and 2nd Avenue and somebody coming over  
to me and said somebody is shot in a saloon; I don't know  
who it was that told me. I went in the saloon and I seen  
a man lying on the floor and I asked him who shot him.  
The bar tender said the man was outside. When I went out-  
side he said he is going -- I said where did he go to, he  
said he didn't know. A couple of more fellows told me  
he ran down 42nd Street. I went down there and didn't see  
him and I rung for the ambulance. I went back and Mr. O

0524

Cornor handed me the pistol. I got some of the witnesses names and the ambulance came and I sent him away. . . and Mr. Cuff came out and he got him.

Q That is all you know about it? A. Yes, sir.

By a Juror:-

Q Who arrested the prisoner? A. Detective Cuff arrested him in a tenement house in 44th Street.

----- oOo -----

OFFICER JOHN T. CUFF, duly sworn, testified:

By the Coroner:-

Q You are a special officer or detective of the 21st Precinct? A. Yes, sir.

Q On what day ~~xxxx~~ did this occur? A. On the 22nd day of December, at about twenty minutes past eleven the case was reported in the station house.

Q of this year? A. Yes, sir.

Q It was reported to the sergeant at the desk? A. I came in when the officer made the statement to the sergeant; I heard the statement and immediately started for the saloon and I asked the barkeeper some questions about it and he said the party had left; I then went to try and locate

0525

him, I went into a few places and heard he was in the neighborhood immediately after the shooting and had disappeared; I then met our captain in citizen's clothes and sent a description of him to the station house; I turned back and went to 44th Street and when I came out there I saw a party there at the door way disappearing very fast; I asked some one in the neighborhood there and I went around and they said that was the party that did the shooting; I went into No. 217 and went up two flights of stairs, I went up where his wife lives on the top floor, he was not there when I went in - I heard a door slam and I came to the conclusion they had gone into the apartment there, a German lived on one side and an Irish family on the other side. I went to search and I found him lying at the end of the bed; the kitchen there is probably about that wide and there was a wash-board and something else there and he was lying there partly under the bed and partly out, crouched as low down as he could get. I arrested him and took him down the stairs and brought him to the station house and from there to the hospital. I brought him before Moran and he said that is the man who shot me. That is about all. The prisoner went to speak to Moran and I told him he should

0526

not have any conversation with him. On the way back I asked him about the trouble and he said they had some difficulty the night before. I asked him where he bought the pistol he said, it was given to him in the store and put into his hands. Shortly after they discovered where there was a pistol in the store where it had been bought that morning about half past eight; I told him I had found out where he got the pistol and he said he got the money from his brother-in-law, but he didn't say that he bought it there but he said he got the money from his brother-in-law to buy the pistol.

Q Is this the pistol? A. Yes, sir; it was handed to me by Officer Neggsmith in the station house.

Q Is the prisoner here? A. Yes, sir.

Q Is this the prisoner? A. Yes, sir. These four cartridges were in the revolver at the time it was handed to me; this box of cartridges was found in his pocket in the station house; this is about the same size of it, 32 calibre.

Q Did he make any statement to you? A. He said they had a row the night before.

Q He admitted the shooting? A. Yes, sir; he said they had a row the night before.

0527

Q But they had no row that morning? A. That he didn't say whether they did or not.

Q Did he tell you what they had a row about the night before? A. He said something about his wife - in relation to his wife.

Q Who else knows about it? A. They all know about the same; he showed the pistol to Moran before the shooting; all the witnesses saw the shooting and one of them took the pistol away from him as he testified in Court; Mimnaugh showed the pistol to him in the saloon before he did the shooting; that is his statement to me.

-----oOo-----  
98  
JOHN JOSEPH WICKHAM, duly sworn, testified:

By the Coroner:-

Q What is your business? A. I am a bar tender for Joseph H. Downing.

Q Where? A. No. 822 Second Avenue, 44th Street corner.

Q Did you know the deceased, Edward Moran? A. Yes, sir.

Q How long have you known him? A. Four or five months I guess.

0528

Q Did you know ~~the~~ accused? A. Yes.

Q That is him there? A. Yes, sir.

Q Did you see this shooting? A. No, sir; I didn't see the shooting; I heard the shots; I was engaged at the time.

Q On what date was this?

A. 22nd of December, this year.

Q About what time? A. Between half past ten and eleven o'clock I should judge.

Q Where were you? A. Behind the bar; I was engaged in drawing whiskey at the time.

Q Were there any words between them before the shooting took place? A. I didn't hear any words that morning.

Q They couldn't have a dispute without you hearing it?

A. No, sir.

Q And two shots were fired? A. Yes, sir; I was down at the end of the bar drawing whiskey; I heard one and before - and then I heard the other one; I was drawing this whiskey for a lady at the box and I heard one shot and before I raised I heard another one and I heard Moran himself say, "My God, I am shot;" with that I saw Michael O'Connor wrestling with Mimnaugh to get the pistol and got the pistol of him.

Q Is this the pistol? A. I couldn't swear to the

0529

pistol; it looks like it though. I didn't see the pistol only the time it was taken off him by the officer; further than that I don't know much about it.

Q What became of the wounded man? A. He was lying in front of the bar.

Q Where was he shot? A. He was shot once in the abdomen I believe and in the thigh somewhere.

Q You were about taking this pistol from ~~Mimnaugh~~ was he going to shoot him again? A. That I couldn't say.

-----oOo-----

JOHN J. SHIELDS, ~~only~~ of No. 335 East 43rd Street,  
duly sworn, testified:-

By the Coroner:-

Q What is your occupation? A. Plumber.

Q How long did you know Moran? A. I knew him about six or seven years.

Q How long do you know Mimnaugh? A. About the same time, I guess.

Q Did you see the shooting? A. No, sir; I did not.

0530

Q What do you know of the affair? A. I was standing at the end of the bar behind a ~~glass~~ screen.

Q On what date was this? A. I believe this day a week. What hour? A. I heard the first one - all the boys were full of jokes, I thought it was a fire cracker - the first shot.

Q About what hour was it? A. Between ten and eleven o'clock.

Q Where was this bar? A. The bar stands much the same as this rail here and a glass screen there (illustrating).

Q What number of the street or avenue?

A. Corner of 44th Street and Second Avenue.

Q In whose place is this bar? A. J. Downing.

Q Tell the Jury all you know about it? A. I happened to be there at the time, I was reading the paper after taking a drink, Mimnaugh came in and passed me down to the further end of the barroom; he came back again and then he went down, ~~Im~~ paid no attention to him, never thinking of anything and the first shot that was fired I looked and I thought it was a fire cracker or something like that, but the second one I jumped from behind the screen and dropped the paper and ran around and a gentleman here, the witness, is the one that took the revolver off him, and I grabbed one

0531

arm and he grabbed the other -- it was Michael O'Connor;  
that is all I seen of the thing.

Q Did you see the pistol? A. He had it in his hand.

Q Is this the pistol (showing pistol) A. I couldn't  
swear to it, because it was pretty much all covered.

Q Did Mimnaugh make any statement to you -- did he say  
anything? A. No, sir.

Q Did the injured man say anything? A. He said, "Stop  
him."

Q Did you hear any words before the shooting took place?

A. No, sir.

Q You are sure there was no quarrel? A. Not to my  
knowledge.

By a Juror:-

Q You held the prisoner's arm? A. I held one of  
his arms.

-----oOo-----  
MICHAEL F. RILY, duly sworn, testified:

By the Coroner:-

Q What is your business? A. I am a shoe cutter by oc-  
cupation.

0532

Q How long have you known the deceased? A. About a year and a half.

Q How long did you know the accused? A. The same length of time.

Q Did you see the shooting? A. No, sir; I heard the shot go off.

Q Where was this? A. No. 822 Second Avenue.

Q In whose place? A. J. Downings.

Q On what date? A. December 22nd.

Q About what hour? A. Between half past ten and eleven o'clock.

Q Where were you? A. I was standing at the end of the bar there talking to Charles Maxwell. Mimnaugh came in and the first thing I knew, and when he got first up with Maxwell, he said "Haloo Jim," and he turned back and Maxwell said, "Don't you know this friend of mine here; he pointed to his friend McGrath; and he walked inside and commenced to talk -- that is the last I seen of him until I seen him lying on the floor.

Q You heard the report of the shot? A. Yes, sir.

Q How many? A. Two.

Q Did you hear any words before that? A. No, sir.

Q If there had been could you have heard it? A. Yes, sir.

0533

Q Did you see the pistol? A. Yes, sir.

Q Is this it? A. It looks like it, yes, sir.

Q What became of the accused after the shooting - did you have a talk with him? A. No, sir; I rushed out after a policeman; I couldn't find one, and when I came back I seen the policeman coming up the avenue.

Q Did you speak to the wounded man when he was injured?

A. No, sir.

Q Were you there when the ambulance came? A. Yes, sir; I was not there when he was taken away, but I was there when it came.

-----oOo-----

MICHAEL J. O'CONNOR, of No. 333 East 39th Street,

duly sworn:-

By the Coroner:-

Q What is your occupation? A. I am a driver by occupation; I was in the employ of the Consumers Coal Company.

Q Did you see the shooting? A. No, sir; I did not.

Q Were you there when it occurred? A. Yes, sir.

Q Where was it? A. In Downing's saloon, corner 44th Street and Second Avenue.

0534

- Q At the corner? A. The southeast corner.
- Q On what date was this? A. The 22nd of December.
- Q Of this year? A. Yes, sir;
- Q What hour? A. Half past ten I should say in the morning.
- Q Where were you standing? A. Standing at the bar.
- Q Doing what? A. Drinking.
- Q You were sober at the time? A. Yes, sir.
- Q Did you hear any quarrel? A. No, sir.
- Q What is the first thing that attracted your attention?
- A. Two shots; Mimnaugh had a revolver in his hand and Moran was lying on the floor.
- Q Where? A. Pretty close to the railing.
- Q Of the bar? A. The foot railing of the bar.
- Q Did you see the pistol? A. Yes.
- Q Is this the one? A. It looks like it.
- Q What did Moran do? A. I wiped Moran's face off with a handkerchief; he said he felt all right - he said he wanted to go to the closet; he walked to the closet - he walked to the closet alone, with that the ambulance came.
- Q The ambulance from Bellevue? A. Yes, sir.
- Q And took him away? A. Yes, sir.

0535

Q What became of Mimnaugh? A. He went out of the side door; I didn't see him since.

Q Did you see him ~~xxxx~~ hurt? A. Yes, sir.

Q Where? A. In the abdomen; he didn't say any other place he was shot in.

Q If there had been any words or dispute between the two you would have heard the same? A. Yes, sir.

Q

-----o0o-----

JOHN M. McGRATH, of No. 37 Lewis Street, duly sworn:

Q What is your occupation? A. Carpenter.

Q In whose employ? A. Mr. Maxwell's employ.

Q Where? A. Second Avenue, between 48th and 49th Street

Q He is putting up a building there? A. Yes, sir.

Q Did you see the shooting? A. Yes, sir.

Q Where was this? A. 44th Street and Second Avenue.

Q At what corner? A. Down town, on the east side.

Q Southeast? A. Yes, sir.

Q Whose saloon? A. I couldn't say, it was the first time I was in it.

0536

Q What day was this? A. This day a week.

Q What hour? A. I couldn't exactly say, it was about ten o'clock.

Q Where were you? A. I was drinking at the bar, the boss and me and a couple of friends; Mimnaugh came in and walked along and the boss said, Halloo Jim, and called him to the end of the bar and took this out and said what do you think of this.

Q Is this the revolver? A. Yes, sir.

Q Who took it out? A. Mimnaugh.

Q Where from? A. Out of his coat pocket.

Q Overcoat? A. No; a jacket.

Q Side pocket? A. It was a square cut coat, a short jacket.

Q He took it out of his pocket, out of his side pocket?

A. Yes, sir. I didn't see anything of it. He walked to the end of the bar and I was going to have a drink and I heard the shot; I seen this man fall and I ran to him and I held up his head and I opened his shirt. He said what do you think of it.

Q How long after did you hear the shot? A. Not a second; as soon as I heard the shot I looked around and saw the man falling.

0537

Q Where was Mimnaugh then? A. A couple of men had hold of him.

Q Was the pistol in his hand? A. I couldn't say.

Q Did either of them make any remarks? A. No, sir; Moran was drinking when Mimnaugh came in.

Q What then? A. I opened his shirt and he said, give me a glass of water; he got the water and spit it out and he wanted to go to the closet; I helped him up and took him to the closet.

Q Did you see where he was wounded? A. Yes, sir.

Q Where? A. In the abdomen and thigh.

Q From the position in which they both were are you willing to say that he was the man that shot Moran? A. I didn't see him shoot him, but I heard the shot; and I seen Moran falling.

-----oOo-----

CHARLES A. MAXWELL, of No. 328 East 56th street,  
duly sworn:

By the Coroner:-

Q What is your occupation? A. Superintendent for a builder.

0538

Q What builder? A. Thomas Fitzgerald, 506 East 56th Street.

Q How long have you known Moran? A. Probably a year or so; I was not intimately acquainted with him.

Q How long did you know Minnaugh? A. Sometime; he was in my employ - for a short while.

Q How long? A. About a couple of weeks.

Q Did you see the shooting? A. No, sir; I didn't see him shoot him; I went into the place to have a drink and met this young man that works for me; I stayed at the bar and I asked several more to have a drink; they were standing around - I couldn't say who they were exactly. I believe they all took a drink with me; we were drinking, I believe at the time. We were standing at the bar, anyhow, and I was attracted by the noise of the pistol and I looked around and I saw the prisoner here with the pistol in his hand, and I thought it was only a joke; I had no idea that he was shooting any one; I thought it was only a joke, I turned around, I didn't see any one take the pistol away from him. I walked to the end of the bar and walked back again and I heard Moran say, "I am shot." This young man McCrally was trying to lift him up, I walked as far as the side door

0539

and I looked out and I seen the man standing in the box, the prisoner, I went over to him, I got hold of him, I said, "What is the matter with you, are you crazy? Did you shoot this man?" He said no; I said to the officer this is the man - it appears the officer didn't hear me and I was not certain whether it was him -- so I let him go; I went back to the saloon and Moran had been taken into the closet and he said, "Will you bring me a glass of whiskey; I brought it into him; I said to the surgeon when he came, can he drink this, he said, give it to him and then the priest came in and I went out.

