

0693

BOX:

320

FOLDER:

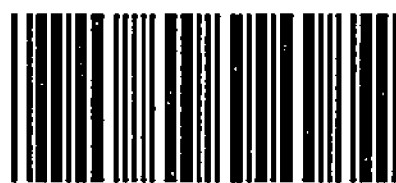
3046

DESCRIPTION:

May, Frederick

DATE:

09/14/88



3046

0694

I recommend that the defendant be allowed to plead guilty to assault in the second degree, and also recommend him to the extreme clemency of the Court for the following reasons: No one was injured by the assault for which he stands indicted for his weapon was not discharged while on the other hand the defendant was severely bruised and beaten by the complainant. I have conferred with the complainant and he expresses himself as satisfied with any disposition of this case which the Court may see fit to make.

After the defendant's indictment, he left the jurisdiction, and only returned last spring when he gave himself up for trial. It appears that during his absence in Chile, and during the difficulties which arose at the time of the recent revolution in Chile, he displayed several acts of patriotism and valor which have induced the Commanders of the U.S. war vessels then in Chilean waters, as well as the U.S. Minister to Chile to petition the Court to extend extreme clemency to him. Considering all the circumstances of the case, I think that the ends of justice do not demand any severe punishment of this defendant.

Dec. 18th 1903

Detaney M. Cross
District Attorney

4204

Counsel, *[Signature]*
Filed *14* day of *Dec* 188 *1903*
Pleas, *Guilty*

THE PEOPLE
[Signature]
Frederick May

JOHN E. FELLOWS,
District Attorney.
Dec 19/03
[Signature]

A True Bill

[Signature] Foreman.

Part 3, Dec 19/03
Pleas, *Guilty* 2nd deg.
June 1900. Bill

Witnesses:
[Signature]
[Signature]

0695

Police Court—1 District.

CITY AND COUNTY
OF NEW YORK, } ss.

of No.

Daniel M. Gorman
Fifth Avenue Street,

being duly sworn, deposes and says, that

on

Monday the 18th day of June

in the year 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Fred May (now here) who
willfully and feloniously pointed
and aimed a revolving pistol
loaded with powder and ball
at deponent and threatened to
kill deponent.

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

18th day

of

June 1888

Daniel M. Gorman

M. J. Burke POLICE JUSTICE.

0696

Sec. 193-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty
F. May.*

Taken before me this

day of

188

Police Justice.

0697

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.....

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

Dated *June 18* 1888 *M. A. [Signature]* Police Justice.

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

Dated *June 19* 1888 *G. H. [Signature]* Police Justice.

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

Dated..... 1888..... Police Justice.

0698

June 1888
Justice Court is
ready authorized to
accept bail in my
absence in the within
case. W. A. Wilde
Police Justice

BAILED,

No. 1, by Alvin Brown Livingston
Residence St. East 17th Street.

No. 2, by Charles Dunsen
Residence 59 Broadway Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court

1391
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Daniel McGowan
vs.
1 John
2 _____
3 _____
4 _____

Dated June 1st 1888
W. A. Wilde Magistrate.

McGowan Officer.
5th Precinct.

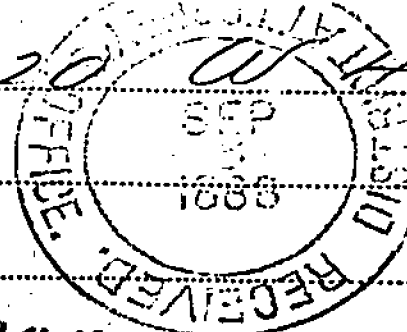
Witnesses Patron Dunsen
No. 24 precinct Street.

Richard H. H. H.
No. 420 W 4th Street.

No. _____ Street.

\$ 1000.00 to answer

21st 20th
1000.00



0699

COURT OF GENERAL SESSIONS OF THE PEACE.

Of the City of New York.

-----xxx
The People of the State of New York,
-against-
F r e d e r i c k M a y.
-----xxx

City and County of New York, ss:

FREDERICK MAY, being duly sworn

says:

I am a resident of Washington and the son of Dr.
John Frederick May, who was long a surgeon in that City.
I am regularly engaged in business there.
I was indicted on the 14th of September 1888 for an
assault in this City upon one Daniel McGowan on the 18th of
June 1888 and it is charged that I drew a pistol upon him
and attempted to discharge it.

I have no recollection and never have had any recollection whatever of the occurrence.

Owing to circumstances which I am advised it is not important to state here I had been drinking heavily on that day.

I remember that late in the afternoon I was making my way home to the New York Hotel where I was staying, and that still later I found myself in a police station covered with blood, severely wounded in the head and with the surgeon engaged in sewing up a gash over my right eye.

0700

I am told that in the meantime I had been in an altercation with a policeman and had drawn a pistol upon him and that my wounds were received from him. I am told also that I did not discharge the pistol and did not attempt to discharge it, that it was never cocked, that I did not inflict any injury upon the policeman or lay my hands upon him in any way.

I am compelled to accept the statements of others regarding the transaction for I knew nothing of it.

I can only say that I had no intention of resisting an officer or inflicting an injury upon any one and I am sincerely thankful that I did in fact injure no one.

I believe that I have profited by the lesson which I have received from this occurrence, and since that time I have never permitted myself to yield to the influence which thus destroyed my self-control and my knowledge of my own conduct.

I have since that time been almost a total abstainer from alcoholic drinks and during the five years and more which have elapsed, I believe that no one can point to a single act of mine inconsistent with sobriety, self-control and respect for law.

I have never since that time carried any weapon upon my person except in South America during the troublous times to which the affidavits submitted herewith relate.

It is my firm intention to continue in this course of conduct and I hope by the life of a good citizen and a

0701

useful member of society to prove, as I have endeavored to
prove for the last five years, my extreme regret for the vio-
lation of the law of which I have been guilty.

Fredric May
Sworn to before me
this 18th day of December, 1893-
Ralph C. Wappler
Notary Public (90)
N. Y. Co-

0702

COURT OF GENERAL SESSIONS
OF THE PEACE.

The People of the State of
New York

VS

Frederick May.

AFFIDAVIT OF FREDERICK MAY.

Filed Dec 19/93

0703

P E O P L E

- against -

F R E D E R I C K M A Y .

City and County of New York, ss.:

Patrick Egan, being duly sworn, deposes and says:
That he is Envoy Extraordinary and Minister Plenipotentiary to Chili; that he became acquainted, in the month of July, 1889, almost immediately upon his arrival in Chili as such Minister, with Frederick May; that during the troubles arising out of the attack made by the discharged sailors of the Chilian Navy, and longshoreman of Valpariso, upon the sailors of the "Baltimore", in the month of October, 1891, Mr. May displayed great courage in protecting against the mob several of the sailors of the Baltimore who were being attacked; that upon the occasion of the wreck of the Pacific Steam Navigation Company's steamer "John Elder", in the month of January, 1892, Mr. May was instrumental in saving the lives of several of the ladies who were passengers on said ship, on which occasion he displayed the greatest courage.

0704

(2)

That during all the time, from my first acquaintance with Mr. May, in July, 1889, down to the present, his conduct has been entirely correct in every respect, and that he has on all occasions shown himself to be a creditable and thoroughly patriotic American.

Sworn to before me this

16th day of December, 1892. }

William G. Davis,
Notary Public.
N.Y.C.

Patrick Gail

0705

P E O P L E

- against -

Frederick May.

City and County of New York, ss.:

Captain W. S. Schley, who commanded the U. S.S. Baltimore, in Chilian waters, during the late revolution there, being duly sworn deposes and says: that he is personally acquainted with the fact that during the struggle between the contending forces in Chili, Mr. Frederick May was living at the Hotel Vinna del Mar, the property of Mr. Lutges, an American citizen, formerly of Cleveland, Ohio. Mr. Lutges informed me that Mr. May's conduct on the occasion of the overthrow of the Balmaceda government, had mainly contributed to his having saved his property, and that on several occasions ~~Mxxxx~~ when marauders had attempted to invade his property for the purpose of sacking it, Mr. May exhibited the greatest courage in hindering such rapacity.

When the attack was made upon the sailors of the Baltimore, which I had the honor to command in Valpariso, on Oct. 16, 1891, Mr. May personally intervened and saved three of my men from a mob of Chilian 'longshoreman, boatmen and discharged sailors, and con-

0706

(2)

ducted them in safety to the mole, and placed them in one of my boats and sent them on board the ship, undoubtedly having saved their lives. Mr. May in ~~XXXXXX~~ ~~XXXXXX~~ undertaking this personal protection of my men, exposed himself to almost certain assassination had it not been for his extreme courage and personal gallantry in overawing the crowd. Mr. May was a most patriotic American, and never, for one instant, did he conceal the fact that he was an American, when it was almost worth the life of anyone to avow his nationality during these exciting times.

Mr. Cleary, of Kentucky, who was Manager of the Cleary Opera Company, wrote me a letter describing in detail the gallantry of Mr. May in saving the lives of several of his company on the occasion of the shipwreck of the Pacific Steam Navigation Company's steamer, "John Elder", about 150 miles south of Valpariso, in January, 1892. Mr. May on this occasion swam through the breakers and saved the lives certainly of three people exposing himself to possible death in the heavy sea that constantly lashes that coast.

Sworn to before me this
16th day of December, 1892.

William G. Davis,
Notary Public,
N.Y. Co.

W. D. May
Captain U.S.N.
Pt. House Inspector
J. L. Distin

0707

PEOPLE

vs.

Frederick May.

City and County of New York, ss.:

Winfield Scott Schley, being duly sworn, deposes and says: I am a Captain in the United States Navy. I have been acquainted with Frederick May for the past eighteen years. I was in command of the United States Steamer Baltimore in Chilian waters from the month of March, 1891, down to the month of January, 1892, during the recent revolution there when there was great probability of a rupture between the United States and Chili.

During that period I saw a great deal of Mr. May, who was living at the Hotel Vinna del Mar, near Valparaíso, which hotel was conducted and owned by Mr. Lutges, an American citizen, formerly of Cleveland, Ohio.

During the month of August a series of attacks was made by the insurgents upon the Village of Vinna del Mar, where May resided. Mr. Lutgez property and hotel were in ^{imminent} ~~imminent~~ danger during several days and on several occasions marauders attempted to invade the property with the intention of sacking it. During this period Mr. May resided at the Hotel Vinna del Mar, and through his bravery and his personal courage and remarkable

0708

(2)

coolness the property and life of Mr. Lutges was saved. The whole conduct of Mr. May during this episode reflected the greatest credit upon him, in exposing himself to death and danger for the purpose of preserving the property of a fellow American citizen.

On the 16th of October, 1891, an attack was made upon the sailors of the Baltimore which I commanded at Valpariso. Mr. May was present on this occasion, and ~~was~~ at very great personal risk intervened and saved the lives of three of my men from a mob of Chilean 'longshoreman, boatmen and discharged sailors, and after saving them, conducted them in safety to the Mole, and placed them in one of my boats, and sent them on board the Ship.

On the following day one of my men from the Baltimore was assaulted by several Chileans, and he was also saved by the personal courage and intervention of Mr. May, who conducted him to a place of safety. On these two occasions, Mr. May not only exposed his life, but he made himself the object of hatred to the Chileans, and it was a matter of great astonishment to me that he was not assassinated. His gallantry and courage in overawing the crowd on these occasions deserve the very highest praise and reward.

0709

(3)

During all of the trouble which existed in Chili, Mr. May was constant and unswerving in exposing himself to protect American citizens there, and he avowed his nationality as an American when it was perilous to his life to do so.

The above instances occurred under my own personal observation, but I received letters and was often told in conversation of many other acts of Mr. May in preserving the honor of his country and the lives and property of American citizens in Chili during this exciting and perilous time. Among others, Mr. Cleary, ^{of Kentucky,} who was the Manager of the Cleary Opera Company, wrote me a letter describing in detail the gallantry of Mr. May in saving the lives of several of his company on the occasion of the shipwreck of the Pacific Steam Navigation Company's Steamer "John Elder", about 150 miles South of Valparaiso, at Carranza Point, in January, 1892. May on this occasion, swam through the breakers and saved the lives of three people, exposing himself to possible death in a heavy sea that constantly lashes that ~~coast~~ ^{coast}.