By a Juror:-

Q There were no words? A. No, sir; I didn't hear any words.

-----o0o-----  
THOMAS MORAN, of No. 306 East 44th Street, duly

sworn, testified:-

By the Coroner:-

Q What is your occupation? A. Collector in a furniture store.

Q Who employs you? A. Francis Scallan.

0540

- Q The deceased was your brother? A. Yes.
- Q You did not see the shooting? A. No, sir.
- Q You saw him at the hospital? A. I saw him about five minutes after the shooting occurred.
- Q Where? A. Right at the place where he was shot.
- Q Where? A. In Mr. Downing's saloon.
- Q Do you remember the date? A. On the 22nd of December this year.
- Q About what hour? A. About ~~12~~ half past ten.
- Q Now tell the Jury - state what occurred? A. I was coming up through 44th Street and I met my little sister, and she said, "Go and get the Priest, Eddy is shot;" I didn't stop to go for a priest or anything I went right up to the saloon and I went to the place where I seen my brother lying; I said to him what is the matter; he said, "I am shot." I said, "Who done it; he said, "Jimmy Minnaugh." I said to him, "did you have any quarrel, and he said, "No, nothing more than a few words we had last evening." So I opened his shirt and his pants and seen where he was shot.
- Q Where was he shot? A. In the right ~~knigh~~ side of the abdomen and in the right thigh. Then I waited there until

0541

the ambulance came, and they took him to Bellevue Hospital. Then I waited around, I think it was about half past 12, when I was coming out of my own house, and I seen detective Cuff and Neggesmith, they had Mimnaugh; I went to the station house with them and from there I went with Detective Cuff ~~xx~~ and Mimnaugh, down to Bellevue Hospital and as soon as he brought him to the bedside, my brother said, "That is the man that shot me." Pointing to Mimnaugh. Detective Cuff asked him, do you know that you are making a dying man's statement; he said, "Yes, that is the man that shot me for nothing at all."

)}-----oOo-----{

*Annie*

MRS. <sup>A</sup> YORELL, of No. 304 East 44th Street, duly sworn, testified:

By the Coroner:-

Q You are a sister of the deceased? A. Yes, sir.

Q You saw him on what day at Bellevue? A. Before he got up off the floor in the store; I seen him getting up and going into the closet.

Q On what day was this? A. This day a week.

0542

Q At what hour? A. Half past ten o'clock in the morning.

Q You saw him on the floor? A. Yes, sir, right outside of the bar room.

Q In front of the bar? A. Yes, sir.

Q What did he say? A. I didn't speak to him then. He got up and went into the closet, when I went the same day to the hospital, I seen him there.

Q Where was he there? A. In Ward 8; he said then, I have terrible pains in my stomach; I said, I cannot give it to you (he wanted some water) if it was good for you the doctors would give it to you. He said, Jimmy Minnaugh shot me twice this morning and I went over to the Priest's house when they told me he couldn't live; I went back again about nine o'clock.

-----oO-----

ELLEN E. MORAN, of No. 318 East 44th Street, duly sworn, testified:-

By the Coroner:-

Q What relation are you to the deceased? A. I am the widow of the deceased.

0543

Q Who informed you of the shooting? A. My husband's little sister, she came in and she said, "Oh, *Mania*, *Eddie* is shot, he is dying in the store and I went up the street and I seen him lying on the floor.

Q Where was this? A. In Downing's saloon.

Q Southeast corner of 44th Street? A. Yes, sir, and it was on the 22nd of December, this year.

Q What hour? A. About half past ten in the morning.

Q About what hour? A. About half past ten in the morning.

Q When you got there what did you do? A. I seen him lying on the floor, what is the matter, he looked up and he said, don't bother me, I am shot. He asked for water and they gave him whiskey, I said, give him water, what he wants; they took him in the closet, he wanted to go in the closet, and then the priest came. In the hospital I took hold of his hand and he said, I am all right, don't worry. After the doctor said you can go home again; I went down about five minutes to ten and the gentleman at the gate told me he was dead.

The Coroner reads the statement of  
Dr. Wood of Bellevue Hospital.

The Coroner also reads the autopsy in  
the case to the Jury.

0544

THE CORONER: Gentlemen of the Jury, you will please find how, when and where the deceased came to his death and who is responsible therefor. The testimony is so clear in your minds, it hardly requires me to go into it in detail. The testimony which has all been given in a straightforward manner leads only to one conclusion: that the deceased came to his death by two pistol shot wounds, inflicted by Thomas Mimmaugh, on December 22nd, 1890, in the saloon of John H. Downing, at the southeast corner of 44th Street and Second Avenue, which bullets respectively took effect in the abdomen and right thigh; these wounds caused his death at Bellevue Hospital on December 22nd, at 9 o'clock, P. M. That is the same evening on which he was shot, and the Jury cannot under this evidence and the testimony before them which is quite fresh in their memory, ~~but~~ hold James Mimmaugh responsible for the death of this man,

-----oOo-----

VERDICT:

0545

46

The People

Timothy Lynch

and  
John Brown

Court of General Sessions, Part I.  
Before Judge Cowing, February 10, 1891  
Indictment for burglary in the third degree,  
grand larceny in the second degree and receiving stolen goods.

Henry Barnett, sworn and examined, testified I am the complainant in this case. I have seen the defendants before. I am the owner of the store No. 2158 Third Avenue. I am in the clothing business, and that store is in the Twelfth ward of the city of New York. I remember on the night of the 10<sup>th</sup> of January 1891 when I closed up the store for the night I locked the doors and secured the windows. That was half past eleven o'clock at night. I closed up Saturday night and I returned to the store Monday morning and found that the premises had been broken into, the iron railing had been broken down and the windows smashed; goods were stolen and blood was all over the place where one of the prisoners had cut himself getting in there, the blood was near the window, and blood was on some of the goods. What goods did you discover were missing? Between three and four hundred dollars worth of goods were missing - overcoats, suits, ulsters and trousers. All those goods were in my store when I closed up Saturday night. I sent for Capt. Winterfeld, he came down, we looked and

nothing was found. Capt. Price

0546

came, and we found probably twenty five dollars worth of stolen goods had been taken down stairs and put in a coal bin that is used by the tenement house up stairs; we got these up and brought them in the store. That was in the basement of the same building. They were put there I suppose to be carried away some future time. I notified the police and detective Duran got the defendants. I identified the goods that had been stolen. The next I knew was that the defendants were taken into custody. I found an overcoat, ulster and pants down at the station house. I identified it as my property and found also in the pawnshop an overcoat which I identified. Do you know of your own knowledge where those goods were found? I do not know you do not know in whose possession the goods were found? No sir. I saw them at the station house. You identified them as a part of the goods that were taken from your store on the night in question between the 10th and the 12th of January? Yes sir. Did you ever have any conversation with either these defendants? No sir. Did you ever examine these defendants with a view to ascertain whether there was any cut upon

0547

his hand or anything of that sort? Yes sir. State to the jury what you did? I went at the station with detective Doran. I went to look at the prisoners. I knew one of them must have cut his hand; there was blood over the coats, whether it was the hand or any part of the body I do not know. "Let me see your hand," I said he pulled the hand out of his pocket. "Let me see the other one"; the other one was cut, it was cut with glass I suppose.

By Counsel

You will not swear it was cut with glass? No sir, I would not. When was the first time that you recollect ever seeing these two defendants or either one of them? Down at the station house. On this Saturday night in question when you locked up your store, you did not see them about your premises? No sir. As far as my personal knowledge goes I could not say who broke into my premises, but I locked my premises up and the next I knew was that somebody had broken into them and in the station house I identified some of my property. You say you saw on the hand of one of these defendants a cut? Yes sir. Whether that was made with a knife or a piece of glass or a piece of tin that you would not say. No sir.

0548

George Duane, sworn and examined, testified I am a member of the detective force of this city. I arrested the defendants. From information I received from the father of the prisoner Brown I went to the house and found a lot of property. I called the prisoner inside in the front room. I says, "Where did you get this property from?" He says, "I got it from the boy Timothy Lynch and another boy." I cannot think of the other boys name now. I says, "Where did you get the other stuff from?" He says, "I don't know, they brought it to me last week and told me to take care of it." I says, "Now you have got a good deal more stuff, where is it?" That is all I have got," he said. I says, "Yes, there is more of it some place." After a while he says, "There is some down in the cellar, in the wood shed." I went down stairs and brought up an overcoat, a suit of clothes, a vest and a lot of white shirts and suspenders and all kinds of men's furnishing goods and took them down to the station house. He had the suspenders and all kinds of dry goods identified. This coat and vest and suit of clothes we sent out an alarm for, and this gentleman, ely

0549

Barnett came to the station house the next evening and identified his property. I then went to look for Timothy Lynch on the information I received from Brown. The goods identified by Mr Barnett are some of the goods found in possession of the defendant and which were the proceeds of the burglary. I then went to look for Lynch and found him the next night and I brought him to the station house. I told him I got some information from Brown that he had been in this burglary. He said, no, he only knew Brown for about a week or so. I brought him to the station house. I searched him and found a pawn ticket. I asked him, "What is that for?" Lynch said, "I don't know." I said, "You ought to know what it is for." He weakened and said, "A coat and overcoat." "What color overcoat was it?" He said, "A brown overcoat; it is my own. I bought it two years ago in Baxter St. I paid two dollars for it. The next morning I went up to look, it was a brown, new Melton overcoat and Mr Barnett identified the coat as some more of his property which was taken by the burglar. The next morning he said that the ticket called for a flack instead of a brown coat, and that he got the ticket of another boy, that is all I know of the case."

0550

Cross Examined. I did not ask Lynch where he got the ticket from. Did he at any time tell you that he had purchased it from a fellow by the name of Mulholland? The next morning he told me he got it from Mulholland. Is there anybody in your precinct or about your neighborhood that you know of as Mulholland? Yes, but he cannot be found now. You have been looking for him in connection with this transaction? Yes sir. Were you present when Mr. Barnett examined the hand of this defendant Brown? Yes, I was. Let us have your version of what happened about that? He (Mr. Barnett) came to the station house and asked the privilege of seeing the prisoners. He saw a little blood on the floor of his store and he thought that some of these defendants might be cut. So I brought him inside and had the boy brought out, and he examined his hand. The boy had a slight cut there. He asked him to show up his hands, and he held them up like that. There was no hesitation on the part of Brown showing his hands? No sir.

Mr. Temple

That is the case for the people.

By the Court

How long after the burglary was it that you found this property, officer? It was about five or six days after.

0551

The case for the defence  
Timothy Lynch, sworn and examined, testified  
Where do you live? No. 1697 Third Avenue  
Were you born in this city? Yes. Have you  
ever been convicted of any crime? No sir  
Have you ever been arrested before? No sir  
Is this the first time you have ever been  
arrested charged with any crime? Yes sir  
Do you know Mr. Barnett? No. Did you have  
anything to do with breaking into Mr. Bar-  
nett's store? No. Do you know who did break  
into Mr. Barnett's store? No sir. Who is this  
Mulholland that you have spoken of? He  
is a friend. I knew him about three or  
four months; he lives some place in  
108th street. Do you know where he is now?  
No. When you were arrested the officer  
found a pawn ticket on you? Yes sir.  
Did you know that that coat belonged to  
Mr. Barnett? No sir. Had you ever seen  
that coat in the pawn shop? No sir. How  
did you happen to become possessed of this  
pawn ticket? Thursday morning as I came  
out of the house about half past seven o'clock  
to go up to 121st street where I work I  
met this James Mulholland on the corner  
of 108th st. and Third Avenue. He called  
me over and asked me if I would buy  
a pawn ticket off him. I told him I had

0552

8

no money. He showed me the ticket, it was for an overcoat. I told him if I had the money I would give it; he asked half a dollar for the ticket. He says, "If you aint got it, you can take the ticket and pay me Saturday night. I told him, "all right." I took the ticket and put it in my pocket and went to my work. What is your business? I am an Expressman, Jamptions Express, No. 12 Fulton street. When the officer asked you about the pawn ticket you told him ~~the~~<sup>the story</sup>?

Yes. You first told him that it was for an old coat that you had pawned, why did you not tell him the truth? I did tell him the truth. He asked me where did I get this ticket? I told him where I got it. He asked me what kind of an overcoat was it? I told him it was a brown overcoat, that is what I heard of the party that I bought it off; he told me it was a brown overcoat. When you took that pawn ticket from Mulholland you did not know that it represented a stolen article did you? No sir. I did not. Have you been working right straight along for this Express Co? aye. Whereabouts is their down town office? No. 12 Fulton street. Where do you live? No. 1697 Third Avenue between 96<sup>th</sup> and

0553

97<sup>th</sup> street. Who do you live there with? With my mother. Is your mother in Court? No sir. I did not have time to either know. You have no money to retain counsel have you? No. Therefore no way by which you could assist yourself in getting witnesses to come here to testify? Only the driver whom I worked with. Is he here today? No sir. These things that were found in the possession of Brown you do not know anything about them do you? No sir I do not. As far as you know Brown did not go to that store and break it open? No sir I don't know anything about that. You are sure you and he did not go there and break into that store? Yes sir.

Cross Examined. You heard the testimony of the officer that you said that that was a pawn ticket for a brown overcoat that you had for two years and that you had bought it in Baxter St; now you tell this jury that that statement is false? I told him it was a brown overcoat, that is what I heard of the party that I bought the ticket of. The officer says you first told him that that ticket was for a brown overcoat that you had two years and that you had bought two years before in Baxter St. you did not? No sir, that is false. I am 19 years old.

0554

John Brown, sworn and examined, testified:  
How old are you? Seventeen going on eighteen.  
Whereabouts do you reside? No. 119 East 106<sup>th</sup> St.  
Who do you live with? My father and mother.  
Is your father and mother in Court today?  
No sir. I do not see them. Do you know where  
Mr. Barnett's store is? Yes, I do now. Did you  
before you were arrested? I never knew the  
man. Between halfpast eleven on the night of  
the 10<sup>th</sup> down to the morning of the 12<sup>th</sup> of last  
month of this year did you assist Lynch  
or anybody else in breaking into this place?  
No sir. I have no idea as to who it was  
broke into Barnett's store. I know a young  
man named Mulholland for a week at that  
time. I don't know where he is now. I rem-  
ember the officer coming to my father's house  
and finding some property there. Mulholland  
came around to my house on Sunday  
afternoon and he asked me if I would  
mind a box for him? I says, 'yes'. I thought  
it was stole at first because the boy was  
not working. He says he was working that  
week, he was peddling. He asked me if I  
would keep it for him till Tuesday night  
as he was staying in a lodging house.  
I says, I will take it until Tuesday night.  
On Monday afternoon again he came round

0555

with an overcoat and told me to keep it until Tuesday night, that he had a boarding house to go to or a furnished room, but on Tuesday night this officer came up and arrested me in the house. Mr. Barnett the next day after you were arrested went down to the station house and looked at your hand, do you remember that? Yes sir. Mr. Barnett says he found a little cut on your hand? Yes. Which hand was it that was cut? My left hand. Is the scar there now? Yes. When did you get that? I got that cut while working on a lathe machine. I was working at that time for the Nathan Manufacturing Co., 106<sup>th</sup> Street and First Avenue. I am quite sure I had nothing to do with breaking into Mr. Barnett's place. You say now that when you simply took that property to keep for this man Mulholland that you had no knowledge or information that it was stolen? I had an idea it might have been stolen on account of him not working. Did you not afterwards ask him whether it was stolen or not? Afterwards I asked him and he says, "no." I did not keep that property with any idea of participating in the profits that might be derived from it. I drew a salary of eight or nine dollars a week. I have never been convicted of any crime.

0556

Cross Examined. The officer says that you told him that Lynch brought these goods and that is the way he happened to find Lynch? No sir. Did you mention Lynch's name to the officer? No sir not at that time; I did down in the station house. The officer came down to me and brought Lynch down. He says to me, Is this Lynch? I says yes. I never alluded to Lynch at all, it was my father found Lynch for the officer. He said to me, Who did this Mulholland hang out with? I says, a party by the name of Lynch. I did not tell a lie to the officer. He asked me where the stuff was. I told him it was down in the cellar. He gave me no chance. He kept asking me about other people round Harlem. He says to me, Is there any more of this stuff? I says, yes there is more down in the cellar. I could not tell how old Mulholland is; he is older and taller than I am. He brought these shirts, undershirts, suspenders, socks, collars and a suit of clothes. I am not a very intimate friend of his.

Officer Duran was recalled and stated that it was the prisoner Brown who told him about Lynch. He described Lynch to me and told me where I could find him. I got on the track of Brown from information I received from his father. The jury rendered a verdict of guilty of receiving stolen goods.

0557

Testimony in the  
case of  
Timothy Lynch and  
John Brown

Filed Jan. 1891

0558

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN ANTE-MORTEM INQUISITION,

Taken at *Bellme Hospital*  
No. *626<sup>th</sup>* Street, in the *7<sup>th</sup>* Ward of the City of  
New York, in the County of New York, this *22<sup>d</sup>* day of *December*  
in the year of our Lord one thousand eight hundred and *nine* before  
*Michael B. Messerer* Coroner,  
of the City and County aforesaid, on view of the Body of *Edward Moran*

*Bellme Hospital* Upon the Oaths and Affirmations of  
good and lawful men of the State of New York, duly chosen and  
sworn, of affirmed and charged to inquire, on behalf of said people, how and in what manner the said  
*Edward Moran* was injured, do  
upon their Oaths and Affirmations, say: That the said *Edward J.*  
*Moran* came to his injuries consisting of  
*two pistol shot wounds*. One in the abdomen  
and the other in the right thigh. Inflicted  
by *James Minnigh* at *244<sup>th</sup> St. 15<sup>th</sup>*  
*Ave.* in the saloon of *M. J. Downing*  
on *December 22/90* about *10.30* in  
the morning

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

JURORS.

- Bartholomew Gagnor*
- Francis J. Fuller*
- John F. Morris*
- Edward Brown*
- William Quirk*
- Mikhail Gorn*

*Michael B. Messerer*

CORONER, S. S.

0559

City and County of New York, ss.

Statement of Edward J. Moran now lying  
dangerously wounded at Bellevue Hospital in the 2<sup>d</sup> Ward  
of said City and County, on the 22<sup>d</sup> day of Dec. 1890

Question—What is your name?

Answer—Edward J. Moran.

Question—Where do you live?

Answer—318 E. 44<sup>th</sup> St.

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

Answer—I cannot tell, that is more than I can  
say. I do not know what effect this will take on me.

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

Answer—I hope I will if I do not go.

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

Answer—Yes, James Muirnaugh shot me  
at 44<sup>th</sup> St. & 2<sup>d</sup> Ave. about half past  
ten o'clock this morning. I do not know  
what date we have today. I was shot  
in the J. Downing saloon on the southeast  
corner of 2<sup>d</sup> Ave & 44<sup>th</sup> St. Last night  
James Muirnaugh and I had some words  
and I slept him in the jaw. I hit him  
two or three times. We parted and this  
morning he spoke to me all right. He  
walked past me two or three times. I thought  
he was going to the closet when he turned around  
back and shot me. I had the words with  
him in the same saloon last night but  
I took him outside of the saloon by the  
sidewalk before I hit him. He called  
me a "God damn liar". There was some  
talk going about. His wife told me about it.

0560

She said I said I would tell her husband  
how she was carrying on in the day time.  
I never said it. I asked him about it and  
he said I was a "God damned liar". I  
had no words with him this morning. He  
was not drunk and he was not sober. I  
~~had~~ had two drinks of whiskey and a glass  
of ale this morning before I was shot. I did  
not say anything to him at all. He did  
not threaten me last night when I hit  
him. He did not hit me last. He  
had a hold of my coat and I had a  
hold of his. After I struck him two or  
three times I asked him if he had enough  
and he said "yes" and let him go  
and walked away from him. He shot  
me twice this morning. Once in the abdomen  
and then again in the right thigh.

Edward J. <sup>Mc</sup> Moran  
mark

0561

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND
26 Years 11 Months Days	New York City	Bellvue Hospital

Married, one child Jennie aged 6 years  
Deli roofer

4th Dec 885 - 1890  
AN ANTE-MORTEM INQUISTION

On the VIEW of the BODY of

*Edward J. Moran*

whereby it is found that he was  
injured by

*James Dinniscough*

Taken on the 22<sup>nd</sup> day

of Dec 2<sup>nd</sup> 1890

before

*J. H. Morrison*  
Coroner.

Committed

to Bed

Discharged

885

0562

4th Quar 886- 1890

AN ANTE-MORTEM INQUISITION

On the VIEW of the BODY of

*Edward J. Ryan*

whereby it is found that he was injured by

*James Minnaugh*

Taken on the 22<sup>d</sup> day

of *Decem* 1890

before

*J. J. McNamee* Coroner.

Committed

Releas'd

Discharged

886

*Francis, on child found eye 6 years*

26 Years 11 Months	Days	AGE
<i>Wassington St</i>	<i>Bellevue Hospital</i>	PLACE OF NATIVITY
		WHERE FOUND

MEMORANDA.

0563

Dr. Wood.

From Belleur Hospital.

New York, Dec 23 1890

To Coroner.....

Sir:

Please hold an inquest on the body of

Name: Edward Moran Residence: 318 East 44 St.

Age: 26 years - months - days. Admitted: Monday, December

Father James 22th 1890, at 11<sup>15</sup> o'clock A. M.

Nativity, U. S.; of

Mother Jane By Ambulance <sup>A</sup>

Life in U. S., 34 years in City. From 44<sup>th</sup> St + 3<sup>rd</sup> Ave. <sup>B</sup>

Civil Bond Wanted Occup. Driver Examined by Dr. .....

Suffering from symptoms of bullet wounds of <sup>C</sup>

abdomen & thigh.

Said Injuries said to have been received see ante mortem

statement taken by Coroner

Messner <sup>E</sup>

.....

.....

Death took place Monday, December 22th 1890 at 9 o'clock P. M.

The Autopsy revealed Perforating bullet wound

of abdomen, with perforation of intestines

& mesentery (perforated). Bullets ~~found~~

Remarks: located & also bullet wound

of right thigh. bullet found on

inner aspect.

Walter Wood M. D.  
HOUSE SURGEON ~~PHYSICIAN~~

- Ad. F. State the day of the week.
- Ad. A. State whether by Ambulance or Friends.
- Ad. B. State whether from a Precinct or a Residence and give the name.
- Ad. C. State whether from Natural Causes or from Shock (conscious or unconscious) due to Injuries, and if so, give name, place, date, number, character and Extent of Injuries, always stating where indicated, whether right or left.
- Ad. D. State where, where, how, by what means or persons received, also whether Accidental, Suicidal or Homicidal; in falls, the distance, location and place; in Burns and Scalds the circumstances attending the same; in runover cases, the line of Street, Car, Railroad or Conveyance; in Weapons, the character of the same, &c., &c., always giving such information as will lead to an accurate knowledge of the case and facilitate judicial inquiry and justice.
- Ad. E. State name, date, place, character and results of any operation or amputation performed.
- Ad. F. Give a short resume of the Autopsy with the Pathological Diagnosis and the Cause of Death, at the End.
- Ad. G. State here any important facts not embodied in the above statements.

0564

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 R. Minnaugh*

The Grand Jury of the City and County of New York, by this indictment, accuse *James R. Minnaugh*

of the CRIME OF Murder in the First Degree, committed as follows:

The said *James R. Minnaugh*,

late of the City of New York, in the County of New York aforesaid, on the *twelfth* day of *December*, in the year of our Lord one thousand eight hundred and eighty *nine* at the City and County aforesaid, with force and arms, in and upon one *Edward Moran*, in the peace of the said People then and there being, wilfully, feloniously, and of *his* malice aforethought, did make an assault, and the said *James R. Minnaugh*, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said *James R. Minnaugh* in *his* right hand then and there had and held, to, at, against, and upon the said *Edward Moran*, then and there feloniously, wilfully, and of *his* malice aforethought, did shoot off and discharge, and the said *James R. Minnaugh*, with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth and discharged, as aforesaid, *him* the said *Edward Moran* in and upon the *side* of *him* the said *Edward Moran*, then and there feloniously, wilfully, and of *his* malice aforethought, did strike, penetrate and wound, giving to *him* the said *Edward Moran*, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth and shot out of the pistol aforesaid, by the

0565

said *James R. Minnaugh, Jr.*, in and upon the *person* of  
 the said *Edward Moran*, one mortal wound of the breadth of  
 one inch, and of the depth of six inches, of which said mortal wound *he* the  
 said *Edward Moran*, at the City and County aforesaid,  
 from the said *day* of *in the*  
 year aforesaid, until the *day* of *in the same year*  
 aforesaid, did languish, and languishing did live, on which said  
 day of *in the year aforesaid*, the said  
~~at the City and County aforesaid, of the said mortal wound did die.~~  
*then and there died.*

And so the Grand Jury aforesaid do say: That the said  
*James R. Minnaugh, Jr.*,  
 the said *Edward Moran*, in the manner and form, and by  
 the means aforesaid, wilfully, feloniously, and of *his* malice aforethought, did kill  
 and murder, against the form of the Statute in such case made and provided, and against  
 the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse  
 the said *James R. Minnaugh, Jr.* —

of the same CRIME OF Murder in the First Degree, committed as follows:

The said *James R. Minnaugh, Jr.*,

late of the City and County aforesaid, afterwards, to wit: on the said *two*  
 day of *December*, in the year of our Lord one thousand eight hundred and  
 eighty *ninth*, at the City and County aforesaid, with force and arms, in and upon the  
 said *Edward Moran*, in the peace of the said People then and there  
 being, wilfully, feloniously, and with a deliberate and premeditated design to effect  
 the death of the said *Edward Moran*, did make an assault, and the said

0566

*James R. Minnaugh*, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said *James R. Minnaugh* in *his* right hand then and there had and held to, at, against, and upon the said *Edward Moran*, then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said *Edward Moran*, did shoot off and discharge. and the said *James R. Minnaugh*, with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, *him*, the said *Edward Moran*, in and upon the ~~addom~~ of *him* the said *Edward Moran*, then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said *Edward Moran*, did strike, penetrate, and wound, giving to *him*, the said *Edward Moran*, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the said *James R. Minnaugh*, in and upon the ~~addom~~ of the said *Edward Moran*, one mortal wound of the breadth of one inch, and of the depth of six inches, of which said mortal wound *he* the said *Edward Moran* at the City and County aforesaid, from the said day of in the year aforesaid, until the day of in the same year aforesaid, did languish, and languishing did live, on which said day of in the year aforesaid, the said at the City and County aforesaid, of the said mortal wound did die. *He* and *she* died.

And so the Grand Jury aforesaid do say: That the said *James R. Minnaugh*, *him*, the said *Edward Moran*, in the manner and form, and by the means aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of the said *Edward Moran*, did kill, and murder, against the form of the Statute in such made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,  
 JOHN R. FELLOWS,  
 District Attorney.

0567

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Mohr, Jacob

**DATE:**

01/21/91



3915

0568

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Mohr, Jacob

**DATE:**

01/21/91



3915

0569

To take fullness  
Five days noted 28

Counsel,  
Filed 21 day of Jan 1887  
Pleas, *Magaly*

Assault in the Second Degree.  
(Section 218, Penal Code).