It affords me great pleasure to give this testimony on behalf of Mr. May, and I feel that any court would be thoroughly justified in dealing most leniently with Mr. May for the act which he is charged with committing previous to his departure from New York. I saw

0710

(4)

a great deal of Mr. May during the time I was in Chili,
and I have no hesitation in saying that his general
character, habits and deportment were temperate, and in
all respects becoming those of a perfect gentleman.

Sworn to before me this

8th day of June, 1893.

Joseph J. Schmidt *W. H. May*
Mayor Public *Captain U.S.A.*
N.Y.C.

0711

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

-----X
THE PEOPLE OF THE STATE OF NEW YORK

-against-

F R E D E R I C M A Y .
-----X

CITY & COUNTY OF NEW YORK:ss:

EDWIN CLEARY being duly sworn says: I am
at present the Manager of the Paris Company at Mr. Daly's
Theatre, and for the past fifteen or sixteen years I have
been connected with Edwin Booth, Salvini, and other pro-
minent actors.

During my management of an English Opera Company in
the season of 1891-1892, I met Mr. Fredric May in Valparai-
so, Chili. For a period of nearly four months, I had fre-
quent occasions to better my acquaintance with Mr. Frederic
May, ~~and~~ ^{on} _{Ec} the 16th of January 1892, my Company was leav-
ing Valparaiso for the East coast of South America on the
steam ship John Elder, a vessel of five thousand tons, be-
longing to the Pacific Steam Navigation Company, ~~and~~ Mr. May
was a passenger on this ship, bound for the south of Chili,
^{The Ship} ~~which~~ _{Ec} was wrecked on the morning after leaving Valparaiso.

There was a heavy sea, it was very foggy and pandemonium
reigned supreme on board the ship as the ^{ship} ~~ship~~ struck the
rocks while everyone was asleep. There was very great dif-
ficulty in quieting the passengers, and still greater dif-
ficulty in launching the boats, and if it had not been for

0712

the courageous conduct of Mr. May, I firmly believe that several members of my Company would have lost their lives. Mr. May from the time the ship struck, until the last life-boat was launched, behaved in a manner I have never seen equalled for courage. It was not only the opinion of myself, but the opinion of nearly One hundred members of my Company, that many lives would have been lost if it had not been for his action. My Company voluntarily tendered Mr. May their gratitude, individually and collectively. When the last life boat made for the shore, it was capsized in the second breaker; the breakers at that time were running three deep. I was in that boat as were several sailors, and my musical director Mr. Barker Johns. The sailors and myself being strong swimmers, we were with the assistance of the incoming surf enabled to reach the shore, but Mr. Johns was drowning in the trough of the breakers when Mr. May, certainly at the risk of his life, and without hesitation, plunged in after Mr. Johns, and with considerable skill saved his life, when there were many other sailors and officers of the ship there who did not budge one inch to assist him. During the trials of the next few days in reaching the Town of Constitution, and the embarking therefrom, in small boats through a heavy sea, that was waiting for us, I found Mr. May a man of high character bravery and courage.

Subscribed & sworn to
before me this 18th day of October 1893
E. J. Pocher
notary public
I have read the above statement
and hereby testify to the truth
thereof
Subscribed & sworn to before
me this 18th day of October 1893
Barker Johns
notary public

0713

District of Columbia)
City of Washington) ss.

Robley D. Evans, Commander U.S. Navy, being duly sworn deposes and says that when in command of the "Yorktown" at Valparaiso, Chili, he saw Mr. ~~Ford~~ May almost daily, that his conduct on all occasions was that of a gentleman, and of a good American.

Deponent further says that it was a time of great excitement when war might at any moment break out between the United States and Chili; that Mr. May furnished deponent with valuable information as to the number and position of guns in the Chilian batteries, and volunteered to serve as a seaman under ^{his} ~~my~~ command, and in other ways showed his love for his country.

Deponent further says that Mr. May was respected and honored by all the Americans in Chili, and deserves the gratitude of his fellow countrymen for the credit ~~has~~ cast on them by his fearless and manly conduct.

R. D. Evans
Commander. *h. s. m.*

Sworn and subscribed before me this 8th day of June,

1893.

Jas. N. Fitzpatrick
Notary public.

DISTRICT OF COLUMBIA
NOTARY PUBLIC

0714

Please take notice that the within is a copy of _____
this day duly entered and filed in the office of the Clerk of the _____
_____ in the within entitled action
Dated, New York City, _____ 18 _____

To _____ Yours, etc.,
Attorney for _____ DOS PASSOS BROTHERS,
Attorneys for _____
15 BROAD STREET, NEW YORK.

Please take notice that we shall present _____
of which the within _____ for settlement to _____
_____ at _____ in the County Court House
in the City of New York, on the _____ day of _____ 18 _____
Dated, New York City, _____ 18 _____

To _____ Yours, etc.,
Attorney for _____ DOS PASSOS BROTHERS,
Attorneys for _____
15 BROAD STREET, NEW YORK

N. D. GENERAL SESSIONS Court

THE PEOPLE OF THE STATE OF
NEW YORK,

Plaintiff

against

FREDERICK MAY

Defendant

AFFIDAVITS.

DOS PASSOS BROTHERS,

Attorneys for

15 BROAD ST.,

MILLS BUILDING,

NEW YORK

To

Eq.

Attorney for

Due and timely service of a copy of the within

_____ is hereby admitted.

N. Y.

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F. C. Wickes, With M. L. Williams, 273 Pearl St., N. Y.

Filed Dec 9/92

0715

This is to certify
that Mr^r Frederick
May is still suffering
from the effect of
his wound and
is unable to
appear in court
for examination.

New York
June 28th 1888.
Wm May M.D.

0716

Lieut. Colonel ANDREW K. SMITH,
Surgeon, U. S. Army.

Office of Attending Surgeon, U. S. A.,

HOUSTON ST., CORNER GREENE,

New York City June 21st 1888

I certify that Mr. Frederic May
now under my treatment at the
New York Hotel, is totally unable
to leave his room for the purpose
of appearing in Court today.

He is suffering from several con-
cussions about the head, with some
concussion of the brain, and there
is also a possibility of the occur-
rence of erysipelas from a lacerated
scalp wound.

I deem it absolutely

0717

necessary therefore that he should
remain in the quiet and seclusion of
his room for the present.

A. K. Smith.

Surgeon U.S. Army.

0718

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frederica May

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

Frederica May

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

The said *Frederica May*

late of the City of New York, in the County of New York aforesaid, on the *eighteenth* day of *June*, in the year of our Lord one thousand eight hundred and eighty*eight*, with force and arms, at the City and County aforesaid, in and upon the body of one *Daniel Mc Gowan*, in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *Daniel Mc Gowan*, a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *Frederica May* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent *him* the said *Daniel Mc Gowan* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Frederica May

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

The said *Frederica May*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Daniel Mc Gowan*, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against *him* the said

Daniel Mc Gowan

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said *Frederica May*

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

JOHN R. FELLOWS,

District Attorney.

0719

BOX:

320

FOLDER:

3046

DESCRIPTION:

McCabe, Patrick

DATE:

09/11/88



3046

0720

BOX:

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FOLDER:

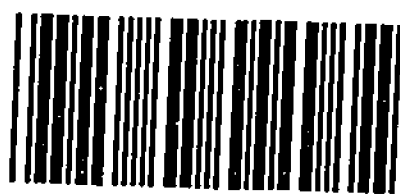
3046

DESCRIPTION:

McCabe, Teresa

DATE:

09/11/88



3046

#130 O. K. Reane

Counsel,

Filed

day of

188

Pleads,

Indictment

THE PEOPLE

Robbery in the
(MONEY)
[Sections 224 and 225, Penal Code].

vs.

Patrick McCabe

vs.

Teresa McCabe

JOHN R. FELLOWS,

District Attorney.

Pr. Sept. 20/88

Both tried & convicted by

A True Bill.

[Signature]

Foreman.

W. J. P. 12 yrs. to male
W. J. P. 10 yrs. to male
G. R. B. M.

Witnesses:

0722

20.

of Police. The complainant was suffering very severe contusions of the body. She had contusions on her face her neck and the front of her chest. He had been summoned there because she had thrown up blood. He judged, from what she had said, that she had swallowed blood from the breathing passages and that it had remained in her stomach after the robbery until it was vomited. The bruises that he saw, in his opinion, resulted from blows from the fist. The mark upon her throat would result from an attempt to strangle her.

UNDER CROSS-EXAMINATION. the witness testified that the marks that he saw, with the exception of that upon the throat, might have been caused by a fall and contact with a hard substance or any other external injury.

OFFICER ZABRISKI H. MULLEN testified that he was attached to the 4th. Precinct Police of the City of New York. He had been connected with the police force for 28ⁿ years. On the morning of the 10th. of August

0723

21.

between 8 and 9 o'clock, the complainant and Mrs. Maloney came to the station house, and the complainant said that she had been beaten. Her left eye was blackened and swollen and she had a cut on the right side of her throat, and her dress was saturated with blood. There was blood running out of her ear- out of both ears. After hearing the complainant's complaint, he went down to McCabe's house and found the store shut up and the shutters up and the doors locked and barred. It was about 9 o'clock in the morning. He had had occasion to pass the house very frequently .---- That was the first time; at about 11 o'clock he went back to the store with officer Clark and it was still closed. He met one of McCabe's sons and asked where his father was and the boy said that the mother and father were both in the house. He knocked at the door and tried the front and back shutters and could not get in. At about 3 o'clock he went back to the store and knocked at the side door. Just as they were going to burst in the door. Mrs. McCabe opened it. McCabe was in bed. Mrs. McCabe was dressed. He arrested the two defendants. He asked

0724

22.
Mc Cabe about Mrs. Walsh's things and he said he hadn't seen them and he knew nothing at all about her clothing. He acknowledged that the complainant had been in his store. He denied that he had taken anything from the complainant. He said that he put her out of the side door. At the police court, Judge Powers gave him, the witness, a search warrant to search the house. Officer Clark, in searching a closet, found the complainant's cloak stuffed back behind some pots and kettles.

OFFICER ROBERT W. CLARK corroborated Officer Mullen.

FOR THE DEFENCE. CATHERINE HYLAND testified that she lived at No. 3 Madison Street and was a married woman and had a little child. She knew the defendant only by sight. She knew the complainant by the name of Mrs. Burns. She had known her about 9 months.. Mrs. Burns, the complainant, came to her house on the morning of August 5th. at 10 o'clock and remained in her house all that day and all that night. She went away on the

0725

23.

8th. saying that she wanted to see about a box of hers that went away to the country. She returned to the house between 12 and 1 o'clock. She had a girl with her. She didn't know who the girl was. She remained in the house about half an hour. She went out with the girl. She was under the influence of liquor when she returned to the house between 12 and 1 o'clock. She came back about 3 o'clock in the afternoon; she was hardly able to walk then. She was drunk. A girl brought her in. She stayed in the house until 5 o'clock. The witness' husband told her to go out because she was drunk. She had only a one dollar bill with her that she the witness saw. She had it in a handkerchief in her bosom: she said she would buy the witness' baby a present, but she had no more money with her- that her boss didn't pay her. The complainant addressed her as Mrs. Hynes when she was there, not Hyland. She loaned a waterproof cloak to the complainant (then the witness identified the cloak that was found in the defendant's house, as the cloak that she had lent to the complainant). She saw the complainant the day after she left her house in Oak

0726

24.
Street. She saw her coming out of a house. She had on a black shawl and the same dress that she had on in hers, the witness' house. The complainant had a cut on her face and some cuts on her cheeks. She was under the influence of liquor. She didn't stop to speak to her.

NO CROSS-EXAMINATION.

THOMAS HYLAND testified that he was a laborer. The previous witness was his sister-in-law: he lived with her at No. 3 Madison Street. He remembered the 7th day of August. He saw the complainant at his sister-in-law's house. She went out in the morning saying that she had to go after some express goods that she had sent by express. She came back and stayed all night. He saw her next in the morning at 7 o'clock. She again went out to the express office. She came back about half an hour later and went out again. He noticed that she was not drunk when she came back the first time. The second time she came back, she had a young girl with her, and she was drunk. She stayed there about an hour and went

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25.

out again and he had not seen her again until he saw her in court. She told Mrs. Hyland that she wanted to buy a present for the baby, but that the gentleman she was with in the country didn't pay her, and that she hadn't any money at present; and he saw her take a one dollar bill from her handkerchief from her breast and that was all the money she had.