THE PEOPLE  
vs.  
Jacob Trohr

DE LANCEY NICOLL  
~~JOHN R. PEPPER~~

Wm. Jenn - District Attorney.  
Five days days notice - V. M. D.

Part 2. Feb 6 1887  
John W. ...  
A True Bill

*Benjamin Edson*  
Foreman.

*Spencer ...*  
8 for ...

Part 2 with ...  
tried and convicted ...

Witnesses:

*Part 2 ...*

0570

Mc Vay had been sent into the hospital for further treatment.  
Court of General Sessions. City and County of New York.

~~History surrounding the case of the case. The court was~~

The People vs Jacob Mohr. In the opinion of the witness the

vs Hon. Frederick Smyth,

Jacob Mohr. and a jury.

~~-----X~~

Indicted for assault in the second degree.

Indictment filed January 21st, 1891.

Tried February 11th, 1891.

Appearances:

Assistant District-Attorney Weeks for the People.

Messrs. Blake & Sullivan for the defense.

~~-----X~~

Dr. Robert Coleman Kemp testified for the People that he was house surgeon at Roosevelt Hospital. He first saw Robert Mc Vay, to the best of his recollection, on December 15th, 1890. Dr. Tracey, who had gone to Europe, was the house surgeon in December, 1890. Mc Vay was sent into the hospital from the Roosevelt dispensary. Dr. Tracey and the witness examined Mc Vay in the ward. The admission slip stated that stitches had been taken in a circular wound upon the penis, but that the stitches had broken away, and

0571

2

Mc Vay had been sent into the hospital for further treatment. There was a granulated surface around the penis, completely surrounding the penis at the root. The wound was about half an inch wide. In the opinion of the witness the wound was made by some sharp, cutting instrument, because the cut completely encircled the penis, and in its appearance, led to the conclusion that it was made with a sharp, cutting instrument. Mc Vay was in the hospital about a month and was treated twice by grafting skin from his thigh.

William Mc Vay, the complainant, testified that he lived at 40 West 63rd street, and he was a peddler by occupation. He drove a licensed vendors wagon and peddled green groceries, poultry etc. On the 7th of December, 1890, he went to the stable at 8 West 63rd street. He reached there between half past 1 and 2 o'clock in the afternoon, as near as he could remember. He, the complainant, had been drinking that morning. He walked around the yard, and fell several times and the proprietor of the stable took him into the stable, and laid him down. He slept there for about two hours and then he was awakened by a severe pain in his private parts. As he awoke, he saw the defendant, Mohr, run away from him, the complainant, with a knife in his hand. He, the complainant, got up and went out of the

0572

stable to look for Mohr, but could not see him. Then he, the complainant, went to his home. He reached home about half past 4 o'clock. He sat down for a while and then he ate some dinner, and went to bed about 7 o'clock. On the following morning, he went to Mohr and said, "Mohr I am going to get you arrested for cutting me." Mohr laughed and said he did not care. Then he, the complainant, went to the station house and made a complaint. He, the complainant, was sent with an officer to the Roosevelt Hospital. Then the officer went to arrest the defendant. He, the complainant, was under treatment in the hospital from the 15th of December to the 14th of January. There was a circular wound around his penis extending completely around the organ. The defendant, Mohr, was the only person that he, the complainant, saw in the stable when he awoke.

Under cross-examination, the complainant testified that he was not married. He lived with his employer, Peter Henry. He had worked for Henry, off and on, for about five years. He worked for wages, not for his meals and lodgings. He was not in the habit of hanging around stables and doing odd jobs for his meals. He was paid at the rate of \$3.50 a week, because there was not much business doing. He, the complainant, was drunk when he entered

0573

the stable. He did not sit down on the saw-buck, or anything of that kind, and injure himself. He did not feel any pain before he fell asleep. He, the complainant, went around to the house of Mohr's employer, on the morning after the assault, and met Mohr there and told Mohr that he, the complainant, was going to get him arrested for cutting him, and Mohr laughed and said that he did not care. Mohr boarded with his employer. Mohr's employer said, when he, the complainant, said that he was going to have Mohr arrested, "Give him a dam good punch in the eye. What are you fooling around here for". He the complainant, never had any trouble before the assault with Mohr. They never exchanged even an angry word.

Officer James H. Reilly, of the 22nd precinct, testified that he arrested the defendant on January 5th, 1891, in 63rd street, between Ninth avenue and the Boulevard. On the morning of January 5th, he, the witness, went into the yard at 8 West 63rd street. The first person that he met was the defendant, Mohr, and he asked Mohr if Jacob Mohr was there, and Mohr said, "No. He has gone away." Then the defendant walked from the stable to the house. He, the witness, followed Mohr into the house. Mohr's employer was there. He, the witness, asked Mohr's employer if Jacob

0574

Mohr was around, and the employer said, "No. He has gone away." He, the witness, then left the house. He stayed for a few minutes on the sidewalk, and a woman pointed out Jacob Mohr to him as the person that he, the witness, wanted. He then arrested Mohr, and took him to the Roosevelt hospital, where Mc Vay identified him.

Jacob Mohr, the defendant, testified that he would be seventeen years old on the 12th of May. He was not sure whether his father lived in Morrisania or not, but he had heard that his father had moved there from Westchester. At the time of his arrest, he, Mohr, was in the employ of William Brocus, a peddler. He had been employed by Brocus for about two months. He, Mohr, had never been arrested before in his life. On the 7th of December he, Mohr, was at work. He knocked off about 2 o'clock in the afternoon. A boy named William Bryce was with him at that time and had been with him for about an hour. He, Mohr, saw the complainant at about half past 12 or 1 o'clock that day. There were several stables in the same yard. The defendant came into the yard, at about 1 o'clock, and went into the stable of his, Mohr's, employer, and sat down on a chair. There were several other men and they sent out for beer. The complainant fell off the chair three or four times, and the old

0575

other men picked him up, and put him back on the chair. Finally, one of the men put him in the complainant's employer's stable, and the complainant went to sleep. He, Mohr, did not know all of the men who were there. The name of the man who helped the complainant into the complainant's employer's stable was Al Camfield. It was about half past two o'clock when the complainant was carried into the stable. He, the defendant, did not go into the stable where the complainant was. When he, the defendant, finished his work, he went into his employers house, put on his good clothes and went out with a boy friend, Willie Boyce. Willie Boyce went into the house with him, the defendant. At 62nd street and the Boulevard, they met Gus Winkler. Then they went to 59th street to hire a bicycle. But the owner of the bicycles would not rent them one, because they had never rented one of his bicycles before. Then they walked across 59th street and bought some candy and then went to 60th street, and stood watching a fire behind the riding academy for two hours. Then they went to 10th avenue and 64th street, where Boyce lived. At about 5 o'clock they went back to his, the defendant's employer's stable, and took care of the horse. Then they went into the house, and he, the defendant, got his supper, and then they played a game of old

0576

7  
maid. He, the defendant, did not cut the defendant. On the following morning the complainant accused him, the defendant, of cutting him, and he, the defendant denied it. He did tell the police officer Jacob Mohr did not live there, but he did it because he was afraid of being arrested, and because his employer had told him to do it.

Under cross-examination Mohr testified that he told his employer that he did not cut the complainant but his boss told him that he would be arrested, and that he had better change his name.

William Boyce testified that he was 14 years of age, and lived at 177 West 64th street, and worked at South Fordham. He had known the defendant for about five years. Then the witness corroborated the defendant's testimony as to the occurrences of Dec. 7th.

Gustav Winkler testified that he lived at 66 Columbus avenue, and worked at 62 Columbus avenue, for Paul Missel, a butcher. He had known the defendant for four or five months. He had met the defendant and Boyce, at the Boulevard and 62nd street, at about 2 o'clock on the afternoon of Dec. 7th. The witness corroborated then the complainant's testimony as to the occurrences of Dec. 7th.

0577

Roosevelt Hospital

Jan 22 / 91

This is to certify that  
Wm McVay was  
admitted as a patient  
to this hospital on Dec 15 / 90.  
He was suffering from  
lacerated wound of the  
Penis. He underwent  
operation for the same,  
and was confined to bed  
for a long period, and  
incapacitated from work  
He was discharged cured  
Jan 14. / 91.

R. C. Kemp M.D.  
House Surgeon

0578

Police Court— 4 District.

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

of No. 40 West 63<sup>rd</sup> Street, aged 38 years,  
occupation Peedler being duly sworn

deposes and says, that on the 7<sup>th</sup> day of December 1890 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Jacob Mohr (now Rev), who cut and stabbed deponent once on the penis with a knife, which he then and there held in his hand. Deponent further says that such assault was committed

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

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

Sworn to before me, this 14<sup>th</sup> day }  
of January 1891 } Wm McVay

A. J. White Police Justice.

0579

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Jacob Mohr* 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. *Jacob Mohr*

Question. How old are you?

Answer. *16 years old*

Question. Where were you born?

Answer. *New York City*

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

Answer. *108 West 63 St - 6 months*

Question. What is your business or profession?

Answer. *Peedler*

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*

*Jacob Mohr.*

Taken before me this *17* day of *January* 19*17*  
*J. W. [Signature]*  
Police Justice

0580

Roosevelt Hospital

Jan 6<sup>th</sup> 1917

This is to certify that  
Wm McVay is convalescent.  
He will be unable however  
to leave the hospital for  
some days.

R. C. Kemp M.D.  
House Surgeon.

0581

THE ROOSEVELT HOSPITAL,

59TH STREET AND NINTH AVENUE,

JAS. R. LATHROP,  
SUPERINTENDENT.

New York, June 5 1891.

Wm Mc Coy -  
Is at present in  
good health. His penis  
is now nearly healed  
new skin having been  
grafted upon it. He  
will probably be able  
to leave the hospital  
some time next week.

J. W. Schultze M.D.  
Acting House Surgeon  
for Dr. Kemp - House Surgeon

0582

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 4 DISTRICT.

James H. Riley

of No. The 24<sup>th</sup> Precinct Police Street, aged \_\_\_\_\_ years,

occupation Detective being duly sworn deposes and says,

that on the 5<sup>th</sup> day of January 1891

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

Jacob Mohr (now here), who committed a felonious assault on William M. Vey who is now confined in Roosevelt Hospital from the effects of such assault and unable to appear in court to make formal complaint. The defendant Mohr has been fully identified by Vey as the man who committed such assault and deponent prays that he be committed to await the result of such injuries Jas. H. Riley

Sworn to before me this 5<sup>th</sup> day of January 1891

John H. [Signature] Police Justice

0583

Police Court, 4 District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

vs.

Jacob Mohr  
19  
7th  
& West 63

AFFIDAVIT.

Dated Jan 5 1891

Bryan Magistrate.

Wiley Officer.

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

Disposition, Heard with out  
Bail to ant resnd

Exp. Jan 7, 93  
9. 9.30

0584

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

*Repusant*

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Three* 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 *January 7* 18 *91* *A. J. White* Police Justice.

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

Dated 18 *91* Police Justice.

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

Dated 18 Police Justice.

0585

71

Police Court--- *H* District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Symphony*  
*40 - West 63rd St*  
*9*  
*Jacob Mohr*

*Asst. Clerk*  
*Galbraith*  
Offence

1  
2  
3  
4

BAILED.

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Date *January 17* 18*91*

*White* Magistrate.

*Wiley & Kaulton* Officer.

*27* Precinct.

Witnesses *D. R. Kemp*

No. *Roosvelt* Street.

No. .... Street.

No. .... Street.

\$ *500* to answer *Q.P.*



*AA 2*

0586

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

Jacob Mohr

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

Jacob Mohr

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

The said

Jacob Mohr

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

William McVay in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said Jacob Mohr

with a certain knife which he the said

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

0587

SECOND COUNT—

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

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

The said *Jacob Mohr*

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

said *William McVay*

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

the said *William McVay*

with a certain *knife*

which *he* the said *Jacob Mohr*

in *his* right hand then and there had held, in and upon the

*penis* of *him* the said *William McVay*

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

*William McVay* to the great damage of the said *William McVay*

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*De launcy Nicoll*  
~~JOHN R. FELLOWS~~  
District Attorney.

0588

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Mooney, James

**DATE:**

01/14/91



3915

0589

*L. C. Roberts*  
Counsel,

Filed *17* day of *Jan* 18 *91*  
Pleads, *April 13*

THE PEOPLE

'98.

*James Mooney*  
Grand Larceny, First Degree.  
(From the Person.)  
[Sections 629, 630 — Penal Code].

D. L. FELLOWS  
JOHN R. FELLOWS,

District Attorney.

*Jan 28 1891 U.S.A.*

*4 -*

A True Bill.

*Franklin Essex*  
Foreman.

*See Indictment*  
*filed April 18 1891*

Witnesses:

0590

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 Schmal*

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

*James Schmal*

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

The said *James Schmal*

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

*one watch of the value of one hundred dollars, one chain of the value of twenty five dollars, and one pocket of the value of ten dollars,*

of the goods, chattels and personal property of one *Adolph Schmal*, on the person of the said *Adolph Schmal*, then and there being found, from the person of the said *Adolph Schmal*, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*De Juremille*  
*Attorney*

0591

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Moore, James

**DATE:**

01/27/91



3915

0592

298 *Series*

Counsel,

Filed *27* day of *Jan* 18*91*

Plaintiff *W. A. G. Moore*

THE PEOPLE

vs.

*James Moore*

Grand Larceny, *Second* Degree.  
(From the Person.)  
[Sections 628, 631, Penal Code].

DE LANCEY NICOLL  
DISTRICT ATTORNEY

District Attorney.

*De Lancey Nicoll*  
*Per one of us*

A True Bill.

*Franklin Eason*

Foreman.

*Wm. S. to D. S. 2*  
*M. S. G. P.*

Witnesses;

*1891 10 13*

0593

Police Court

4<sup>th</sup> District.

Affidavit—Larceny.

City and County of New York, ss:

of No. 161 East 31<sup>st</sup> Street, aged 16 years,

occupation domestic being duly sworn,

deposes and says, that on the 21 day of January 1891 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One pocket book containing seven cents together of the value of 32 cents.

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 Moore (now here) who while deponent was crossing at 3<sup>rd</sup> Street & 1<sup>st</sup> Ave at about the hour of 4 P.M. of said date, she was jostled against by the aforesaid who abstracted said property from her sash pocket and ran off with the same.

Kellie Tuete

Sworn to before me, this 22 day of January 1891  
[Signature]  
Police Justice

0594

Sec. 198-200.

X District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*James Moore* 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 Moore*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *NY*

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

Answer. *306 E 33<sup>rd</sup> St*

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 Moore*

Taken before me this *5th*  
day of *June* 188*8*  
*[Signature]*  
Police Justice.



0596

Police Court--- 4 District. 96

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Mellie Tuck*  
165 East 37th St.  
*James Moore*

*Lacey T. Kelly*  
Officer

Dated *Jan 22* 1891

*White* Magistrate.  
*Milson* Officer.

*91* Precinct.

Witnesses \_\_\_\_\_

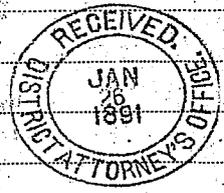
No. \_\_\_\_\_ Street.

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

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

\$ *1000* to answer *G.D.*

*Chu*



BAILED,

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

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

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

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

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

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

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

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

0597

**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 Moore*

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

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

The said

*James Moore*

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

*one nickel coin of the United States of the kind called five cent pieces of the value of five cents; seven coins of the kind called cents of the value of one cent each and one pocketbook of the value of twenty-five cents*

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

*Dehancey Macoll*  
District Attorney

0598

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Morgan, Joseph

**DATE:**

01/28/91



3915

0599

315 J.D.

Counsel,  
Filed 28 day of Jan 1891  
Pleads *Abundant*

[Sections 224 and 228, Penal Code].  
Robbery, *Frank* defendant

THE PEOPLE

vs.

*F*  
Joseph Morgan

DE LANCEY NICOLL  
~~JOHN R. FELLOWS,~~

District Attorney.

A True Bill.

*Franklin Eason*

Foreman.  
Park 2, January 2, 1891.

*Fried and Acquitted*

Witnesses:

0600

Police Court - 1 - District.

Affidavit - Larceny.

City and County }  
of New York, } ss.

Edward M<sup>c</sup>. Namara  
of No. 48 New Bowery Street, aged 33 years,  
occupation, Samuel Davies being duly sworn

deposes and says, that on the 17 day of January 1891 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
And person of deponent, in the night time, the following property, viz:

Good and lawful money of the  
United States of the value of  
one dollar and thirty cents  
( $\$1 \frac{30}{100}$ )

the property of Deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Joseph Morgan <sup>(now here)</sup> and one other  
not yet arrested, while acting in concert  
with each other, from the following  
facts to wit. That deponent is informed  
by John Dean of No 49 New Bowery that  
on the aforesaid date about the hour of 8.30  
o'clock P. M. he saw the defendant in  
Company with another not yet arrested,  
in the hallway of No 3 James Street,  
where deponent was lying down, and  
saw the defendant in Company with another  
not yet arrested, place his hand on the  
pocket of the pants then and there  
draw on deponent's person.

And deponent further says that he

Sworn to before me, this  
18 day

Police Justice.

0601

is further informed by said John Deary that he watched the defendant and the other unknown person, who then took hold of deponent and dragged him out of said hallway and placed deponent on the stoop of said premises, and then saw the defendant in company with the other unknown person, place his hand on the pocket of the pants then and there worn on deponents person.

And deponent further says that he is informed by Officer George P. Baker of the Fourth Precinct Police that he arrested the defendant, who at the time was standing over deponent, who was lying on the stoop, and that the defendant at the time had his hand on deponents person.

Deponent therefore charges the defendant and another not yet arrested while acting in concert with each other in having committed a Larceny and asks that they be held and dealt with as the Law may direct.

Sworn to before me } Edward W. Sherman  
this 19 day of January 1891 }

Charles W. Linton  
Notary Public

0602

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 17 years, occupation John Dean  
Messenger Boy of No.

49 - New Bowery Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Edward McNamee

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

Sworn to before me, this 19  
day of January, 1888 } John Dean

Charles W. Linton  
Police Justice.

0603

CITY AND COUNTY }  
OF NEW YORK, } ss.

*George P. Baker*

aged \_\_\_\_\_ years, occupation *Police Officer* of No. \_\_\_\_\_

*Fourth Police Precinct* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Edward W. Hamarra*

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

Sworn to before me, this *19*  
day of *May* 188*9*

*George P. Baker*

*Charles J. Santos*

Police Justice.

0604

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

*Joseph Morgan*

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

Question. What is your name?

Answer. *Joseph Morgan*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *No. 3, James Street - 5 weeks*

Question. What is your business or profession?

Answer. *Stevedore*

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

Answer.

*I am not guilty  
I regret no robbery*

Taken before me this

day of *January* 188*9*

*Charles W. Hendon*  
Police Justice

0605

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

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

Dated January 20 1891 Charles W. Smith Police Justice.

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

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

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

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

0606

#1000 - for exp  
Janif-20-91-9 AM  
C.M.J.G.

~~315~~ 315 108  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Edward W. Morgan  
48 New Brewery  
Joseph Morgan

Garvey  
officer  
The Court

2  
3  
4

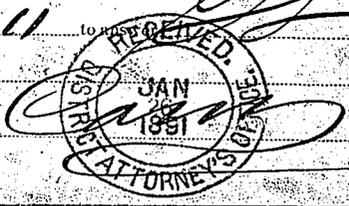
Dated January 19 1891

Magistrate.  
Baker Officer.  
4 Precinct.

Witnesses Call John Dean  
No. 49 New Brewery Street.

Call the Officer  
Complainant sent to the  
House of Detention in default  
of \$100 Bail

\$100000 to



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

0607

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 2 DISTRICT.

George P Baker  
of No. 4th Precinct  
occupation Police Officer Street, aged — years,

being duly sworn deposes and says,  
that on the 19 day of January, 188—  
at the City of New York, in the County of New York, arrested one Joseph Morgan upon

the complaint of one Edward Mc Namara who charged the said Morgan with Larceny from the person, deponent further says that said Mc Namara is a material witness for the people and deponent believes that if allowed to go will not be found when wanted. Wherefore deponent asks that

Subscribed and sworn to before me this 19th day of January, 188—

Police Justice

0608

Police Court

Said McManis be committed  
to the house of detention  
Slom to before me  
this 19 day of January 1891

Charles N. Finter George P. Baker  
Police Justice

Police Court, District,

THE PEOPLE, & c.,

ON THE COMPLAINT OF

OF THE PEOPLE

Dated 188

Magistrate.

Officer.

Witness,

POLICE COURT

Disposition,

1891

0609

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.,

New York, Jan. 18 1891

This is to certify that Edward M. Hamara  
has been <sup>at</sup> this hospital suffering from  
Anterioritis and Pericarditis scalp wound -  
Dr. Crofton -

06 10

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, DISTRICT, 1

George P. Baker  
of No. South Police Precinct Street, aged years,  
occupation Police Officer being duly sworn deposes and says  
that on the day of January 1889

at the City of New York, in the County of New York he arrested  
Joseph Morgan (now here) on the charge of  
having committed a Robbery on Edward  
M. Ramara and deponent further says  
that he is informed that the said  
Complainant is confined to the Chambers  
Street Hospital in consequence of injuries  
received at the time of said Robbery.  
Deponent therefore asks that the said  
Joseph Morgan may be held until such  
time as the said Complainant can appear  
in Court.

George P. Baker

Sworn to before me this day

of  
Charles W. Stewart  
Police Justice

0611

Police Court-- / District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

*Committed without bail  
to await inquest and for  
9th Jan 20th 1891 9 AM  
C.M.S.B.*

AFFIDAVIT.

*257*  
*Joseph Morgan*

*January 16 91*  
dated \_\_\_\_\_ 188  
*John W. H.* Magistrate.

*Butler* Officer.  
*H*

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

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

06 12

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Joseph Morogan*

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

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

The said

*Joseph Morogan*

late of the City of New York, in the County of New York aforesaid, on the *seventeenth* day of *January* in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety-one*, in the ~~right~~ time of the said day, at the City and County aforesaid, with force and arms, in and upon one *Edward Mc Namara* in the peace of the said People, then and there being, feloniously did make an assault, and

*divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of one dollar*

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

*the said Joseph Morogan being then and there aided by an accomplice actually present, whose name is to the Grand Jury aforesaid, as yet unknown*

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*De Ransey Nicoll,*  
*District Attorney.*

06 13

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Morris, Andrew F.

**DATE:**

01/08/91



3915

06 14

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Geary, Daniel

**DATE:**

01/08/91



3915

06 15

54  
McLaughlin D

Counsel,  
Filed  
Pleads  
THE PEOPLE  
9  
day of Jan 1891

vs.  
Grand Larceny, 1st Degree.  
[Sections 528, 529, 530 Penal Code].  
From the Person.  
DE LANCEY, J.  
JOHN R. FELLOWS  
District Attorney.  
Andrew D. Howell  
and  
Daniel Seary

Part I  
Jan 13 1891

A True Bill

John Waplesman  
Foreman.  
John Waplesman  
Jury  
Wm. Waplesman  
Jury  
Wm. Waplesman  
Jury

0616

Police Court 2d District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

Charles Kober

of No. 436-N-38

Street, aged 36 years,

occupation Saloon Keeper

being duly sworn,

deposes and says, that on the 24 day of December 1890 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away and taken from the possession of deponent, in the night time, the following property, viz:

one gold watch with chain attached of the value of Eighty dollars

\$80

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 Andrew Morris Daniel Geary (both names here) Deponent says that he was acting in the act of putting Morris out of his saloon and had a club in his hand to protect himself when said Geary caught hold of the club and Morris struck deponent several blows on the head and face with his fist Deponent says that previous to the aforesaid fact he had said property in his possession and that they were the only persons near him from the time he saw said property until he missed the same Deponent says that he is

of Charles Kober in the City of New York, New York, 1890

0617

informed by Farrell McCabe that  
said Gurey showed exhibited a gold  
watch on December 25. and informed  
him said McCabe that he won  
the same on December 24. at a Ball  
for being a prize walker  
said defendant's with acting in  
concert with each other and feloniously  
taking the same as a prize

Chris. Fisher  
Sworn to before me  
the 28 day of Dec 1890  
John J. Ryan Police Justice

~~Chris. Fisher~~

06 18

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Farell McCall*

aged *27* years, occupation *Laborer* of No.

*443 W 33rd* Street, being duly sworn deposes and

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

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

Sworn to before me, this *28* day of *Dec* 18*91* } *Farell McCall*

*John Ryan*  
Police Justice.

06 19

Sec. 198-200

2  
District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Andrew Morris*

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.

*Andrew Morris*

Question. How old are you?

Answer.

*21 years*

Question. Where were you born?

Answer.

*U S*

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

Answer.

*423 W 37. St 11 mos*

Question. What is your business or profession?

Answer.

*Driver*

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

Answer.

*I am not guilty*

*A J Morris*

Taken before me this  
day of *Sept* 189*9*  
*John J. Hogan*

Police Justice

0620

Sec. 198-200.

2 District Police Court

CITY AND COUNTY OF NEW YORK, ss.

Daniel Geary 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.

Daniel Geary

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

U S

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

Answer.

416 W 65th St  
~~423 W 37th~~ - 8 mos

Question. What is your business or profession?

Answer.

Painter

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

Answer.

I am innocent as a new born child

Daniel Geary

Taken before me this 28th day of June 1935  
J. Ryan  
Police Justice

0621

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

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

Dated Dec 28 1890 John J. Ryan Police Justice.

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

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

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

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

0622

Fifteen hundred  
Bail for Ek  
Dec 31<sup>st</sup> at

10 am  
JGR

Police Court--- 2 District. 18

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Charles Kobers  
436 West 38<sup>th</sup>  
Andrew Morris  
Daniel Geary

Offender sent from the  
Prison

BAILED,

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

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

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

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

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

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

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

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

Dated Dec 28 1890

Ryan Magistrate.

Taylor & Brant Officer.

20 Precinct.

Witnesses: Farrell McCabe  
Committed House of Detention  
in default of \$100 to testify

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

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

Ek 1000  
981  
renew



0623

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 2 DISTRICT.

John Taylor  
of No 20 Permett Street, aged years  
being duly sworn deposes and says  
that on the day of 188

~~the City of New York in the County of New York,~~ John Farrell  
do hereby the within named witness  
has no permanent place of abode  
deponent says that he is  
a necessary and natural witness  
for the prosecution and asks that he  
give surety for his appearance to  
the jury

John Taylor

Sworn to before me, this 23 day

John H. Ryan  
Police Justice

0624

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Andrew F. Morris*  
and  
*Daniel Geary.*

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

*Andrew F. Morris, and Daniel Geary*  
of the CRIME OF GRAND LARCENY in the *first* degree committed as follows:

The said *Andrew F. Morris and Daniel Geary, both*

late of the City of New York, in the County of New York aforesaid, on the *24<sup>th</sup>*  
day of *December* in the year of our Lord one thousand eight hundred and  
*ninety*, in the *night* - time of the said day, at the City and County  
aforesaid, with force and arms,

*one watch of the  
value of fifty dollars and  
one chain of the value of  
thirty dollars*

of the goods, chattels and personal property of one *Charles Kober* —  
on the person of the said *Charles Kober* —  
then and there being found, from the person of the said *Charles Kober* —  
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.

0625

SECOND COUNT—

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

*Andrew F. Morris and Daniel Geary*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Andrew F. Morris and Daniel Geary, both*

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

*one watch of the value of fifty  
dollars and one chain of the  
value of thirty dollars*

of the goods, chattels and personal property of one *Charles Kober*

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

unlawfully and unjustly, did feloniously receive and have; the said *Andrew F.  
Morris and Daniel Geary* —

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.