UNDER CROSS-EXAMINATION. He testified that he didn't have the handkerchief in his hand and examine it. He had heard her say that was all the money that she had.

MARGARET DOUGHERTY, testified that she was a widow, and lived at 35 Oak Street. She knew too much about the complainant and she was glad that they beat her. She had known her for about 3 years. She had lived in Roosevelt Street for about 3 years, and moved to Oak Street on the 1st. of May. She had lived at 73 Oak Street on the first floor back.. The complainant had stayed at her rooms several times and she had to put her out because she had the horrors from drink. The

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complainant had visited her 100 times last winter and had't paid her a cent and she put her downstairs by the back of the neck. The complainant was a terror when whe was in drink. The complainant went by several names. Nelly Walsh was her right name. She was known as "Nelly the Rider" "The Jersey Walker" and "Hoboken Nelly" Her character was not much. She was not honest.

UNDER CROSS-EXAMINATION, She testified that she took something intoxicating whenever she felt she could pay for it.

TERESA Mc CABE, one of the defendants, testified that she was 36 years of age. She was the mother of 14 children. She had been married to her present husband 6 years. On the 8th. of August she had 4 of her children living with her. On the 8th. of August she was washing, and between two and three o'clock, the complainant came walking into the side door of the store and she said, "Does Mrs. Mc Cabe live here" and whe, witness said, " Yes mam, come in" and the complainant asked her

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if she would buy a petticoat from her and the witness said, "that she would" and she took the petticoat off and said that she felt very weak, and asked 35 cents for the petticoat and she, the witness, gave her 30 cents. Then she gave the complainant a cup of tea and some cold roast beef, and the complainant eat it and thanked her. Half an hour afterwards she came back and said "You seem to be a good natured woman; will you let me have the petticoat until Saturday" and she, the witness, said, "No I can't do business that way; I could not pay my rent at that rate." They had a quarrel and the complainant went away. The complainant was full of drink. She came back again at about 8 o'clock in the evening and called her, the witness, different names, and said she would have the petticoat, and the complainant, when she- the witness- told her she could not have the petticoat, took up a cup off the table and cut her, the witness, on the head. There was a knife on the table, and she took up the knife and when witness attempted to defend herself, cut the witness on the hand with the knife. She, the witness, screamed, and then the witness beat the com-

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plainant as well as she could. She blackened her eye and got her by the throat to defend herself, and her husband came in in the middle of the fight and took the complainant by the shoulders and slapped her on her hands and feet into the hall. Neither she nor her husband took any property from the complainant and her husband didn't touch the complainant except to put her out into the hall.

IN REBUTTAL. The complainant being recalled testified that she didn't assault Mrs. Mc Cabe or cut her with a knife, or a tea cup, and she was never in the store of Mr. and Mrs. Mc Cabe until she entered it at 8 o'clock in the evening. When she visited Mrs. Hyland, she was not so intoxicated that Mr. Hyland had to put her out of the house. She gave Mrs. Hyland's child a dollar for a present. They were all very kind to her at the house there. She had met Margaret Dougherty at the Intelligence Office in Nassau Street, where she had gone to look for a place. She had lived with Mrs. Dougherty at times when she was out of a

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situation. She had never had any words with Mrs.
Dougherty. On one occasion she went there with \$50
and when she came away she had only \$20.

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0732

The People

vs
Patrick and Teresa McGehe-
non. J. B. Martine.

Indicted for Robbery in the
First Degree
Indictment filed Sept. 11/88.

Filed, Sept. 19/88.

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0733

COURT OF GENERAL SESSIONS OF THE PEACE:
City and County of New York.

The People :

against :

Patrick and Teresa Mc Cabe.

Indicted for robbery in the
first degree.

Indictment filed, September 1888,

Before,

:Hon. *Randolph D. Martin*
and a Jury .

Tried, September 19th, 1888.

APPEARANCES:

Assistant District Attorney Bedford, for the People.
Mr. Oliver K. Keane, for the Defence.

NELLY WALSH, the complainant, testified that
she arrived in the City of New York on August 7th.
She first went to Jersey City to see about some
furniture that she had on storage in Montgomery
Street. She slept there that night. On the follow
ing day at 10 o'clock, August 8th., she came to

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this City. As soon as she came to New York, she went to see about a girl, that she wanted to take back, with her to the country. She went to Carpenter's Agency office in 6th Avenue, between 8th. and 9th. streets. The girl was not there. She went to a friend's house. Her friend left for a drug store at the corner of New Chambers Street. The friend's name was Mrs. Hynes. Mrs. Hynes used to work with her. It was about 12 o'clock when she got to the house of Mrs. Hynes. Late in the afternoon she went to look for another girl. She went to Pearl Street. It was about 4 o'clock when she left Mrs. Hyne's house. The girls name was Mary Costello, and she lived over a market depot. She didn't see her. She waited for her some time talking with a lady there. Between 8 and 9 o'clock in the evening, she entered the store of the defendant at 27 Oak Street. She entered with the intention of buying some things. They kept a second hand clothing store. She had never been in the store before. She went up

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stairs over the store to inquire for this girl, and could not find her and went down stairs. Mc Cabe's store was right underneath where she had been up stairs to inquire. She saw clothes in Mc Cabe's window and thought she could get what she wanted, without going to Grand Street. She saw Mr. McCabe and his wife in the store. She told them that she was very tired and had just come from the country and had been looking for a girl and that she could not find her and that it was a very hot day. Then she looked at a skirt. The defendants told her that the price of the skirt was one dollar. She didn't think that it was worth that much, and she didn't take it; and then they suggested a glass of lager. Mrs. Mc Cabe asked her if she would have a glass of beer. Then she, the complainant, took the money out and said she would not mind. She took the money out of her breast and there was a \$5 bill and a \$10 bill and one dollar in silver and she gave them the change to go for the beer. She

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gave Mrs. Mc Cabe a 50 cent piece. She didn't remember which one went for the beer. The 50 cent piece was not a portion of the \$16, it was change that she got when she bought her railroad ticket in Greenfield. The 50 cent piece was rolled in with the \$16 and she took all of the money out when she gave to Mrs. Mc Cabe the 50 cents. The money was rolled in her handkerchief and was in the bosom of her dress, inside of her corset. When she took out the money, the defendants were standing alongside of her. Mrs. Mc Cabe was standing in front of the counter right by her side and Mr. Mc Cabe was behind the counter, just opposite her. After she gave the 50 cents to Mrs. Mc Cabe, she rolled up the remaining money, \$16, and put it back into her breast. Then she drank a glass of beer, and her head commenced to feel dizzy and she didn't know what became of her; she didn't drink the whole of the glass. Mr. or Mrs. Mc Cabe didn't go for the beer, because they didn't leave the store. She

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drank almost all of the beer in the glass before she felt dizzy, because she was thirsty.. After she began to feel dizzy, she remembered that Mr. Mc Cabe had turned down the light and told some persons in the store to go up to bed. The light in the store was given by a lamp. The persons that he told to go to bed were Mr. and Mrs Lewis, witnesses, in the house of detention. There was only a curtain between the store and the bedroom where Mr. and Mrs. Lewis went. As soon as Mc. Cabe told them to go to bed they went into the room. After the Lewis' went away she was talking with them about their business and about the country and Mr. Mc Cabe came over and gave her a punch on the side of the head. and staggered her. (The witness showed the mark over her left eye) He told her that if she hallo'd he would cut her throat. Then he hit her again on the right side of the face(The witness showed a mark) with his clenched fist, and then he threw her on the bed. He called her a

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"dam bitch" and got his hand on her throat and said he would murder her if she hallo'd. When he struck her on the right side of the face, she felt a cut as if with a knife; she was then on the bed; blood came from the wound and stained her clothing. She felt what she believed to be a knife run across her chin and her chin was afterwards bleeding; but she didn't see a knife because the room was quite dark (The witness showed a scar on her chin) She did hallo as loud as she could. She said, " For God's sake, don't take my shoes and stockings," Mrs Mc Cabe was along side of her husband while he held her on the bed, with his knee on her stomach, and his hand pressed against her throat. Mrs. Mc Cabe took the money out of her breast while Mc Cabe was holding her down. Besides the \$16 , her shoes and stockings were taken from her. Mrs. Mc Cabe took off her shoes and stockings while she was held down by Mc Cabe on the bed. Her hat was also taken from her. They also took her gloves

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vail and gossimer or rubber coat. She had her gloves in her hand at the time that Mc Cabe attacked her. Before the attack Mrs. Mc Cabe came up and took off her hat and gossimer and gloves and vail and put them on a corner of the counter. That was just after she had drank the beer. Mrs. Mc Cabe told her when she took the things that she had time enough to go later. After she was beaten and robbed on the bed, she became unconscious, and when she recovered consciousness, Mrs. Mc Cabe was sitting watching her. She, the complainant, was lying on the floor of the kitchen. As soon as she recovered consciousness, the Mc Cables threw her out in the hall. While she was lying on the kitchen floor, Mrs. Lewis came in and asked if she, the complainant, was dead. Mrs. Lewis said, "My God, she is dead." and Mrs. Mc Cabe said, "Hush, no; she will be alright in a minute; I guess she is only unconscious." Then Mr. Mc Cabe came in from the bedroom and took hold of her. He got her by the

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waist and threw her into the hall. He punched her when he got her into the hall with his fist. He struck her on the left side of the face. (The witness showed a mark). She had never been in any trouble in her life except trouble that grew out of administering her husband's estate. She had never been arrested in her life. After Mc. Cabe struck her in the hall-way, he closed the door and left her in the hall way. There was a woman in the hallway waiting for her husband, who was out late, and she had a lamp in her hand, and she came over to speak to her. The woman was Mrs. Maloney. Mrs. Maloney took her up to her own room in the same house. She, the complainant, was bleeding out of her nose, mouth and ears. Mrs. Maloney got her water to wash her face and went to the drug store for plaster for her wounds. She stayed in Mrs. Maloney's rooms all the next day, and until Friday, when she went out to make a charge against the defendants. She had never seen Mrs. Maloney

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before that night. When she went up stairs to inquire for the servant girl before she went into McCabe's store she went into the rooms on the first floor and Mrs. Maloney lived on the third floor. She didn't go to the police station on the morning after the assault and robbery, because she was not able to go, and she had no shoes to put on. Mrs. Maloney loaned her the shawl that she had on in Court, and a pair of shoes. Mrs. Maloney loaned them to her to go to the station house to make a complaint. The robbery was committed on the Wednesday night and she made the complaint on the Friday. In the House of Detention she had been attended by a physician, and she had thrown up blood on the second day after she had been in the House of Detention. She went to the House of Detention on the Saturday following the Wednesday of the robbery. In the room of the store, which was separated by a curtain from the store, there were two beds. The heads of the beds were together. She had worked for the \$16

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that were stolen from her. She had worked for Paul Nichols, who kept the Longview Hotel in Greenfield, N.J. and she intended to return as soon as she got a girl for Mr. Nichols. She hadn't seen any of her property except a cloak which was returned to her by a detective in the Tombs. She drank nothing up to the time of the robbery except a glass of beer, that she drank with the defendants.. She didn't see Mc Cabe drink any of the beer.

UNDER CROSS-EXAMINATION. The complainant testified that she had been a widow for 12 years. Her husband's name was Thomas Burns, he was killed accidentally in Brooklyn. She called herself Nelly Walsh, because that was her mother's name. She formerly worked in French's Hotel. She had lived at 30 Grand Street in Jersey City, and she lived there about two years ago. She had rooms there, but, since her husband's death, she had worked for her own living. She went to French's Hotel

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to work when it was re-opened about two years ago. She had worked there for about five years previously and when it was re-opened she returned to it. She was a cook by trade, she had a store for about 3 years and a half, after her husband's death. She lived in Brooklyn; then she kept a dry goods and fancy goods store; then she came to New York and went into the employ of French's Hotel. She had also worked for Currier's Hotel in Fulton Street and also for Lawrence Kerr, keeper of an hotel at 4th. Avenue and 25th. Street. She went to Greenfield in the Summer. She had never borne the names " Nell the rider" or "Hoboken Nelly". She was never in Hoboken in her life. She had never had the name of the "Jersey Lilly" or "Trot her out Nell". She came from Ellenville on the 7 o'clock train on the Hudson River Road and landed in Jersey City, not Hoboken, at the West Shore Depot; and she went to Jersey City to the store of Louis Woods to see about furniture that she had

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12.

stored there. She stayed over night, at 52 Montgomery Street, at the house of Mrs. Milchner, a married woman. She went to Carpenter's Employment Agency in 6th Avenue, to look for her friend, for whom she wanted to get a situation in the country with herself. The friend was Mary Ann Murphy. She hadn't seen her for seven or eight months. She heard from her on the first day of August by letter. When she last met Miss. Murphy, she said that she was working in the Home Made Hotel, in Greenwood Street, in this City. When she arrived in New York she had about \$28. After paying her fare and paying \$5 for her furniture she had \$16.50 left. She also paid \$7 for some silk for a dress that was at the dress makers and bought some other things. She didn't tell Mrs. Haynes during her call, that she had only one dollar, and, that if she had more, she would buy a dress for her child. She gave the child one dollar, and put the dollar in the child's hands, and she also told Mrs. Hanye's that she would but the child a dress. She was appointed

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executrix of her husband's estate when he died 12 years ago. The estate was still in her name and she could not touch it until her children were of age.

ELIZABETH MALONEY testified that she lived at 27 Oak Street and was a married woman. She had lived there two years and five months. On the 8th. of August she lived on the 3rd. floor of the house. Her husband went out that night to a meeting, and at about quarter past eleven, she went downstairs to the hallway with a lamp to wait for him. She saw Mr. McCabe firing the complainant out of the back door when he went in and shut his door. She, the witness, went and looked at the complainant by the light of her lamp, and she was bleeding at the nose, mouth and ears, and had a cut in her chin. She took her up stairs to her room and washed her wounds, and plastered them with court plaster. There was no smell of liquor about the complainant. She remained in her room all night. She had never seen her before in her life and took her in out of kindness. She had

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no shoes or stockings on and no shawl. The complainant asked her if she would lend her a pair of shoes and stockings, and a lady staying with her lent her a pair of shoes and a black skirt, and a black shawl. She, the witness, went with her to the station house on the morning following the robbery. There was a bruise on the complainant's throat. She had a black eye. She lay on the lounge almost all day and said that her neck was so stiff that she could not turn her head. On the morning after the assault, she went to Mc Cabe and tried to get the shoes and stockings of the defendant. Mrs. Mc Cabe was also there. She asked Mc Cabe if he would be kind enough to give the complainant her shoes and Mc Cabe asked her if she would stand a round of beer and she, the witness, said, "What would you like?" and he said, "A pint of old ale" and she sent for it. Then Mc Cabe said, "Mrs. Maloney if there is any shoes and stockings you can search my store for them" He didn't give her the shoes and stockings.

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UNDER CROSS-EXAMINATION, the witness testified that the complainant didn't leave her house until she went with her to the police station to make a complaint. She didn't send out for beer or any other drink.

Mrs. LEWIS testified that she was a married woman living with her husband at 27 Oak Street in August last. She remembered the night of August 8th. when the complainant entered the store of the Mc Cables. she and her husband were in the store. The complainant asked to see some articles of clothing, and Mc Cabe showed them to her, but no bargain was made about it. There was some talk about a skirt, and the Mc Cables charged one dollar, and the complainant would not buy. While the complainant was looking at the skirt and telling her story and where she came from, a glass of ale or beer was mentioned. Mrs. Mc Cabe said, "We will have a glass of ale on the health of it" Mrs. Mc Cabe's son, of her first husband, a boy named O'Brien, went for the beer. She, witness, got a glass of the beer. It was brought in a tin pail by Mrs. Mc Cabe's son. She, the witness, didn't

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16.

drink out of the same glass with the complainant. They had several glasses there. Complainant left some of the beer in her glass. Her husband came in during the time that they were there, and went to bed, and Mr. Mc Cabe said it was time for her, witness, to go into her own room. There was a curtain over her bed. There was a curtain separating the clothing store from the bedroom, and the heads of the two beds were against each other, Mr. Cabe told her to go to bed, and that the store was no place for her. She went immediately when she was told. The children were put to bed too as soon as she went into the room. They slept in a bed at the foot of her bed. She and her husband fell asleep and they were aroused by hearing the complainant cry "don't murder me" "Don't choke me". The witness' husband got out of bed and dressed himself and went out of the house, and never went back to it again. Cries came from the other bed. She lifted up the curtain and she saw Mr. McCabe standing over the complainant. It was so dark that she could not see him do anything. The light was low.

0749

Mrs. Mc Cabe was standing at the side of the bed. Next she heard was a struggle in the hall. As soon as she heard the noise in the next bed, she got back into her own bed because she was afraid and didn't wish to see anything. She went into the kitchen to see if the complainant was dead or alive; the complainant was lying on the floor of the kitchen, and Mrs. Mc Cabe was sitting on a chair. That was about half an hour after she saw Mc Cabe and his wife standing over the complainant in bed. She said to Mrs. Mc Cabe, "Oh! is she dead." and Mrs. Mc Cabe said, "Hush; get into bed." and she, the witness went back into the room and went to bed again. She had lived at the Mc Cabe's house off and on. The last time she and her husband were there they stayed 7 months. When her husband got his pension they would stay there.

CROSS-EXAMINATION. She testified that she had a dispute with the Mc Cables about money matters; but that was when \$40 in gold was taken out of the bosom of her dress when she went to sleep. It was her husband's pension money. Part of his June pension. Her

0750

18.

husband received \$108 every quarter. She paid Mc Cabe \$80 out of the pension, and he brought her account up to \$50 and borrowed \$10 from her. Mc Cabe had also retained her husband's pension certificate. She had no illfeeling towards them, because her husband went right to Washington and got another certificate. She had asked Detective Clark of that Precinct to try to get the papers back for her.

CHARLES LEWIS, testified that he was the husband of the preceding witness. He went to bed about 9 o'clock and heard Mc Cabe tell his wife to go to bed. He and his wife fell asleep and they were awakened by the complainant crying out in a stifled way, "Do you mean to murder me; do you mean to choke me." He passed out of the house immediately and never went into it again. He didn't want to get into any difficulty. He saw her as he passed out of the room. She was on the bed. Mr. and Mrs. Mc Cabe were at the bed. At the time she made the outcry and said, "Don't choke me"- Mc Cabe had a hold of her and was apparently choking her.

0751

UNDER CROSS-EXAMINATION. He testified that when he entered the kitchen, he saw Mr. and Mrs. Mc Cabe talking; they were sitting down and talking. His wife was also in the kitchen. There was a lamp lit in the kitchen when he entered. After he went to bed he fell into a kind of dose, from which he was awakened by the cries of the complainant. He testified that he had not had any trouble with Mc Cabe. He didn't remember that Mc. Cabe took 50 cents from him, and a bottle of whiskey. He went for some whiskey for a person that was in McCabe's store and brought it in and put it on the shelf. Mc Cabe took 25 cents from him, and made him strip himself and searched him all over and shook his fist in his face and he threatened him. This occurred on the morning of the robbery. His wife didn't steal 50 cents from a Mrs. Moran in the same building, and the 25 cents that Mc Cabe took away from him was not a part of that 50 cents.

DR. CHARLES E. MAMMOCK testified that either about the 10th. or the 12th. of August he was called to the House of Detention to see the complainant by a sergeant

0752

Police Department of the City of New York,

Precinct No.

New York, 188

Patrick McCabe 45 New Bowery
arrested Jan 7-87. charged with
felonious assault on Frank
Kimmer of 45 New Bowery
May 3-87. sentenced to 2 months
in Penitentiary by Judge Sutherland
off Cortlandt

May 3-88
arrested for felonious assault
charged with stabbing Cornelius
Hollahan of 10 Dorset in the
back with a knife in front
of 27 Oak St
off Barlow

0753

CITY AND COUNTY
OF NEW YORK, } ss.

POLICE COURT, 1 DISTRICT.

Robert W. Clarke
of No. 100 West 100th Street, aged 26 years,

occupation Police officer being duly sworn deposes and says,

that on the 10 day of August 1888

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

Patrick McCabe and Teresa McCabe
charged with robbery by Nellie Walsh
that said Nellie has no permanent home
in this County and said Nellie is a
necessary and important witness for the
people and deponent fears that said
Nellie will not appear when wanted
Deponent prays that said Nellie be bound
to give surety for her appearance and in
default of bail to be sent to the House of
Detention for witnesses Robert W. Clarke

Sworn to before me, this

of

August 1888

day

at 100 West 100th Street

Police Justice

0754

Police Court District.

THE PEOPLE, & c.

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition,

Committed to the
House of Detention

0755

POOR QUALITY
ORIGINAL

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, 1 DISTRICT.

Robert W. Clarke
of No. 4th Avenue Police Street, aged 26 years,
occupation Police officer being duly sworn deposes and says,

that on the 13 day of July 1888

at the City of New York, in the County of New York, Charles Lewis
and Mary Lewis were witnesses
for the People against Patrick
and Teresa McCabe charged with
Robbery. That the examination has been
adjourned until the 15th inst. and
deponent fears that they will not appear
when wanted to testify and as they are
necessary and material witnesses deponent
prays that they be ordered to give security for
their appearance ~~and~~ be sent to the House of
Detention for witnesses Robert W. Clarke

Sworn to before me, this 13 day

of August 1888

J. J. Conner

Police Justice.

POOR QUALITY
ORIGINAL

0756

Police Court District.

CITY AND COUNTY } ss
OF NEW YORK,

Nellie Walsh
of No *30 Gray St. Jersey City* Street, Aged *32* Years
Occupation *sewer* being duly sworn, deposes and says, that on the
1st day of *August* 188*8*, at the *1st* Ward of the City of New York,
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
ponent by force and violence, without his consent and against his will, the following property, viz:

*Good and lawful money
of the United States of the
sum and value of six ten
dollars, one pair of shoes one hat
one rubber cloak, and one veil, the one
pair of stockings the whole being*

of the value of *Twenty seven* 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

Patrick Mc Cabe and Teresa Mc Cabe.
*both now here who were acting in
concert for the reasons following
to wit: on the above date described
date deponent entered the premises
kept by the defendants, having
the said wearing apparel on her
body, and the said money under her
dress on her breast. The said Teresa
invited deponent to have a glass
of beer, deponent placed her hand
in her breast and took therefrom
the said money, when the said*

day of
1888

Subscribed before me, this

Police Justice

Patric Mc Cabe saw the said money
he turned down the light and ~~and~~
sized hold of deponent by the
throat and did throw her on a bed
where the said Patric was holding
deponent down the said person
took said money from her breast
they did also forcibly take the shoes
and stockings from her feet and
the remainder of the clothing mentioned
from her person. The
said Patric did strike deponent
on the face when she made an
outcry and ~~then~~ throw her into
the hallway of said premises.

I do solemnly swear to before me
this 11th day of August 1884
James G. Owen
Kellie Walsh
man

Police Justice.
Dated 188

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

There being no sufficient cause to believe the within named

Police Justice.

Dated 188

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 188

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

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

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

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

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

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

1
2
3
4

Offence—ROBBERY.

Dated 188

Magistrate.

Witness,

No.

Street,

No.

Street,

No.

Street,

No.

to answer General Sessions.

0758

Sec. 198-200.

1st District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

Patrick M. McCabe.

Question. How old are you?

Answer.

43 years.

Question. Where were you born?

Answer.

Ireland.

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

Answer.

27 Oak Street. 15 months.

Question. What is your business or profession?

Answer.

Dealer in Second Hand Clothing

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

Answer.

I am not guilty
Patrick McCabe

Taken before me this

day of September 1888

George J. [Signature]
Police Justice.

0759

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

Teresa McCabe

Question. How old are you?

Answer.

35 years

Question. Where were you born?

Answer.

Ireland.

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

Answer.

27 Park Pl. 15 months

Question. What is your business or profession?

Answer.

Housekeeper

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 -
Teresa McCabe
mms

Taken before me this

day of

1884

Police Justice.

0760

Sec. 707.