*Dehancey Russell*  
~~JOHN R. FELLOWS,~~

District Attorney.

0626

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Morse, Alfred Jr.

**DATE:**

01/23/91



3915

0627

*Handwritten signature*

Witness;

*Handwritten signature*

*Handwritten signature*

Counsel,

Filed

23 day of

Jan 18 91

Pleas,

*Handwritten signature*

THE PEOPLE

vs.

*Alfred Morse, jr.*

Grand Larceny *second degree.* [Sections 528, 581, Penal Code]

DE LANCEY NICOLL

JOHN R. FELLOWS

District Attorney

A True Bill

*Handwritten signature*  
Foreman

*Handwritten signature*

*Handwritten signature*

0628

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

Affidavit—Larceny.

City and County }  
of New York, } ss:

G. Hudson Bridwell

of No. 19, East 14<sup>th</sup> Street, aged 28 years,  
occupation Teacher of music being duly sworn,

deposes and says, that on the 14 day of January 1891 at the City of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in  
the day time, the following property, viz:

One overcoat of the  
value of thirty dollars  
\$30—

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 Alfred Morse, now

here; the said coat was hanging in  
a closet in a room on the second floor  
of No 19 East 14<sup>th</sup> Street, and was  
stolen therefrom on said date, and the  
deponent is informed by Detective John  
Carey, now here, a policeman, that he arrested the  
defendant on suspicion having the  
said overcoat in his possession.

Suborn to before me, this  
1891  
Police Justice

0629

and the defendant confessed  
to the said Carey and the defendant  
that he had stolen the said property,  
before after that defendant he  
dealt with as the law directs

Subscribed and sworn to before me this 15<sup>th</sup> day of  
January 1891  
G. Hudson Bidwell  
Notary Public

0630

CITY AND COUNTY }  
OF NEW YORK, } ss.

John Carey

aged 40 years, occupation Policeman of No.

16th Street Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of E. H. Bradwell

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

Sworn to before me, this 15 day of January 1887 } John Carey

W. T. Robinson  
Police Justice.

0631

Sec. 108-200.

District Police Court.

CITY AND COUNTY OF NEW YORK ss.

Alfred Morse 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.

Alfred Morse

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

97th St. W 110 - 3 months

Question. What is your business or profession?

Answer.

Carpenter

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 acknowledge that I

took the coat

Alfred Morse Jr

Taken before me this

15

day of January 1894

W. H. ...

Police Justice

0632

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

Abuel Morse

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

Dated Jan 15 1871 H. T. Marmala Police Justice.

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

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

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

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

0633

40

Police Court--- 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

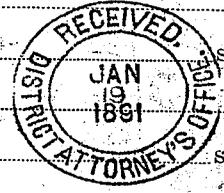
G. Hudson Bidwell  
19 East 14th St.  
Alfred Morse

Offence *Larceny*

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

Dated *Jan 15* 188*8*  
*de Mahon* Magistrate  
*Carey* Officer  
*16* Precinct

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



No. \_\_\_\_\_ Street \_\_\_\_\_  
\$ *1000* to answer *G.S.*  
*de Mahon* *1/21*

BAILED.

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

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

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

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

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

*Alfred Morse, the younger*

The Grand Jury of the City and County of New York, by this indictment, accuse *Alfred Morse, the younger*

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

The said *Alfred Morse, the younger*

late of the City of New York, in the County of New York aforesaid, on the *14th* day of *January* in the year of our Lord one thousand eight hundred and *ninety-one*, at the City and County aforesaid, with force and arms,

*one overcoat of the value of thirty dollars*

of the goods, chattels and personal property of one

*G. Hudson Bidwell*

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.

*De Lancey Nicoll,  
District Attorney*

0635

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Mulcahy, James

**DATE:**

01/14/91



3915

0636

117

~~117~~

Counsel,

Filed

day of

Jan 1897

Pleads,

*Maguire*

THE PEOPLE

vs.

*I*

*James Mulcahy*  
*A.D.*

Robbery in the  
(MONEY)  
third degree.  
[Sections 224 and 228, Penal Code].

*DeLaney*  
*Shook*

District Attorney.

**A True Bill.**

*Franklin Edson*

Part III January 27<sup>th</sup> 1897

Foreman.  
true and correct  
*Maguire*

*Jan 26 1897*  
*G.S.B.*

Witnesses:

0637

Police Court-- District.

CITY AND COUNTY }  
OF NEW YORK, } ss

*Christian Unger*  
of No *195 West* Street, Aged *31* Years  
Occupation *Baker* being duly sworn, deposes and says, that on the  
*25* day of *November* 18*90*, at the *6<sup>th</sup>* Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
ponent, by force and violence, without his consent and against his will, the following property, viz:

*Twenty seven dollars in money and  
a watch and a chain together  
of the value of Twenty seven  
dollars*

of the value of *Twenty seven* DOLLARS,  
the property of *Complaciant*

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

*James Mulcahy* from  
the fact that while deponent  
was walking on *West Street*  
near *Knapp Street* he was  
approached by four men one  
of whom was *Mulcahy* that  
they in concert attacked deponent  
knocked him down and searched  
him and took said property  
and ran away. Deponent further  
says that at the time of the robbery  
said *Mulcahy* held deponent  
while the other men took his  
property *Christian Unger*

day of *November* 18*90*  
Sworn to before me this  
*Christian Unger*  
Justice

0638

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*James Mulcahy* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is ~~his~~ right 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 Mulcahy*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *106 Chatham Sq.*

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*

*James Mulcahy*

Taken before me this  
day of *Nov* 189*1*  
*[Signature]*

Police Justice

0639

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.....

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

Dated *Nov 26* 18*90*. *W. J. ...* Police Justice.

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

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

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

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

0640

Police Court--- District. <sup>16</sup>

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Christian Winger*  
*James Mulcahy*  
Plaid by *John White*  
195

*Robbers*  
Officer

BAILED,

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

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

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

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

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

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

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

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

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

Dated *Dec 26* 188*90*

*Henry Larkin* Magistrate.  
Officer.

Precinct.

Witnesses *William Smith*

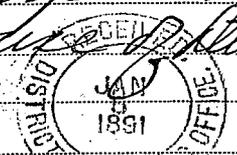
No. *60 Market* Street.

No. *Police Department* Street.

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

§ *1000* to answer *G.S.*

*Em*



0641

POLICE COURT— / DISTRICT.  
CITY AND COUNTY }  
OF NEW YORK, } ss.

RECOGNIZANCE TO TESTIFY.

BE IT REMEMBERED, That on  
the 26 day of December in the year of our Lord 1890  
of No. 195 Mott Street, in the City of New York,  
and Henry Witté  
of No. 195 Mott Street, in the said City,  
personally came before the undersigned, one of the Police Justices in and for the City of New York, and  
acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say: the said

Christian Unger  
the sum of one Hundred Dollars,  
and the said Henry Witté  
the sum of one Hundred Dollars,  
separately, of good and lawful money of the State of New York, to be levied and made of their respective  
goods and chattels, lands and tenements, to the use of said People, if default shall be made in the  
condition following, viz:

The Condition of this Recognizance is such, That if the person first above recognized shall personally  
appear at the next COURT OF General SESSIONS of the Peace, to be holden in and  
for the City and County of New York, and then and there Testify and give such evidence, in behalf of  
the People of the State of New York, as he may know concerning an Offence or  
said to have been lately committed in the City of New York aforesaid by

James Mulcahy

And do not depart thence without leave of the Court, then this Recognizance to be void, otherwise to  
remain in full force and virtue.

Taken and acknowledged before me, the }  
day and year first above written. }

Christian Unger  
Henry Witté

James Mulcahy Police Justice.

0642

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Henry Witte*

the within-named Bail, being duly sworn, says that he is a House holder in said City, and is worth Two Hundred Dollars,

over and above the amount of all his debts and liabilities; and that his property consists of

Stock of liquors and fixtures contained in premises no 195 Mott Street worth Fifteen hundred Dollars over all encumbrances

*Henry Witte*

Sworn before me, this 26 day of December 1890  
*[Signature]*  
Public Justice

New York Sessions.

THE PEOPLE, &c.

Recognizance to Testify.

Magistrate

Filed

day of

1891

0643

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 1 DISTRICT.

of No. 6<sup>th</sup> Precinct Street, aged \_\_\_\_\_ years,  
occupation Police Officer being duly sworn deposes and says,  
that on the 25 day of December 1890  
at the City of New York, in the County of New York, that he arrested

James Mulcahy on the charge of Robbery on  
Complaint of Christian Unger -  
Deponent says that said Unger is a  
material witness to said complaint  
that is he therefore prays that said  
Unger be committed to the House of  
detention so he can be produced  
to testify at said trial

Bernard W. Larkin

Sworn to before me, this

of 1890

26 day

1890

day

Police Justice

0644

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 [handwritten signature]

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

[handwritten signature]

of the crime of ROBBERY IN THE [handwritten] DEGREE, committed as follows:

The said [handwritten signature]

late of the City of New York, in the County of New York aforesaid, on the [handwritten] day of [handwritten], in the year of our Lord one thousand eight hundred and [handwritten] in the [handwritten] time of the said day, at the City and County aforesaid, with force and arms, in and upon one [handwritten], in the peace of the said People then and there being, feloniously did make an assault, and [handwritten] 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; [handwritten] 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 ten dollars, and of the value of ten dollars; [handwritten] 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 five dollars, and of the value of five dollars each; [handwritten] eight 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; [handwritten] seventeen 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; [handwritten] 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; [handwritten] 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 ten dollars; [handwritten] 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 five dollars each; [handwritten] United States Silver Certificate of the denomination and value of twenty dollars; [handwritten] one United States Silver Certificate of the denomination and value of ten dollars; [handwritten] three United States Silver Certificate of the denomination and value of five dollars each; [handwritten] eight United States Silver Certificate of the denomination and value of two dollars each; [handwritten] seventeen United States Silver Certificate of the denomination and value of one dollar each;

87-

0645

~~United States Gold Certificate of the denomination and value of twenty dollars~~  
~~—~~; ~~one~~ United States Gold Certificate of the denomination and value of ten  
dollars ~~—~~; ~~three~~ United States Gold Certificates of the denomination and value of  
five dollars ~~each~~; and divers coins, of a number, kind and denomination to the Grand Jury  
aforesaid unknown, of the value of *seventeen dollars, one*  
*note of the value of eight dollars,*  
*and one coin of the value of*  
*two dollars.*

of the goods, chattels and personal property of the said *Christian Wagner*,  
from the person of the said *Christian Wagner*, against the will,  
and by violence to the person of the said *Christian Wagner*.  
then and there violently and feloniously did rob, steal, take and carry away, *he said*  
*James Michael Henry* *then and there*  
*aided by an accomplice actually*  
*present, whose name is to the Grand*  
*Jury aforesaid as yet unknown;*  
against the form of the Statute in such case made and provided, and against the peace of the People  
of the State of New York and their dignity.

*John R. Fellows*  
~~JOHN R. FELLOWS~~

District Attorney.

0646

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Mullen, Edward

**DATE:**

01/15/91



3915

0647

147

Counsel,

Filed 15<sup>th</sup> day of Jan 1891

Pleas, *Allegedly*

THE PEOPLE

vs.

Grand Larceny, *Carroll Degree.*  
(From the Person)  
[Sections 628, 687, Penal Code.]

*12-20-90  
10-10-90  
10-10-90*

*Edward Mullery*

DE LANCEY NICOLL

~~JOHN H. WELLS~~

*District Attorney.*

A True Bill.

*Franklin Seave*

Foreman.

*Part II January 19/91  
Pleas Attempted 8/12 day -*

*27th St*

0648

Police Court - 7 District.

Affidavit - Larceny.

City and County of New York, ss.:

George Achstater  
of No. 663 E 152<sup>nd</sup> Street, aged 25 years,  
occupation Carpenter being duly sworn

deposes and says, that on the 10 day of June 1897 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of person of deponent, in the day time, the following property, viz:

One Silver watch valued  
at fifteen dollars  
\$15.00

the property of

Deponent

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

Edward Mullens (now here)

in the following manner to wit:  
Deponent was in a Saloon on Mulberry Street defendant asked deponent the time. Deponent looked at his watch when defendant took said watch from the hand of deponent and ran away. Deponent made an alarm and several persons unknown to deponent caught hold of defendant and took said watch from him. That deponent subsequently saw the defendant and that deponent caught hold of defendant. When defendant struck deponent a violent blow on the face. Officer Bryant arrested the defendant. Deponent therefore

Subscribed before me this 10th day of June 1897  
Police Magistrate

0649

charges the defendant with having  
taken carriages away and stolen from  
the person of defendant the said property  
and prays that he be held to answer

George A. Schaeffer

Sworn to before me this  
11<sup>th</sup> day of January 1891

*J. H. Gann*

Police Justice

0650

Sec. 198-200

District Police Court

CITY AND COUNTY OF NEW YORK

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

Question. What is your name?

Answer.

*Edward Mullen*

Question. How old are you?

Answer.

*23 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*190 Park Row 2 years*

Question. What is your business or profession?

Answer.

*Laborer*

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

Answer.

*I am not guilty -  
Edward Mullen*

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

*[Signature]*  
Police Justice

0651

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

*Defendant*

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

Dated *January 11* 189*1*

*[Signature]*  
Police Justice.

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

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

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

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

0652

Police Court--- District. <sup>47</sup>

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Geo Achstater*  
*663- East 152*

1 *Edward Mullens*

2

3

4

*Offence*  
*Carrying*  
*felony*

Dated *January 11 1891*

*Hogan* Magistrate.

*Christie and Farrington* Officer.