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

In the name of the People of the State of New York, To any Policeman of said City:

Proof by affidavit having been this day made before me James J. Jones Esquire,
Police Justice of said City, by Hellie M. M. M. of No. Jersey City
Street, in the said City, that the following property, to wit:

One pair of shoes, one pair of
socks, one rubber
coat and one veil

Has been feloniously taken, stolen, and carried away by Peter M. M. M.
and Teresa M. M. M.
and that he has a probable cause to suspect, and does suspect that the said
or part thereof is now concealed in the dwelling house or premises of Peter M. M. M.
situate on a lot of ground fronting on No. 27 Clark Street, in the
Ward of said City.

THESE ARE THEREFORE, in the name of the People of the State of New York, to command
and authorize you, with proper assistance, in the day time, to enter into the house or premises of the
said Peter M. M. M. situate as aforesaid, and they make immediate
search for the said property and if the same, or any part thereof
shall be found, then you are likewise commanded to bring the same so found, together with the said
Peter M. M. M. and Teresa M. M. M.
or person in whose custody the same shall be so found, before me or some other Police Justice in
and for the said City and County, to be dealt with as the law directs. This Warrant unless executed
within five days after its date is void.

Given at the City of New York aforesaid, under my hand and seal,
this 14th day of August one thousand
eight hundred and eighty eight.

James J. Jones
Police Justice.

0761

Inventory of property taken by me the Policeman by whom this warrant was

executed. One rubber cloak. Found in a

closet in premises 27 Oak Street

Robert H. Clarke

City and County of New York, ss:

I, Robert H. Clarke the Officer by whom this warrant was executed,
do swear that the above Inventory contains a true and detailed account of all the property taken by me
in this warrant.

Sworn to before me, this 11

day of August 1888

Robert H. Clarke

Police Justice.

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

SEARCH WARRANT.

Dated.

188

Justice.

Officer.

0762

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

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

Dated *Sept 11* 188 *8* *Geo O. Curre* *Police Justice.*

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

Dated.....188.....*Police Justice.*

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

Dated.....188.....*Police Justice.*

0763

\$ 3.00 each
11th Aug. Aug 11.
9th Aug. Aug. 13.
4th Aug. Aug. 15.
9³⁰ AM Aug 18
10³⁰ AM Aug 20th
21st

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Mary Lewis Corn House of
detention in default of
\$100 bail
Charles Lewis Corn to the
House of detention in default
of \$100 bail

Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Walsh
Captain McCabe
Susan McCabe

8

4

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

to answer

Corn

0764

STENOGRAPHER'S MINUTES.

District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Nellie Walsh

vs.

Patrick McLoabe

Theresa McLoabe

BEFORE HON.

Maurice J. Power

POLICE JUSTICE,

Aug 20 188*8*

APPEARANCES:

For the People,

Dist. Atty Hartman

For the Defence,

Mr. Oliver

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<i>Charles Lewis</i>	<i>4 8</i>	<i>4 2</i>		
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<i>Robt. W. Clark</i>	<i>5 3</i>			

Official Stenographer.

P. Thomson

0765

Fifth District Police Court

Aug 20. 1888.

Neelie Walsh

Agt.

Patrick Mc Cabe {
Theresa Mc Cabe }

Before Hon. Maurin J. Power, Justice

Neelie Walsh, comes ex-amund.

Q You live at No. 30 Grand St. Jersey City? A. I did live there.

Q You are 30 years of age and by occupation a cook? A Yes, Sir.

Q On the 8th day of August this year, you saw Patrick Mc Cabe and Theresa Mc Cabe, his wife now here, who robbed you of \$15.00.
A - No, there was no fifty cents in it.

Q They robbed you of one pair of shoes, one hat, one rubber cloak, a pair of stockings and gloves, all of the value of \$27? A Yes, Sir.

Q Now, Mr. Walsh, are you married. A - No, I've been

widow twelve years.

Q When did you live before you lived at 30 Grand Street Jersey City?

A - I worked in French's Hotel for five years. Previous to that I worked in Gramville New York, up the Hudson. I worked there as a cook.

Q And you worked at Gramville up to the 8th when you came to the City?

A - Yes, sir.

Q Are you positive it was the 8th? A - It was a Tuesday, I think, the 7th I came to New York, and the 8th it occurred.

Q What time on this Tuesday after you reached the York Street station on the train, did you leave? A - I left here at 12 o'clock in the day, on Tuesday.

Q When you left the train where did you go? A - I went on business of my own.

Q Where did you go? A - To see about my furniture in storage.

(2) Q Where did you go? A - To Montgomery

0767

Q What time did you reach New York? A - I did not go to the City that night, it was the following morning that I went to New York.

Q You did not go to New York on the day that you arrived? A No.

Q What time was it the next day that you came to New York? A - I came about 10 o'clock in the morning.

Q And when you arrived about 10 o'clock Wednesday morning, when did you first go? A - I went to meet a girl.

Q Give the street and number?

A - I went up to the office on Sixth Avenue, the girl I knew was ^{not} there.

Q What number Sixth Avenue? A - I don't know.

Q Who was the girl? A - Mary Ann Murphy.

Q How long acquainted with Mary Ann Murphy? A - Five years, or more.

3)

Q When did you see ^{her} last? A - Not
in six or seven months, but I
received letters from her.

Q When did you see her the last time? -

A - I couldn't say.

Q When was she working when
you saw her? A - In the
"Home Made Hotel" in Greenwich
street, this City.

Q After you lost your employment
at Gaanwick, where did you go?

A - I heard she was at this
number in Oak street.

Q What number? A - 27 Oak street.

Q Who told you she was there?

A - An old gentleman in the
office told me she was there,
and I went there.

Q And acting upon his suggestion
you went there, to 27 Oak st.?

A - Yes, sir.

Q Do you remember her swearing
the other day? A - Yes, sir.

Q Do you remember swearing
that when you came to New York

4)

0769

you went to a lady's house in a drug store first? A - I don't remember it.

Q Is your memory good? A Not at present.

Q Can you remember what occurred within a week? - A, Yes, the day this happened.

Q The motive that brought you to 27 Oak was the fact that a gentleman in the Employment Agency on 6th Avenue told you, he thought that she was 27 Oak Street? That is the only reason you went there? A - Yes, sir.

Q And that is as true as any thing else? A - I have stated that before.

Q Do you remember saying on the previous examination, ~~saying~~ this Mrs. Murphy wrote you a letter? A - So she did.

Q And that it was in answer to that you came to look for her at 27 Oak Street. - A - Yes, sir.

5)

That is correct.

Q. What^{do} you mean by saying that it was ~~the~~ Oak Street Employment Agency sent you to? A. I think,

Q. Which is true? — A. — I told you it was true. I went to this Employment Agency for information and he told me she might be there.

Q. And you say she had written to you?

A. — She had not given me her address.

Q. Did you receive information from this lady that you called on?

A. She did not give me her address.

Q. When did you receive your last letter from Mrs. Murphy?

A. — The last letter I received from Mrs. Murphy was the 1st of August last.

Q. What address did Mrs. Murphy give when she wrote that letter?

A. — She gave me no address.

Q. And what were the contents of that letter, in reference to calling

6)

0771

~~to calling~~ on her in New York; - What did she say. - A She did not say.

Q How did she know your address?

A From the place where I boarded.

Q When did you start from? A - To go to Greenville New York.

Q When you went ~~to~~^{from} Greenville where did you start from? A. 84th Avenue, the number I don't know.

Q The employment Agency? A - No. I went to meet this lady in 84th Avenue.

Q What place? A - I don't know the number.

Q What sort of place? A - a small restaurant.

Q Were you working that time?

A - I was working in no place before going to the County.

Q How long out of employment? A - a couple of weeks

Q Where were you living? A - In Jersey City.

7) Q What street? A - 52 Montgomery Street.

0772

Q What kind of a house is it?

A - Private

Q Married woman with her family? A - Yes, sir.

Q You had been out of work two weeks and living with her,

A - Yes, sir.

Q Who was this lady, an appointment to meet with at the restaurant on Sixth Avenue? A Mrs. Jones.

Q Had you ever seen Mrs. Jones? A No.

Q Had anybody written to you to meet Mrs. Jones at the restaurant?

A - No.

Q How did you come to meet her there? A - Through a friend, a lady, Mrs. Sweet in 6th Avenue.

Q Where does Mrs. Sweet live?

A - I don't know, on Sixth Avenue, I could go there.

Q How often have you been to her house? A - Two or four times.

Q Whereabouts is the house?

8

A - Near 9th Street,

Q Was it between 8th and 9th streets?

A - No, between 9th and 10th sts.

On the right hand going up.

Q Is she living there yet? A - I presume so.

Q When you met Mrs. Jones at a restaurant, did you make arrangements to go to Greenville? A - No I met her to go to her son in law

Q Do you know a lady that lives over a drug store in New York? A - Yes, hi.

Q Who is she. A - I don't remember her name.

Q Do you know where this drug store is situated? A - I do.

Q Where? A - It is Wheeler's drug store, but I don't know the street.

Q What is her name? A I know the well but don't remember the name, I've been there three or four times — Mrs. Haines is her name.

Q Didn't you testify before Judge

0774

Power, on the day of examination before him, that you came to New York and visited this woman over the drug store? A I did not say to visit, but I called to see her on business.

Q And she told you that this Mrs. Murphy you were desirous to see was at 27 Oak Street? A She didn't tell me.

Q You did not go direct from the employment agency to 27 Oak Street. A, No, sir.

Q What time did you leave the employment agency? A Very near 12 o'clock.

Q From there where did you go?

A - I went to call on this lady over the drug store.

Q How long did you stay at that lady's house? A, I couldn't say.

Q What time was it when you left? A That I couldn't say.

Q Were you sober? A - As sober as now. I don't know the taste of liquor.

10

Q. Can't you tell me from the time you went to this house over the drug store, when you left?
 A. - It was late in the afternoon, I don't know the hour.

Q. You got there after leaving the employment Agency, some length of time, and it was late in the afternoon? A. - That is my answer.

Q. You don't know whether it was one two or three hours? A. That is my answer.

Q. After leaving Mrs. Heines when did you go? A. - I went on a little business.

Q. Where did you go on that business. A. I went to see a friend of mine; I heard her mother was dead.

Q. Where? A. In Pearl street over a milk depot. She wasn't ^{there} but I went to see her.

12 Q. When had you seen her? A. Not

in two or three years.

Q. You went there? A. I went there and inquired for her, and found she had not been living there in two or three years.

Q. And where did you go then? A. I went down to inquire for her at 27 Oak Street, to see if they knew anything about her.

Q. You reached the employment Agency on Sixth Avenue about 10 o'clock, left it at 12 o'clock, went over to Mrs. Hines at 12, in Pearl Street and staid two or three hours, it was late in the afternoon when you looked up this friend in Pearl Street, and then you went to 27 Oak Street? A. Yes, Sir.

Q. You swear to that? What time was it that you reached 27 Oak Street? A. About 8 o'clock in the evening.

Q. If you left Mrs. Hines in Pearl Street, late in the afternoon, how

0777

do you make it 8 at night before
before getting to 27 Oak street? & It
wouldn't take you four or five
hours to do that? A - I staid
talking an hour with the landlord,
and the young lady that keeps
the snick depot.

Q Did you talk an hour with
them? A About half an hour.
It was late in the evening
when I left.

Q Be honest with me, do you
know where Wheeler's drug
store is? A No, I hardly know
where it is.

Q Do you know what street
Wheeler's store is? A No, but
I could go to it; I don't know
the name of the street.

Q How long does it take you to go
from Wheeler's drug store to this
place in Pearl street? A I
decline to answer you, you
have asked so often. I can't
say.

0778

Q About how long?
A I cant say.

App tile 8 A.M. Aug 1. 21st

at
the
house
of
the
owner
of
the
house

at
the
house
of
the
owner
of
the
house

Thursday Aug 21 '88

Nellie Walsh recalls.

Q (By Ma Ham) prop. how many blocks is it from Mr. Wheeler's drug store - that is from the place you visited in Pearl street, that you went to visit Mrs. Hines? A I don't know, I never counted it.

Q 5 or 6 or 10? A I don't know

Q 9 or 10, or 20? A I tell you I don't know.

Q Is your memory as bad in regard to other matters, as ⁱⁿ this distance from Wheeler's drug store, to the house you went to inquire at in Pearl street? A - I never counted the blocks.

Q How often have you been in the Fourth ward in this city? A Never before, but once in my life.

Q And when was that? A - That is over a year ago.

Q And what street did you reside in? A - I went to see a friend.

Q You were once at Mr. Wheeler's store before? A Yes, Sir

Q Were you ever to this place in Pearl street when you failed to find your friend in the milk store?

A Yes, Sir

Q How long ago? A - Two years ago.

Q Now you know where Wheeler's drug store is and the milk depot. Can't you tell us how many blocks it is from Wheeler's drug store to this place you visited on this day? A - No.

Q This Wheeler's store isn't it at the junction of several streets?

A - Yes Sir.

Q Did you go to Wheeler's drug store that day? A - I came down from the City Hall, but I don't know some of the streets.

Q Don't you know Wheeler's store is at the corner of Pearl and Madison streets? A - No.

Q After you left Mrs. Henes at 12 o'clock, and three or

four hours later in the afternoon,
then went to your friend in
Pearl Street, can you give us the
hour you went there? A - I had
no watch - I don't know the time.
I did not time myself. I
can't tell.

Q Do you know the names of the persons
in the Pearl Street ^{house}? A No, Sir.

Q For my information, Mrs. Walsh, give
me the names of the persons that
you went to visit that day in
Pearl Street? A - Mass (Castles).

Q Is she a widow? A No, she
has got no husband, she is a
young girl.

Q Where did they work with you?
A - In French's Hotel, just before
closing.

Q You did not find them there? A They
had left the place in Pearl Street.

Q What time did you leave that
place in Pearl Street? A - I
told you I don't know.

17) Q How many blocks is it from

- This house in Pearl street to 27
Oak St.? A - I don't know
- Q How long did it take you
to go? A - I don't know
- Q Had you drunk anything at all
that day? A - No, sir.
- Q That is the best answer you
can give give of time place and
distance? A That is the best answer
I can give.
- Q You say you reached 27 Oak street
at 8 o'clock in the evening? A Yes, sir.
- Q And when you got to 27 Oak street
A - I went to inquire about
this girl, and she wasn't there.
- Q And who did you inquire of.
A - A couple of people in the
house - I don't know the
people in the house from
the dead to the grave. I
went up stairs.
- Q Did you inquire for this lady
opposite you (a witness) A - No, I
never saw her till she took
me in her house from the hall.

Q On what floor was it you inquired for this woman? A First floor

Q ~~Q~~ Front or back? A - Front and back

Q After you had inquired where and go to then? A It came down stairs.

Q What happened after that? A I went into this man's house

Q When you went in the store who did you see? A Him and his wife.

Q After you went in had you any conversation? A - I was talking to his wife.

Q What was the conversation about, A - I was fatigued coming from the country, I don't remember all. I went in with the intention of buying some skirts.

Q Did you buy any skirts, A - I looked, they asked a dollar and I did not take it.

Q And then what else happened?

19 A This gentleman asked if I

would have a glass of lager, and I said I would pay for it, and took the money out of my breast. I had the money in my hand, and placed it back in my ~~breast~~ bosom, after I gave the money for the beer.

Q At the time you went to this house 27 Oak Street, how much money did you have?

A - I had \$16 - a 5, a 10 and a dollar in silver.

Q Change? A - A silver dollar.

Q And you went for a pint of beer. A Yes, sir.

Q You sent for it. A I don't know.

Q You paid for it? A Yes, sir.

Q Your change was given back to you? A - I saw no change.

Q What did you give her? A - 7 or 8 cents.

Q Then you did not change the \$16.

A - No, nothing but the small change.

20/ Q You told me just now you had just

Q. H. S. ~~and~~ and you say now
you had Small Change? A. I gave
her Small Change.

Q. After you got your beer what
happened then? A. That man
deliberately struck me on the
side of the head, and again
under the eye, and teased
me, and him and his ^{wife} got on the
top of me.

Q. After you drank your beer,
this man hit you on the
side of the head face with his
clenched fist? A. Yes, Sir.

Q. And after that he hit you then,
and he and his wife pulled
you into the bed room, and threw
you on the bed? A. Yes, Sir.

Q. You had no words with them.
A. No more than this gentleman.

Q. Who was it pulled you in?

A. Both pulled me in.

Q. After they did this? A. He put
his knee on my stomach, and
his wife robbed me, took the

Money in my waist, took a handkerchief that it was in, and took it out of it.

Q - And in that handkerchief was your money? A - Yes, sir.

Q - Did you scream? A - Yes, sir, "murder."

Q - Anything else? A - I asked for God's sake, stop, they said another word and they would cut my throat. The scar is on my throat yet.

Q - How long did you scream?

A - I don't know, - he choked me.

Q - They had to choke you, and you had to call murder, what was next done? A - I fainted dead away.

Q - When you returned to consciousness? A - He took my shoes and stockings off, every thing, and threw me out.

Q - And stretch you ~~there~~, and throw you out without shoes?

A - Yes, sir.

Q Where was his wife? A The light was turned out, I couldn't see.
Q And it was all dark? A When robbing me they turned the light down.

Q When robbing you they turned the light down? A Down.

Q Did you positively say before Justice Power that they turned it out?

A - They turned it down, I saw every thing, but thought I was dead.

Q When thrown out in the hall where did you go? A - A lady inside took me up stairs and washed the blood off.

Q After thrown in the hall did this woman come down?

A - She did not come for me, she was looking for her husband who was late, and saw that man beat me, and throw me in the hall, without shoes, or stockings, or any thing. She had the lamp in her hand.

Q Did you go up stairs to her apartment? A - Yes, sir.

Q What floor does she live on?

A - I don't know.

Q Did you ever say you went on the second floor? A - No, I said an unknown woman took me in from the hall, and she is there to prove it.

Q You went to this woman's apartment? And she washed the blood from me.

Q That was the night of the 4th of August?

A - Wednesday night.

Q After you went up to this woman's house, she washed the blood? A - She took a basin and washed the blood.

Q Did you tell her you had been robbed? A - I said "My God, I am robbed of money, clothes and shoes."

Q What did you say? A - No, I said "No, I am robbed of money, clothes and shoes."

Q Did you ever see McCabe before? A - No, I went in to

0789

ing a skirt, I did not know
the name.

Detrick Allary

Q You learned the name since? A -
Certainly.

Mr Kane -

Q What time was it this woman
brought you in the horse?

A I don't know.

Q How long did this robbery take
place? A - I don't know.

Q After you got the blood washed
what did you next do? - did
you go to the Station house? A - No,
I was not able.

Q Did you sleep in that woman's
house all night? A - I did.

Q Next morning did you go to the
Station house. A I did not
go in the morning.

Q What time in the day did
you go to the Station house?

A - About 11 o'clock.

Q That you are pointing to? A I
am not sure, I think it was.

0790

1/2

2. When you went to the station house did you tell them that Mc Cabe had robbed you, as you have told us here? A - I did.

2. Now, Mr. Walsh, I don't desire to have your testimony taken down wrong, but I will ask you this question, you are positive for six months previous to this alleged robbery you had not been in the fourth ward in New York? A - No.

2. Now in New York City? A - No.

2. Are you married? A - I've been a widow 12 years.

2. Your husband's name is Walsh?

A - No, I go by ^{my} own maiden name By District Attorney - redirect.

2. Well - I understand you to say that you got to 27 Oak Street about 8 o'clock? A - Yes, Sir.

2. And you went up stairs on the second floor? A - Irish floor.

2. And at the top of the flight inquired for a friend; front or back?

Q. I inquired front and back for May Ann Murphy.

Q. What did they say? A. The ~~few~~ people that had kept her out.

Q. How long did you remain to ask questions and come down? A. Just to ask them.

Q. Then you went into this place? A. Yes, sir.

Q. What attracted you to go in? A. Clothes in his window.

Q. What did they consist of? A. I couldn't tell you.

Q. What did you see? A. Goods of every kind.

Q. Was there anything hanging outside? A. No.

Q. Could you see in the window direct? A. Yes, sir.

Q. Why did you go in? A. To buy a dress or skirt.

Q. You got in and saw this defendant first? A. Him and his wife.

Q. Front part? A. Right - where these goods lay on the counter.

Q Was he behind the Counter? A Behind.

Q Where was she? A Along side of him - I can't say, at the top.

Q Is your best recollection he was behind the Counter? A Yes sir.

Q What did you ask for when you went in? A - I asked to see some good, skirts.

Q What did he say? A - He commenced to talk about the Country.

Q Did you commence to tell them you had come from the Country? A Yes, sir.

Q You were in a perfect serene frame of mind? A - The same as now.

Q You asked about this skirt?

A Yes, sir.

Q What money had you? A A 10, a 5-
1 and some change.

Q Enough change to pay for this skirt?

A Yes, sir.

Q How much did your change

consist of? A 7 or 8 Cents.

Q They took that and sent for the beer?

A - Yes, Sir.

Q Then they came in with the beer. Did either of them drink beer? A - I didn't see, they were in the room.

Q Who handed you the beer? A - She did. She handed me a goblet of beer.

Q You took it and drank it? A - I did not drink it all.

Q Did you notice anything peculiar in the taste of the beer? A - Yes, Sir, after I drank it, it went to my head and made me dizzy.

Q After that what happened? A - He kept me with his feet, with his clenched fists, over the eye.

Q Did you fall? A - No, I staggered.

Q Then what happened? A - Then both shoved me in the room on the bed.

Q Did they shove you on the bed?

A - On the bed.

Q After shoving you on the bed? A - My legs hung down over

to bed.

2. They threw you on the bed, on your back, what did you do? A - He put his ~~the~~ knee on my stomach.

2. And what else? A - He caught me by the throat then.

2. Did he choke you? A Yes, Sir - He held me while his wife went through my breast.

2. While laying on your stomach, and his wife came and took the handkerchief from your breast. What had the money was that the dress you had on? A Yes, Sir, not a button was left.

2. After taking it what was done? A - She went to her little boy, and gave him something.

2. She put her hand in your breast took something, and gave it to the boy? A Yes, Sir; but I don't know what she handed the boy.

Q After taking it from your breast, she handed it to the boy?

A Yes, Sir.

Q What happened then? A He held on to me, and choked me, I screamed, and he took a knife.

Q What sort of a knife? A - I did not see, my head was thrown back, and he choked me very hard.

Q Did he suffocate you? A Yes, Sir.

Q And had you in that condition that you were partly suffocated? A - Yes, Sir.

Q Did you cry? A - At first I did, when his ~~hand~~^{knave} was over ~~my~~^{me} ~~my~~^{face} after that I couldn't.

Q Then did he still keep his knave on your stomach? A I fainted.

Q While he had a hold of you?

A - When he had a hold of me and cried out "You damned bitch, I'll murder you?"

Q Did he take his knife and cut you? A - There is the fear made by the knife.

Q Then what did you do? A - I had no more consciousness.

Q The next you found yourself in the hall and he was beating you?

A - Yes, sir.

Q Was there any one in the hall, on the ground floor? A - Yes, sir.

Q When was she? A - At the front door.

Q With a lamp in her hand? A - Yes, sir.

Q While this man was beating you?

A - Yes, sir.

Q How far was that rear from the front door? A - As far as the store is from the back.

Q How did he get you in the hall? A - He threw me out.

Q You positively swear that is the man? A - Yes, sir.

Q You positively swear that this man took you in the back room, held you by the throat, put his knee on your stomach, and his wife put her hand in your bosom, took the handkerchief that had the money in it, gave it to a little boy, and he said you

"You God damned bitch if you say
I'll murder you? A Yes, hi.

Q Then when thrown out in the hall
he again assaulted you? A Yes, hi.

Q Then was some question about
a light being turned down,
when you went in the store
did you see the back room?
A - Yes, hi.

Q Was the door open and the place lit?
A - Yes, hi.

Q What sort of a light did you see?
A - The light of a kerosene lamp.

Q Was it before they got you in
the room? A - I don't know.

Q Who went back and turned it?
A - I don't know.

Q But the light was burning? There
was a bright light when you
got in, and it was turned low?

A Yes, hi.

Q You are fully satisfied to swear to
that? A Yes, hi.