*6<sup>th</sup>* Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

§ *511* to answer *G. S.*

*Com*

*511*  
*temp*



BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0653

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Edward Mullen*

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

*Edward Mullen*

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

The said

*Edward Mullen*

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

*one watch of the value of fifteen dollars*

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

*George Achtaetter*  
*George Achtaetter*  
*George Achtaetter*  
*De Kamey Nicoll,*  
*District Attorney*

0654

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Murphy, John

**DATE:**

01/13/91



3915

0655

Witnesses

*W. H. ...  
... in R.O.P.  
for Lacey PD*

*(Signature)*

Counsel,  
Filed *10<sup>th</sup>* day of *Jan* 18 *91*  
Pleads, *W. H. ...*

Grand Larceny, Second Degree.  
(From the Person)  
[Sections 529, 587 — Penal Code]

THE PEOPLE  
vs.  
*R*

*John Murphy*

DE LANGLY  
JOHN R. FELLOWS

District Attorney.

A True Bill.

*Washington ...  
... Foreman.  
...  
2 yrs 1 mo*

0656

Police Court 1st District.

Affidavit—Larceny.

City and County } ss.  
of New York,

of No. 97 North 6th Street, aged 32 years,  
occupation Maasin being duly sworn

deposes and says, that on the 24 day of December 1884 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and

possession of deponent, in the day time, the following property, viz:

One pocket-book con-  
taining good and law-  
ful money of the United  
States of the amount  
and value of Seven <sup>50</sup>  
dollars  
7/40  
100

the property of Reynolds

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 Murphy brother and another man now yet arrested who were detouring in concert for the reasons follow- ing to wit: on the said date as deponent was on Stuyvesant Street having the said pocket- book in the pocket of the dress which she then wore she was jostled against by the defendant and said murderer man—she felt a bag or said pocket-book. The defendant Murphy was seized hold of and he then passed the pocket-book to the murderer man who ran away with it. Philomena Vetro

Sworn to before me, this 24 day of December 1884  
James Police Justice

0657

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

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

Question. What is your name?

Answer.

*John Murphy*

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.

*24 City Hall Place N.Y.C.*

Question. What is your business or profession?

Answer.

*Cabinet-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 Murphy*

Taken before me this *17* day of *Nov* 19*31*  
*W. J. [Signature]*  
Police Justice

0658

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

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

Dated *March 9* 18 *90* *Di...* Police Justice.

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

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

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

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



0659

Police Court--- District. 10

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*William Detam...*  
vs.  
*John Murphy*

BAILLED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

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

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

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

Dated *Dec 24 90* 189

*Bliss* Magistrate.

*Hirschel* Officer.

*St. Clair* Precinct.

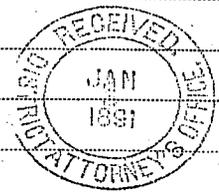
Witnesses \_\_\_\_\_

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

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

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

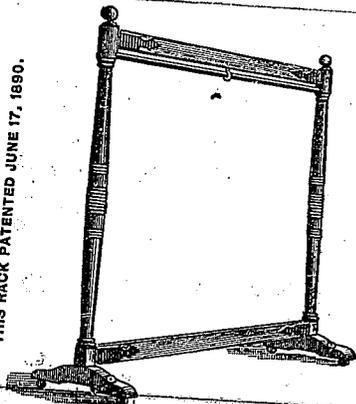
\$ *500* to answer *G.S.*



*Com 5 to person*

0660

THIS RACK PATENTED JUNE 17, 1890.



ALL BILLS UNDER \$5.00 C. O. D.

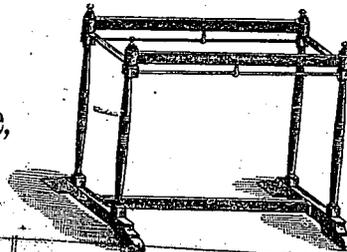
New York, Nov 24<sup>th</sup> 1890

No \_\_\_\_\_

J. H. EYLES, Dr.

MANUFACTURER OF

CLOAK HOUSE,  
Clothing House and Fur House Furniture,  
122 WORTH STREET.



THIS RACK PATENTED JUNE 17, 1890.

ALL BILLS SUBJECT TO DRAFT AFTER THIRTY DAYS.

This is to certify that the beaver Patrick Murphy has been  
in my employ for the past year and during that time I  
found him to be strictly honest, sober & industrious, and I heartily  
recommend him to any person desiring his services  
respectfully  
J. H. Eyles

0661

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 Murphy

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

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

The said John Murphy

late of the City of New York, in the County of New York aforesaid, on the 24th day of December in the year of our Lord one thousand eight hundred and ninety, in the day - time of the said day, at the City and County aforesaid, with force and arms, one pocketbook of the value of twenty cents

\$7.40

one promissory note for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of five dollars; one promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of five dollars; one United States Gold Certificate, of the denomination and value of five dollars; one United States Silver Certificate, of the denomination and value of five dollars

two promissory notes for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of two dollars each; two promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of two dollars each; two United States Gold Certificates, of the denomination and value of two dollars each; two United States Silver Certificates, of the denomination and value of two dollars each

three promissory notes for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of one dollar each; three promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of one dollar each; three United States Gold Certificates, of the denomination and value of one dollar each; three United States Silver Certificates, of the denomination and value of one dollar each

divers sums of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of seven dollars and forty cents

of the goods, chattels and personal property of one Philomena Vetrano on the person of the said Philomena Vetrano

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

De Rancey Nicoll, District Attorney

0662

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Murphy, Michael J.

**DATE:**

01/16/91



3915

0663

Witnesses:

Do not receive  
their fine. The  
dept requests.  
to see when the  
acc's with the  
Coaching  
P.A.

149 Jan

Counsel,  
Filed 16 day of Jan 1891  
Pleads, Murphy

vs.  
THE PEOPLE  
vs.  
Michael J. Murphy  
Burglary in the THIRD DEGREE  
(Section 498, 506, 528 and 539)

DELANCEY NICOLL  
JOHN R. PHILLIPS,

District Attorney.

A True Bill

Franklin E. A.  
Foreman.

Jan 27 1891

Henry J. Murphy  
149 Jan 27 1891

0664

Police Court 4 District.

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

Frank Keller

of No. 1 Broadway, Room 12 of Scully Street, aged 37 years,  
occupation Capt Canal Boat "Lucy Dunn" being duly sworn

deposes and says, that the ~~premises~~ No Canal Boat Lucy Dunn ~~lying at the~~  
~~Bulkhead at the foot of East 28<sup>th</sup> Street in the~~ lying at the  
~~in the City and County aforesaid the said being a~~

East River, a cabin on board thereof  
~~and which~~ was occupied by deponent as a living apartment  
~~and in which there was at the time a human being, by name~~

was BURGLARIOUSLY entered by means of forcibly breaking the  
staple used in fastening the door  
leading into said cabin and entering

on the 12<sup>th</sup> day of December 1896 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

A quantity of wearing apparel  
of the value of about Forty five  
dollars

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

Michael J. Murphy (now here)

for the reasons following, to wit: for the reasons that the  
defendant was in deponent's employ  
as a helper and at about the hour  
of noon on said day deponent  
securely locked and fastened the  
door leading into said cabin and  
said property therein. Deponent left  
the boat in the possession of the  
defendant and deponent returned

0665

several hours thereafter and found said door was broken open in the manner aforesaid and said property missing. Deponent is informed by Robert Crawford (now here) that at about the hour of 12.30 P.M. on said day he saw the defendant leaving said boat with a quantity of wearing apparel in his arms and in about a half an hour thereafter returned to the boat, <sup>with</sup> said property. That William Davy (now here) also informs deponent that he was present with Crawford and saw the defendant leaving with said clothes.

Sworn before me }  
 the 14<sup>th</sup> December, 1890 } Frank B. Keeler

W. W. McMahon  
 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  
 Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
 of the City of New York, until he give such bail.  
 Dated 1888  
 Police Justice

I have admitted the above named  
 to bail to answer by the undertaking hereto annexed.  
 Dated 1888  
 Police Justice

There being no sufficient cause to believe the within named  
 guilty of the offence within mentioned, I order he to be discharged.  
 Dated 1888  
 Police Justice

Police Court, District.

THE PEOPLE, &c.,  
 on the complaint of

Offence—BURGLARY.

1  
 2  
 3  
 4

Date 1888

Magistrate.

Officer.

Clerk.

Witnesses,  
 No. Street,  
 No. Street,  
 No. Street,  
 \$ to answer General Sessions.

0666

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Robert Crawford*

aged 57 years, occupation Engineer of No.

514 East 15 Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Frank Keller

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

*Robert Crawford*

Sworn to before me, this 14  
day of December 1890

*H. Mahon*

Police Justice.

0667

CITY AND COUNTY }  
OF NEW YORK, } ss.

*William Davy*  
aged *48* years, occupation *Laborer* of No.

*492 First Avenue* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Frank Keller*

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

Sworn to before me, this *14*  
day of *December* 18*99*

*William Davy*

*W. W. Mahon*

Police Justice.

0668

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Michael J. Murphy* 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. *Michael J. Murphy*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *New Jersey*

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

Answer. *23<sup>rd</sup> St & 3<sup>rd</sup> Ave (Cudington House) 1 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 not guilty*

*Michael J. Murphy*

Taken before me this *14*

day of *December* 189*7*

*M. J. Murphy*

Police Justice.

0669

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

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

Dated *Dec 14* 18*90* *D. P. W. M. M. M. M.* Police Justice.

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

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

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

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

0670

Police Court--- 4 District. 1849

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Frank Keller  
#1 - Broadway - Room 12  
Michael J. Murphy

Offence  
Burglary

2  
3  
4

BAILED,

No. 1, by  
Residence Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Dated Dec 14 1890

McMahon Magistrate.

Denis McBarney Officer.

21 Precinct.

Witness  
Oppenbrawford

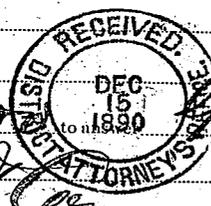
No. 514 E. 15<sup>th</sup> Street.

Oppenbrawford

No. 492 1<sup>st</sup> Ave Street.

No. Street.

200



of

0671

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*Michael J. Murphy*

The Grand Jury of the City and County of New York, by this indictment, accuse *Michael J. Murphy* —

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

The said *Michael J. Murphy*,

late of the *East 1st* Ward of the City of New York, in the County of New York aforesaid, on the *twelfth* day of *December*, in the year of our Lord one thousand eight hundred and eighty *ninty*, with force and arms, in the *day* time of the same day, at the Ward, City and County aforesaid, the dwelling house of one *Frank S. Keeler*,

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

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.

0672

SECOND COUNT—

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

*Michael J. Murphy*

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

The said *Michael J. Murphy*

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

*he did*

*steal and unlawfully carry away, for the purpose*

*of converting the same to his own use, a certain*

*piece of jewelry, of the value of*

*twenty five dollars,*

of the goods, chattels, and personal property of one *Frank S. Keeler,*

in the dwelling house of the said *Frank S. Keeler*, *where,*  
*the same being a certain vessel, to wit: a certain*  
*canoe boat known as the "Ducky Diver";*

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

DE LANCEY NICOLL,

*Frank S. Keeler*  
*Prosecutor*

0673

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Murphy, Walter

**DATE:**

01/22/91



3915

0674

198  
698  
pudy R

Counsel,  
Filed 22 day of Jan 1891  
Pleads, *Not Guilty*

*Counting in the second degree,  
with intent to defraud,  
(Second Offense)  
(§§ 497, 506, 528, 532, 537 & 688)*

THE PEOPLE  
vs.

Walter Murphy

DE LANCEY NICOLL  
JOHN R. FELLOWS,

District Attorney.

TRUE BILL.

*Stephen Edson*  
July 3 1891

Foreman.

*Charles R. Day*  
S.P.D.

S.P.D. yds.

Witnesses:

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

0675

Police Court- 3 District-

City and County } ss.:  
of New York,

of No. 44 Sheriff Street, aged 28 years,  
occupation Shoemaker being duly sworn

deposes and says, that the premises No 44 Sheriff Street, 13<sup>a</sup> Ward

in the City and County aforesaid the said being a tenement building,

the store floor and basement of

and which was occupied by deponent as a shoemaking business

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

were **BURGLARIOUSLY** entered by means of forcibly breaching a

lock of the cellar doors leading  
to the basement of said premises

on the 2<sup>nd</sup> day of January 1889 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

Twenty pairs of repaired  
shoes, of the value of about  
fifteen (15) Dollars

the property of deponent

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

Walter Murphy (now  
here)

for the reasons following, to wit: Deponent says said  
property was in the basement of said premises  
and at about 10 PM said date, deponent  
securely locked the doors leading to said base-  
ment, and when he arose in the morning  
discovered that the lock of said doors was broken  
and that said property was missing  
Deponent further says he reported  
said occurrence to the 12<sup>th</sup> Precinct Police  
Station, and on January 16<sup>th</sup> he is informed

0676

by Officers Shalvey and Snyder of the 12<sup>th</sup> Precinct that they arrested defendant on said date said Officers having been informed by William Miller of 321 Delaney Street that he had seen defendant on the morning of January 3<sup>rd</sup> with shoes in his possession and defendant on being arrested admitted to said officers that he had on said date sold said shoes to Peter Astrawsky of 79 Green Street from where said Officers recovered said shoes having been previously identified by deponent in the presence of said Officers as being a portion of the missing property. Wherefore, deponent charges defendant with burglariously entering said premises, and carrying away said property from his possession.

Sworn to before me  
 this 17<sup>th</sup> day of June 1891  
 Abraham L. Pear  
 Justice

*[Signature]*  
 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 \_\_\_\_\_  
 of the City of New York, until he give such bail.  
 Dated \_\_\_\_\_ 188\_\_\_\_  
 I have admitted the above named \_\_\_\_\_  
 to bail to answer by the undertaking hereto annexed.  
 Dated \_\_\_\_\_ 188\_\_\_\_  
 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 \_\_\_\_\_

Police Court, \_\_\_\_\_ District, \_\_\_\_\_

Office—BURGLARY.