Q You said something about Mc
Cabe and wife when you went

in the store. Did you see any
one^{else?}? A - No.

Q Did you know Mc (alm + wife)? A No.

Q You had not seen them before? A - No.

Q You did not know their name,
but you recognize and ^{identify} ~~identify~~
these people, — you are quite
certain of them? A - Yes, sir.

Q How do you know it was Mc (alm)?
A - From this lady, and this detective,
and a good many others.

Q After you were taken out of the
hall, and went to this lady up
stairs, what was the appearance
of your face? A My mouth,
nose and ears were bleeding.

Q What gash under the chin was
bloody? A Yes, sir.

Q Was the blood running from
your mouth? A - Yes, sir; the
eye was swollen. This lady said
come up stairs and I will wash
the blood. I went up stairs.

Q How did you go up stairs — did
she help you? A No, I got up & when

She lived - I don't ~~remember~~ ^{remember} the flight. She got a basin and washed the blood off, in the morning she put a plaster on the gash in my throat.

- 2) What time was that in the morning? As I don't know. I lay on the bed and could not get up. I slept that night in her house. Then I went to the Oak Street Station with her, her husband came in ~~at~~ just before day light, and in the morning saw my face, and noticed the cut under my chin. The chin was swollen. The hands, face and all here was black. Her man said "stay here, in the house". On Friday I went to the station house about 11 o'clock, and saw a stout man at the desk, a Sergeant of police, and I made the statement to him I have made here, and went back with this lady. Then the detective came, and when he arrested Mc Cabe and his wife I

identified them.

Cross examined—

- Q When did you first hear this man's name— Mc Cabe. A—I heard it from the people up stairs.
- Q How do you account for saying a Mrs Maloney told you, Mc Cabe his wife did it? A— She knows.
- Q It was the first time you knew these people. Can you explain to me I said I was robbed, and she (Mrs Maloney) said it was in Mc Cabe's house.
- Q You say while he had his knee on your stomach, and hands on your throat, he cut you? A It was a knife.
- Q Where did he get the knife? A—I don't know, there is the scar.
- Q Did he have a knife in his hand? A—I don't know.
- Q Had he his hands on you before he stabbed you? A—I don't know any thing about it.
- Q What were the exact words Mc Cabe said? A After I screamed he

~~in~~ said he would murder me

2. Do you know a man by the name of Daniel Sullivan? A - No.

2. Have I ever seen him? A - In the day the Detective took us to get a warrant.

2. Do you remember being in this Court and giving evidence in 1884?
A - No. 1. Kelly Mills

Sworn to before me this
25 day of August 1887

Police Justice

Mary Lewis, Sworn - lives at
27 Oak Street, ^{back} in the back room
of Mrs. McCas's Store. She is married
her husband is in court.

Q When you in the this back room of the
Store Aug 8th - Wednesday? A Yes, Sir.
I was in bed - outside of the bed -
nobody was with me, my husband
was outside of the Store. I was sitting
on the side of the bed at the night between
of 8 o'clock, when Mr. McCabe
and this woman there - there's
glass door - but it was open,
she came in and asked for
under clothes if they were for sale

Q You saw her? A Yes, Sir. She inquired
for both of them, they was back of the
Store. They showed her something
skirt or dress. My sight is not
good. They showed her something, but
she did not buy it. Then there
was a glass of beer proposed.

Q. Did you hear who proposed it? A. Mr. McLaide says we'll have a glass of beer. He asked her if she would have a glass; she said she would and said she would pay for it. She pulled the money out of her pocket and gave something.

Q. Who went out for the beer? A. I think it was one of the little boys. They have two little children.

Q. One of the little boys went out for beer? A. Yes, sir.

Q. What did he take? A. An tin can.

Q. Where did he go to get the beer?

A. That was outside; but they generally get it in Gosgroves or Sullivan's. Sullivan's is next door.

Q. They could step in the hall and get it? A. Yes. One of the boys went out and came back with it.

Q. Where did he take it? A. In the store.

39 Q. Where was it poured out? A. In the store.

Q How many people did you see drinking it? A - I didn't take notice. I was called out to have a glass, and had a glass.

Q Nellie Walsh had a glass? A Yes.

Q You recognise her? A Yes.

Q After she took the beer what took place? A I left her sitting in the store, and went in our own room.

Q Then what did you hear or see after that? A I went to bed.

Q Did you see Nellie Walsh in the back room? A I heard her halloing.

Q Where was she? A - I raised my head that way, and saw her on the bed.

Q Was any body on the bed - did you see Mc Cabe on the bed when you looked over? A She was screaming and he was trying to keep her down.

Q Did you see Mc Cabe standing over her, - on top of her, in what position was he over her? A He stooped over like this.

40 Q Did you see him have hold of her?

A. There is a kitchen, and the light was turned down a dim light.

Q. Who turned it down? A. I couldn't say.

Q. Now you say the light was turned down, did you see Mc Cabe at the light? A. I couldn't say.

Q. Did you see his hand on her throat?

A. He had his knee on her, he was stooping over her that way. I heard her yell "don't murder me" in a choked voice.

Q. Anything else? A. "There is no money in my stockings, don't kill me."

Q. What did he say? A. I couldn't hear his voice, he was speaking low.

Q. Did you hear any person speak in a low tone of voice? A. Yes, sir; after dolloing, "don't murder, don't kill me," "I've no more money, my bank ^{book} isn't there. Let me have my shoes," That's all I heard.

Q. Did you hear any thing about the stockings? A. No money in them.

Q. Did you see them take the stockings off? A. No.

Q. What happened after that? A. I couldn't hear her voice, she was in a weakness.

The next I heard McCabe say was "Go home about your business."

Q Did he throw her out of the side door? A She was dragged out.

Q Did see her when put in the hall? A No, I was in my room.

Cross Examined

Q From the time Mrs. Walsh came in Mr. McCabe's store until the time McCabe opened the door and said "Go home," you hadn't left these apartments? A No, sir.

Q And the room - the bedroom you speak of is back of the store? A Yes, sir.

Q And your bed is against the back? A Yes. The head of the bed is very high, and I could not see any thing unless I stood up to look.

Q You said you looked over? A I ~~looked~~^{stuffed} that way (leaning out) The kitchen was back, and the light down.

Q Did you see any one in the kitchen?

A McCabe, Mrs. McCabe, Walsh; that is all.

42 Q Do you know who turned the light down?

A. I don't know.

Q. When was the light turned down? A. Soon after going to my room.

Q. When was Walsh and McCabe at the store when I went to bed?

Q. You sat in your bed room and could have seen any one pass into the kitchen? A. Yes, Sir, I could have seen them, but they could go back ways to the kitchen. I did not see them.

Q. When you left McCabe and Mrs. Walsh drinking beer, you left the store, went back to your bed, and left them in the store? A. Yes.

Q. The next thing you heard was "Don't murder me, I haven't got any money in my stockings, let go of my shoes?" A. Yes, Sir.

Q. Was that when you looked over the top of your bed? A. No, before that.

Q. When you looked, what did you see?

A. I saw him have his knee over her that way.

Q. How could you see McCabe on top of her if the light was turned low in the kitchen? A. I looked over that way and saw him on top of her.

43 Q. When you intended to lie to the District

Attorney? A I said no t.

Q Why didn't you tell him? A - He didn't ask as you asked.

Q You said you seen McCabe and it was dark? A I could see a big man, surely.

Q How could you see? A - Isn't there light from the back windows?

Q I want you to tell me just exactly what you saw, when as you have testified that you looked over the top of the bed?

A It was the side of the bed I looked from.

Q Tell us what you saw? A - I saw him over her in bed that way.

Q You say your name is Mrs. Charles Lewis when were you married to him. A I was married the 8th of July 1883.

Q Is the same man here? A - No, to Michael O' Downee in Limerick.

Q When did Michael O' Downee die?

A I am 22 years in this country, and he died before I came here.

Q Have you ever been arrested for any crime? A I struck my husband on the head.

44 Q What time did your husband come

in the house that night? A He came in at the time when Nellie, and we were sitting in the store.

Q Did he immediately go to bed? A No, we sat a good while on the bed.

Q Where was Nellie Walsh when you went to bed. A In the store.

Q Your husband was in bed at the time that you say that you looked over it. A - Yes, Sir.

Q When your husband heard these cries, and got up and dressed himself, and walked out, when did he come back? A He hasn't been in the house since.

Q Did you speak to your husband that night about these cries? A I said to him she's killed.

Q Did you say who was killed? A - I knew there was no other woman in the house. I said he had her killed. I did not hear her breath.

Q Did you hear any pushing or scuffling before you heard the cries? A I felt the foot of ^{their} bed knock

against mine.

Q Did you hear any unusual noise?

A - That is unusual.

Q They spoke in a low key, you heard nothing unusual?

A - "Let my stockings alone, don't murder me, I've no more money; my money is in the bank."

Mary Lewis

Sworn to before me this

25th day of August 1888

Bellie Walsh - recalled

Re-direct

Q Bellie, you say that money was taken out of your bosom by Mrs. McCabe? A Yes, sir. That was before taking my hat and veil.

Q When? A - In the store.

Q After you got on the bed, she took the money out of your bosom? A Yes, sir.

Q Stockings and shoes taken off in the bed?

A Yes, sir.

Q They took your hat and veil, your shoes and stockings, they took your money, every thing? A Yes, sir.

Recros-

Q At the time they took your hat off, did you make any outcry? A I don't know any thing after they got me under them.

Q After striking you on the neck and face did you scream? A Yes, Sir.

Q When forcing you from the store to the bed? A Yes, Sir; I thought they were going to murder me.

Neely Weston

Sworn to before me
this 25 day of August 1882

Police Justice

Charles Lewis, Sworn.

Direct—

Q Where do you live, A - 291 Front St.
On the 8th I lived at 27 Oak Street;
the night of this occurrence, Wednesday,
between 8 and 9 o'clock the 8th of August.
I lived in the back room. I have
no occupation.

Q How did you lose your arm? A In the Navy.

Q Have you been granted a pension by the U.S.

A - Yes, sir. I get my pension every
three months \$36.

Q You are a regular pensioner, and have a
regular pension paper,? A Yes, sir.

Q When did you last see them?

Objected to

Q Where were you that night. A In the
middle room, sitting down ready
to go to bed.

Q State what you know about the light
in that room, was it turned down?

A It was turned down while the
struggle was going on.

Q Who turned it down? A I don't know.

Q When you went in there was a light light in the kitchen? A Yes, sir.

Q How long in the room before it was turned down? A I suppose an hour.

Q What time did you go in? Between 7 & 8.

Q It was burning then? Between 8 & 9.

It was turned down. What took place in that room - or store? A I did not

see any one till going out. I heard

a stifled cry of "Don't choke me,"

I was sitting on the bed - it was the bed next. I got up, and Mr

Mc Cabe lay on the ^{bed}, he lay on top of the woman, and she was crying "Don't choke me."

Q Did you hear any cries before that?

A - I heard "Don't murder me."

Q Did you hear Mr McCabe say anything while on the ^{bed} with her? A Yes, sir, he called her a damned bitch.

Q Did you hear him say he would murder her, what else outside of a damned bitch did he say? I could not say possibly.

Q He did say something, was it in a low tone of voice? A It was about money.

Q What did she say? A She did not hear the money. Afterwards she made the remark it was taken from her.

Q When did she say that they had taken her money? A On the bed.

Q Did you hear her say they had taken anything else? A I did not.

Q Did you see them take her shoes or stockings? A I stepped against shoes going out.

Q You got up and concluded to go out. Did you get up out of your bed, is that right?

Q You went by the bed, you knocked up against the shoes, with your feet, and you went to the front door? A Yes, sir.

Q Did you go back since? A I have not been there since.

Q You say you went out, what direction did you go? A Through the hall way.

Q Did you hear any noise in the hall? A I heard the woman shoved out of the door. She crawled up stairs and cried "Don't

beat me." The light shone into the hall from the stove ~~room~~ opposite.
 Q Did you look in the hall way when you heard the cry? A I saw her crawling up stairs

Cross examined -

Q The lady who testified here is your wife.
 A Yes, sir.

Q When married to her? A On 6th of Jan'y 76

Q When you went in the room that night, this room was the first nearest the Kitchen? A Yes.

Q You had to go through it to the Kitchen? ^{Yes}

Q Where was this lady Mc Cabe and his wife? A In the Kitchen.

Q When you came in the Kitchen you saw the three there? A Yes, sir, when I came in first.

Q What were they doing? A Sitting conversing.

Q And you went right in your own bed room? A Yes, sir.

Q And you went to bed? A Yes, but I did not go to sleep.

51 Q And this light was in the Kitchen?

Q Yes, sir.

Q Was the store dark, or the store was closed and shutters up.

Q No light in the bedroom? or no light in kitchen.

Q What did you first see or hear when you went to bed? or I did not see anything.

Q What did you hear that attracted your attention? or I heard a woman say "don't take my shoes."

Q And where was she? or sitting on the bed.

Q They must have come into the kitchen from the room; or yes, sir.

Q They came in after you had gone to bed, or when, or his wife and the baby? or Yes, sir.

Q They passed your bed? They didn't have to pass my bed. Their bed is next to the kitchen door.

Q And after they had come into the room, you heard some noise, cries, don't murder me, don't choke me, and your wife was in bed with you? or Yes, sir. but she got up.

Q Was she in bed when you came in.

A No.

Q When was she A Just inside.

Outside of the door back, near the door.

Q You went to bed. A Yes sir.

Q After hearing these cries about

Choke me, you say you got up.

A Yes sir, dressed and walked out.

Q Did your wife say anything while then? A No.

Q Did you hear while in bed any loud outcries before these people came in the bedroom? A No, there was no occasion.

Q And there was no disturbance till you heard this cry, "don't choke me." A No.

Q Did you see any children in the kitchen? A No.

Q After going out you went to the street? A Yes sir.

Q When did you go? A I went to Fitzpatrick's the door next us.

Q How long did you stand at the door? A Half an hour.

Q You heard this woman put out of the kitchen into the hall-way. A Yes.

Q What did she do. A A lady was in the hall with a light, and she told this woman to go up stairs.

Q Did you hear any conversation between her and the lady that had the light. A No.

Re direct -

Q There was a light in the hall by which you could see Mrs Walsh? A Yes sir.

Q A woman had a light in her hand when was she? A - Between the foot of the stairs and front hall door.

Q There was a woman standing with a light, that shed a light in the hall. A Yes sir.

Q Do you recognize Nellie Walsh, this woman. A I saw her with a light dress.

Q It was the same woman that you saw in the store that you saw in the

hallway? A Yes, sir

Re - Cross

Q. You said there was a light from the store? A. The light from the liquor store door shed a light.

Q. Will you swear positively that the woman you saw with the light dress ~~and~~ ^{who} came ~~can~~ from the door of Mc Cabe's kitchen, was Belle Walsh? A. I can swear it was the same woman that had the dress - I did not see her face.

Re direct -

Q. Is that the woman you saw in the store. A. Yes, sir she had on the same kind of dress.

Re - Cross

Q. That is the lady you saw sitting in the kitchen with Mc Cabe and his wife? A. Sitting by the

Q. kitchen door. Charles Lewis's sworn to before me
this 24 day August 1888

John Justice

It is stipulated by the District Attorney, for the people, and Mr. Kane, for the defence, that the statement of Elizabeth Maloney be taken without ^{her} being sworn.

Elizabeth Maloney

Direct

Q Your name is Elizabeth Maloney?
A Yes, sir.

Q When do you live? A 27 Oak Street.

Q New York, in the 4th Ward. A Yes, sir.

Q How long have you lived there.

A Two years and three months.

Q Did you live there on or about

August 8th, 1888. A Yes, sir.

Q You live in that Room. A Yes, sir.

Q What floor? A The first floor.

Q Can you tell us anything about

56 What took place there on or about

The 8th of Aug, about 8 o'clock on the evening of that day. My husband was out at a meeting and I went down to the hall at a quarter past 11 when the screams were in Mr. McLabes. I thought it was my husband, and I took a little lamp and went down to the foot of the stairs, and I saw Mr. McLabes fire her out.

2. Who was the woman fired out - a Irish. She asked him for God's sake not to beat her. I took her up stairs put a pillow on the lounge, and she lay down and stayed till next day. She was wth her bare feet, and had no shoes.

2. What was her condition when you got her up stairs. A she had no shoes or stockings. Her dress was disarranged, it was all open here (breast) There was not a button or hook on it, you could see her chemise. After she got up stairs she fell asleep, but

moaned a good deal. I sent out for lin. con. worth of sticking plaster and put it under her chin. She had black eyes. She stayed in the room next day.

Q Did she come as if she had been drinking? No, she did not have the appearance of it; it was all from the beating. She remained in the house all day, and slept on the lounge. She did not go outside the house, and I said you had better go to the station house, but she said she did not have shoes or stockings.

A woman loaned her shoes, and I loaned a shawl, and a woman gave her a dress, and she went and made her complaint.

Q Did you go down stairs next day to Mr. McCabe's to get her clothes, a Y. P. I. I went the next morning. I went in the store with Nellie and asked if he had the clothes, and gave them up like a good man. He said he had never

her before, and told me to search the store. I said I had no business to do that. Then Mr. McLea asked if I couldn't treat him. I sent for a pint of ale. I had \$5 in my pocket, and said I would treat him, I sent for a pint of beer and he snatched the money out of my hand.

Objected to

Q He asked if you would treat.

A Yes, Sir. I sent my little girl.

Q What kind of money did you give her.

Objected to

Q Your little girl came back with the beer, and the change,

Objected to

Q What took place after the beer came in. A I took a glass, we all had a glass.

Q What did you do after drinking the beer. A I came out

Q You did not bring any of the clothes with you. A No.

59 Q And you did not get any money. A No

Q I want to know precisely what took place after drinking the beer. A I went up stairs.

Q Did you ask Mr. McLabe again for the clothes? A No.

Q They proposed to treat and you treated. A Yes. Cross Examined -

Q You knew Nellie for a couple of months. A No, sir.

Q You never saw Nellie Walsh till this 5th day of August. A No, I never saw her before.

Q When Nellie came up at your house you had gone down stairs, and you noticed Nellie was a little confused. A No.

Q She was clear headed. A No.

Q Did you have any beer with Nellie that night. A No.

Q Next day. A No.

Q What time did Nellie get up, next day, a 8 o'clock in the morning.

Q Was she around the house. A Sitting most of the time on the lounge

0825

Ly

Q Did you tell any ^{one} of the neighbors.
A No.

Q What did Nellie tell you about this robbery in the house

A She told me Mrs McLoabe stole \$16.

Q Did she tell you how they took it.
A No, but she has no shoes and stockings.

Q Was the 8th of August a rainy day.
A I can't tell you.

Q Was the 9th a rainy day. A I can't tell you

Q Did Nellie tell you how she was dressed. A Yes, Sir, she had that rubber coat.

Q How long have you known McLoabe.
A Near a year.

Q Any hard feeling toward him? A No.

Q Any trouble with him. A No.

Q Will you swear you drank nothing the following day. A Not a drop, till I went to McLoabe.

Q Did you fight with anybody that day.
A No.

0826

4¹⁸

2 Don't you drink and fight with
the neighbors in the house. A Mr.

2 You have no hard feeling towards Mc Cabe.

2 Don't you remember having to pay
Mc Cabe a dollar for breaking a
window. The boy has broken
it by accident.

Re cross-

2 What conversation did you have
with Mc Cabe when you went to the
day following for the clothes.

Exposed to

2 Who proposes that treat, a Mc Cabe.
I was willing to pay the proposed.

Sworn to before me

this 2nd day of August 1888

Elizabeth ^{very} Maloney
Sworn

Police Justice

Robert W. Clark, an officer
attached to the 4th precinct.

Direct - 94 -

2. When is 27 Gate street. A
Between New Chambers and James street.
I am you the officer arrested this
defendant. A 24, 25; one of them.

On the 10th of August I came in the
station house in the ^{fore} afternoon and

Mellie was at front of the desk
and the Sergeant told me she had
been robbed. I asked her all
about how it occurred, and con-
cluded to go and see Mr. McLabe.

I went and found the place
securely fastened. I knocked but
could not get admission.

2. What hour? A About noon.

I went down an hour later.

I went three times and could
not get admission. The fourth
time I got a policeman and

Detective Mullen. He knocked at the rear door of his apartment, and the four of us went in and placed him under arrest. He found this man, woman and two children.

Q You had tried the door three different times, and the shutter up, every thing securely fastened. A Yes.

Q No response to your knock. A No, sir.

Q Then you went the 4th time with a police officer, and in the ~~alley~~ hall way a little boy preceded you, knocked at the door, and it was open. A Yes, sir; and we entered with him.

Q Who did you see. A This woman.

Q Where did you see Mr. Case. A I called the officer in; the place was dark, and we found him in bed partly dressed, and red shirt on.

Q What then. A We brought Belle and the woman in, but we could not find any of her stuff. So we

0829

521

Q To the Tomb we got a search warrant and found this cloak which this woman identified by a mark.
A Where did you find this former cloak. A Behind some of the plates where they keep their dishes.

Q What else did you find. A That is all.

Q You did not find any shoes or stockings. A He found shoes but they did not belong to her.

Q What kind of business does he keep. A Second hand clothing store.

Q You did not find this former cloak among the stock. A No, in the kitchen among the dishes.

Q Have you ever had these people before at the station house.

Objected to.

Q Have you ever arrested them before. A No.
Sworn to before me ~~Robert W. Clark~~
this 25 day of August 1888

651

Police Justice

0830

First District Police Court.

Mellie Walsh

vs.

Patrick Mc Cabe

Mary Mc Cabe

STENOGRAPHER'S TRANSCRIPT.

Aug 20th 1888

BEFORE HON.

Maurice J. Power

Police Justice.

Official Stenographer.

P. Henderson

0831

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Esther McRae
and Teresa McRae

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

Esther McRae and Teresa McRae

of the crime of ROBBERY IN THE *First* DEGREE, committed as follows:

The said *Esther McRae and Teresa McRae*

McRae, both
late of the City of New York, in the County of New York aforesaid, on the *eight*
day of *August*, in the year of our Lord one thousand eight hundred and
eighty-~~eight~~, in the ~~time of the said day~~, at the City and County aforesaid, with force
and arms, in and upon one *Nellie Walsh*, in the peace of the said People then
and there being, feloniously did make an assault, and ~~promissory note for the payment of~~
~~money, being then and there due and unsatisfied (and of the kind known as United States Treasury~~
~~Notes), of the denomination of twenty dollars, and of the value of twenty dollars~~
~~one~~ promissory note for the payment of money, being then and there due and unsatisfied
(and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and
of the value of ten dollars ~~one~~; ~~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~~; ~~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~~; ~~sixteen~~ promissory notes for the payment of money, being then
and there due and unsatisfied (and of the kind known as United States Treasury Notes), of
the denomination of one dollar, and of the value of one dollar ~~each~~; ~~one~~
~~promissory note for the payment of money (and of the kind known as bank notes), being then~~
~~and there due and unsatisfied, of the value of twenty dollars~~; ~~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 ~~one~~; ~~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~~; ~~United States Silver Certificate of~~
~~the denomination and value of twenty dollars~~; ~~one~~ United States Silver
Certificate of the denomination and value of ten dollars ~~one~~; ~~three~~ United States
Silver Certificate of the denomination and value of five dollars ~~each~~; ~~eight~~ United
States Silver Certificate of the denomination and value of two dollars ~~each~~; ~~sixteen~~
United States Silver Certificate of the denomination and value of one dollar ~~each~~;

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~~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 ~~nineteen dollars, one pair of~~
~~shoes of the value of four dollars, one~~
~~pair of the value of four dollars, one~~
~~pair of the value of five dollars, one pair~~
~~of the value of one dollar, and one pair of~~
~~shoes of the value of one dollar, —~~
of the goods, chattels and personal property of the said ~~Nellie Walsh,~~
from the person of the said ~~Nellie Walsh,~~ against the will,
and by violence to the person of the said ~~Nellie Walsh,~~
then and there violently and feloniously did rob, steal, take and carry away, ~~(the said~~
~~Patricia Mc Rabe and Teresa Mc Rabe,~~
~~and each of them, being then and~~
~~there aided by an accomplice actually~~
~~present, to wit: each by the other) —~~
against the form of the Statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.