THE PEOPLE, &c.,  
 on the complaint of \_\_\_\_\_ vs. \_\_\_\_\_

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

Dated \_\_\_\_\_ 188\_\_\_\_

Magistrate. \_\_\_\_\_  
 Officer. \_\_\_\_\_  
 Clerk. \_\_\_\_\_

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

to answer General Sessions.

0677

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Walter Murphy* 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~~ the trial.

Question. What is your name?

Answer. *Walter Murphy*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *24 Cannon St. 7 years*

Question. What is your business or profession?

Answer. *Coal Cart driver*

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

Answer.

*I am not guilty*  
*Walter Murphy*

Taken before me this *19*  
day of *January* 189*7*  
*John J. Brown*

Police Justice.

0678

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.....

*Walter Murphy*

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

Dated *Jan 17* 18*97* *Henry Murray* Police Justice.

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

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

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

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

0679

198 B. O. District. 170

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Abraham D. ...  
44 - Sheriff St.  
Walter ...

Offence ...

2  
3  
4

BAILED,

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

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

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

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

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

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

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

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

Dated Jan 17 91

Murray Magistrate.  
Shalmy Snyder Officer.  
12 Precinct.

Witnesses Said officers

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

William Nieber

No. 32 1 Delany Street.

Peter Astrawsky

No. 79 Gould Street

to answer

RECEIVED  
JAN 18 1891  
CLERK OF DISTRICT COURT  
TORONTO  
P. J. ...

0680

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

Walter Murphy

The Grand Jury of the City and County of New York, by this  
Indictment accuse Walter Murphy

of the crime of Burglary in the second degree,  
as a SECOND OFFENSE, committed as follows:

Heretofore, to wit: at a court of General Sessions of the Peace, holden in and  
for the City and County of New York, at the City Hall, in the said City of New York,  
on the twenty-second day of May, in  
the year of our Lord, one thousand eight hundred and ninety

before the Honorable Rufus D. Cowing, City  
Judge of the City of New York

and Justice of the said Court, the said Walter Murphy  
by the name and description of William Murphy

was in due form of law convicted of a Misdemeanor  
to wit: petty larceny

upon a certain indictment then and there in the said Court depending against him

the said Walter Murphy by the  
name and description of William Murphy

as aforesaid,

for that he, the said Walter Murphy, by the  
for that name and description of William Murphy as  
aforesaid, and John Vance, Frank Kelly and August Hogg  
then all late of the Eleventh

0681

Ward of the City of New York, in the County of New York aforesaid, on the  
— second — day of May in the  
year aforesaid, at the — Ward — City and  
County aforesaid, with force and arms, a certain building  
there situate, to wit: the factory of  
one Patrick J. Gleason, 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 J. Gleason in the said  
factory then and there being, then and  
there feloniously and burglariously  
to steal, <sup>take and carry away;</sup> and also for that, he  
the said Walter Murphy, by the name  
and description of William Murphy  
as aforesaid, and the said John Vance,  
Frank Kelly and August Hoey, <sup>then</sup> all ~~the~~  
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and  
in the year aforesaid, at the Ward, City  
and County aforesaid, in the day time of  
the said day, with force and arms, a  
quantity of machinery, a more particular  
description whereof is to the Grand  
Jury aforesaid unknown, of the value  
of eight hundred dollars, and five  
hundred pounds of iron, of the value  
of ten cents each pound, of the goods,  
chattels and personal property of one

0682

Patrick J. Gleason, in the factory of  
the said Patrick J. Gleason there and  
there situate, then and there being found  
in the factory aforesaid, then and there  
feloniously did steal, take and carry away;  
and also for that he, the said Walter  
Murphy, by the name and description  
of William Murphy as aforesaid, and  
the said John Vance, Frank Kelly and  
August Hoey, <sup>then</sup> all ~~the~~ late of the Ward,  
City and County aforesaid; afterwards,  
to wit: on the day and in the year  
aforesaid, at the Ward, City and County  
aforesaid, with force and arms, a  
quantity of machinery, a more particular  
description whereof is to the Grand  
Jury aforesaid unknown, of the value  
of eight hundred dollars, and five  
hundred pounds of iron of the value  
of ten cents each pound, of the goods, chattels  
and personal property of one Patrick  
J. Gleason, by a certain person or persons to the  
Grand Jury aforesaid unknown, then lately before felonious-  
ly taken, stolen and carried away from the said Patrick J. Gleason,  
unlawfully and unjustly did feloniously receive and have;  
the said John Vance, William Murphy, Frank  
Kelly and August Hoey, then and there well knowing  
the said goods, chattels and personal property to have  
been feloniously stolen, taken and carried away;

0683

And Thereupon, upon the conviction aforesaid, it was considered by the said Court of General Sessions of the Peace, and ordered and adjudged that the said Walter Murphy by the name and description of William Murphy as aforesaid, for the misdemeanor and petit larceny whereof he was so convicted as aforesaid, be imprisoned in the Penitentiary of the City of New York at hard labor for the term of six months as by the record thereof doth more fully and at large appear.

And the said Walter Murphy late of the Thirteenth Ward of the City of New York, in the County of New York aforesaid, having been so as aforesaid convicted of the misdemeanor and petit larceny aforesaid in manner aforesaid, afterwards, to wit: on the second day of January in the year of our Lord one thousand eight hundred and ninety-one at the Ward, City and County aforesaid, with force and arms, about the hour of twelve o'clock in the night-time of the same day, the dwelling-house of one Abraham Pear there situate, feloniously, and burglariously did break into and enter, there being then and there some human being, to wit: the said Abraham Pear within the said dwelling-house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said Abraham Pear in the said

0684

dwelling house then and there being,  
then and there feloniously and burg-  
lariously 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.

0685

Second COUNT:—

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

*Walter Murphy*

*Retit*

of the CRIME OF ~~GRAND LARCENY IN THE~~ *as a second offense,*  
DEGREE, committed as follows:

The said

*Walter Murphy*

*Thirteenth Ward of the*  
late of the City of New York, in the County of New York aforesaid, on the *second*  
day of *January* in the year of our Lord one thousand eight hundred and  
~~eighty ninety one~~ *Ward*, at the City and County aforesaid, with force and arms,  
*in the night time of the said day*  
*twenty pairs of shoes of the*  
*value of one dollar each pair*

of the goods, chattels and personal property of one *Abraham Pear*  
*in the dwelling house of the said Abraham Pear, there situate*

*from the dwelling house aforesaid*

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.

*And the said Walter Murphy having been so*  
*convicted of the said petty larceny as alleged in*  
*the first count of this indictment) against the form*  
*of the Statute in such case made and provided and*  
*against the peace and dignity of the said People.*

0686

Third COUNT:—

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

*Walter Murphy*

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROP-  
ERTY committed as follows:

The said *Walter Murphy*

*Ward*  
late of the City and County aforesaid, afterwards to wit: on the day and in the year  
aforesaid, at the *Ward* City and County aforesaid, with force and arms, *(having been so*  
*convicted as the said prior larceny as alleged in*  
*the first count of this indictment)*  
*Twenty pairs of shoes of the*  
*value of one dollar each pair*

of the goods, chattels and personal property of one *Abraham Pear*

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

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

*Walter Murphy*

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

DE LANCEY NICOLL,

~~JOHN B. FELLOWS~~, District Attorney.

0687

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Murray, Michael

**DATE:**

01/12/91



3915

0688

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Lewis, George

**DATE:**

01/12/91



3915

0689

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Andrews, Richard

**DATE:**

01/12/91



3915

0690

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Williams, George

**DATE:**

01/12/91



3915

0691

**BOX:**

424

**FOLDER:**

3915

**DESCRIPTION:**

Leonard, George M.

**DATE:**

01/12/91



3915

0692

POOR QUALITY ORIGINAL

*100.00*

Witnesses:

*Paul J. ...*

100.00 49

Counsel,

Filed

12 day of Jan 18 1919

Pleads,

*2, 3, 4, 5* *Adm. 14*

THE PEOPLE do c/o

vs.

*Michael Murray*  
*George M. Leonard*  
*George Lewis*  
*George Williams*  
*Richard Anderson*

POOL SELLING, ETC.  
[Section 361, Penal Code]

JOHN R. FELLOWS

Dist. Attorney

*Jan 5 1919*  
**All Bail Discharged**  
**A True Bill**

*Franklin ...*  
Foreman

*Co. criminal agts ...*

*100.00* backed by James ...  
*Wm. Mc Mahon*  
*230 W 5th*

*Int. do ...*

In the case of the People vs. James F. Clark, reported in 12 Wis-  
consin Reports, p. 545, the learned Court concludes as follows:  
"That the Live Seal Law repealed the provisions of the Penal  
Code relative to pool selling and book making and the adoption  
of the new Constitution abrogated the Live Seal Law, and at  
the time of the commission of the offenses named in the indict-  
ment (while the same were made unlawful by the terms of the  
Constitution), no punishment was prescribed for such offenses,  
and the subsequent amendment of the Penal Code cannot effect  
the defendant for the reason that its provisions, in so far as  
they relate to the crime charged in the indictment, are ex post  
facto."

In view, therefore, of the foregoing, I recommend the discharge of  
the defendant's bail.

May 12 1899

*John J. McLean*  
Asst. Dist. Atty.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Michael Murray, George M.  
Seamans, George Demis, George  
Williams and Richard Andrews*

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

*Michael Murray, George M. Seamans,  
George Demis, George Williams and Richard Andrews*

of a Misdemeanor, committed as follows:

The said *Michael Murray, George M. Seamans,  
George Demis, George Williams and  
Richard Andrews, all*

late of the *Seventh* Ward of the City of New York, in the County of New York afore-  
said, on the *twelfth* day of *November*, in the year of our Lord  
one thousand eight hundred and *ninety*, at the Ward, City and County aforesaid,  
did unlawfully keep a certain *room* in a certain *building* there situate,  
for the purpose of therein recording and registering bets and wagers, and of selling pools,  
upon the result of trials and contests of speed and power of endurance of beasts, to wit,  
horses; 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 *Michael Murray, George M. Seamans,  
George Demis, George Williams and  
Richard Andrews*

of a Misdemeanor, committed as follows:

The said *Michael Murray, George M.  
Seamans, George Demis, George Williams  
and Richard Andrews, all*

0694

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, being then and there the ~~residents~~ of certain ~~room~~ in a certain ~~Building~~, there situate, with force and arms did unlawfully and knowingly permit the said ~~room~~ to be used and occupied for the purpose of therein recording and registering bets and wagers, and of selling pools upon the result of trials and contests of speed, and power of endurance of beasts, to wit, horses; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

**Third Count,** And the Grand Jury aforesaid, by this indictment, further accuse the said ~~Michael Murray, George M. Leonard, George Davis, George Williams and Richard Andrews~~ of a Misdemeanor, committed as follows:

The said ~~Michael Murray, George M. Leonard, George Davis, George Williams and Richard Andrews, et al.~~

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, being then and there the ~~residents~~ of a certain ~~room~~ in a certain ~~Building~~ there situate, with force and arms, did unlawfully therein keep, exhibit and employ, divers devices and apparatus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the purpose of recording and registering bets and wagers, and selling pools upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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.

~~DELANEY NICOLL,~~  
JOHN R. FELLOWS,  
~~District Attorney~~

0695

~~First~~ **Third Count**, And the Grand Jury aforesaid, by this indictment, further accuse the said *Michael Murray, George M. Leonard, George Lewis, George Williams and Richard Andrews* of a Misdemeanor, committed as follows:

The said *Michael Murray, George M. Leonard, George Lewis, George Williams and Richard Andrews, all*

late of the *Seventh* Ward of the City of New York, in the County of New York aforesaid, on the *twenty-fifth* day of *November*, in the year of our Lord one thousand eight hundred and *eighty-nine*, and on divers other days and times as well before as after, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building there situate, to be used for gambling, 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.

~~First~~ **SECOND COUNT.** (Sec. 344, Penal Code.)

And the Grand Jury aforesaid, by this indictment, further accuse the said *Michael Murray, George M. Leonard, George Lewis, George Williams and Richard Andrews* of the CRIME OF ALLOWING A ROOM, ESTABLISHMENT, TABLE AND APPARATUS TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said *Michael Murray, George M. Leonard, George Lewis, George Williams and Richard Andrews, all* late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on said other days and times, at the Ward, City and County aforesaid,

0696

a certain room in a certain building there situate, and a certain gambling-table, and establishment, and diver cards, chips, devices and apparatus, a more particular description whereof is to the Grand Jury aforesaid unknown, and cannot now be given, the same being suitable for gambling purposes, with force and arms, feloniously did allow to be used for gambling purposes, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

~~Third~~ COUNTY. (Sec. 385, Penal Code.)

And the Grand Jury aforesaid, by this indictment, further accuse the said *Michael Murray, George M. Leonard, George Lewis, George Williams and Richard Andrews* of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said *Michael Murray, George M. Leonard, George Lewis, George Williams and Richard Andrews, et al* late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on said other days and times, at the Ward, City and County aforesaid, with force and arms, a certain common gaming-house there situate, for *their* lucre and gain, unlawfully and injuriously did keep and maintain; and in *their* said common gaming-house, then and on said other days and times, there unlawfully and injuriously did cause and procure divers idle and ill-disposed persons to be and remain, and the said idle and ill-disposed persons, on the day and in the year aforesaid, and on said other days and times, to game together and play at a certain unlawful game of cards called *and make bets, and* in the said common gaming-house aforesaid, there did unlawfully and injuriously procure, permit and suffer, and the said idle and ill-disposed persons, then, and on said other days and times, in the said common gaming-house aforesaid, by such procurement, permission and sufferance of the said *Michael Murray, George M. Leonard, George Lewis, George Williams and Richard Andrews* there did game together and play at said unlawful game of cards, for divers large and excessive sums of money, to the great annoyance, injury and damage of the comfort and repose of a great number of persons, good citizens of our said State, there inhabiting and residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the Statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

DE LANCEY NICOLL,  
JOHN R. FELLOWS,  
District Attorney.