

0147

BOX:

242

FOLDER:

2352

DESCRIPTION:

Millemann, David

DATE:

12/22/86



2352

POOR QUALITY
ORIGINAL

0148

169 Judge O'Brien

Counsel,

Filed 22 day of Dec 1886

Pleds Intoxication (W)

THE PEOPLE

vs.

B

MISDEMEANOR.

David Millman

RANDOLPH B. MARTINE,

District Attorney.

Reads Guilty.

A True Bill.

J. W. Comstock

Foreman.

Mr. H. C. F. H.

Witnesses:

Charles Sears

E. G. Love

POOR QUALITY
ORIGINAL

0 149

E. G. LOVE, PH. D.,
Analytical and Consulting Chemist,
122 BOWERY,

New York, June 5th 1886

1592

CERTIFICATE OF ANALYSIS.

SAMPLE OF BUTTER.

Marked, No 959-B; J. F. Millman, 211 Washington St., N.Y., June 2^d 86
Received from B. F. Van Valkenburgh per Chas. Sears
on June 2^d 1886.

THE SAMPLE CONTAINS:

WATER,	-	-	-	..9.7.3%
ANIMAL AND BUTTER FAT,	-	-	-	84.9.6%
CURD,	-	-	-	..0.7.9%
SALT,	-	-	-	..4.5.2%

ANALYSIS OF THE FAT:

INSOLUBLE FATTY ACIDS,	-	7.5.2.0%
SOLUBLE " "	-	..0.1.0%
SPECIFIC GRAVITY OF THE FAT		
AT 100° F.,	-	0.904.0

This sample is composed mainly of animal fat, and was not produced from unadulterated milk, or cream from the same. It was not produced from milk or cream alone. It contains coloring matter, whereby it is made to resemble butter, the product of the dairy; and it is in imitation and semblance of butter, produced from pure unadulterated milk or cream from the same.

Respectfully yours,

E. G. Love, Ph. D.

Mr. B. F. Van Valkenburgh

State of New York
City of New York
County of New York } ss.

On the fifth day of June in the year
one thousand eight hundred and eighty-six
E. G. Love to me known, and known to me to be the individual
described in, and who executed the foregoing instrument, and
acknowledged that he executed the same.

Joseph K. K. K.
Notary Public
(N.Y.) N.Y.C.

**POOR QUALITY
ORIGINAL**

0150

No. 959-13.
June 5th 1884

POOR QUALITY
ORIGINAL

0151

STATE OF NEW YORK

County of New York

ss:

350 Washington Street

Charles Sears, being duly sworn, deposes and says:
That he resides in the town of Monticello in the County of Orange and State of New York, and is 28 years of age, and is an Englishman, appointed by Josiah K. Brown, New York State Dairy Commissioner; That on the 2nd day of August, 1886, in the city of New York occupied by him, No. 350 Washington street, in the City of New York in the County of New York and State of New York, one John Doe, against the form and statutes in such cases made and provided, and in violation thereof, and against the peace of the people of the State of New York, had in his possession, with intent to sell the same for Butter made from unadulterated Milk or Cream, a number of pounds of a substance, product, manufacture and compound, which was not Butter made from unadulterated Milk or Cream, but had been made by manufacturing, mixing and compounding with and adding to a small quantity and proportion of natural Milk, Cream or Butter a large quantity and proportion of animal fats, or animal or vegetable oils, and was a manufactured oleaginous substance not produced from Milk or Cream; that it had been and was colored with some coloring matter whereby the same was made to resemble Butter, the product of the Dairy, and was so colored thereby, in semblance of and resembled Butter, and did resemble Butter, the product of the Dairy; that the said John Doe

John Doe offered said substance, product, manufacture and compound for sale ~~as and for Butter made from unadulterated Milk or Cream~~ at such time and place, with intent to sell the same as and for Butter made from unadulterated Milk or Cream, and did sell some considerable portion thereof, to wit, ten pounds as and for Butter, the product of the Dairy, and represented the same to be Butter at such time and place; that the said substance, product and compound was not natural Butter produced from pure unadulterated Milk, or Cream of the same, and was not Butter, the product of the Dairy, and was not made exclusively from Milk or Cream, or both; that it contained some substance for the purpose and with the effect of imparting thereto a color resembling that of yellow Butter, and was in imitation and semblance of natural Butter produced from pure unadulterated Milk or Cream of the same, and was colored by some substance to resemble yellow Butter, and was in semblance of natural Butter; that the same was a substance known as Oleomargarine; that it had been made, manufactured and rendered out of some animal fat, or animal or vegetable oils, not produced from unadulterated Milk, or Cream of the same, in imitation and semblance of natural Butter, produced from pure unadulterated Milk, or Cream of the same, by mixing, compounding with and adding to a small quantity of Milk, Cream or Butter, a large quantity and proportion of some animal fats or animal or vegetable oils not produced from Milk or Cream, with design and intent to render, make and produce an article, substance and human food in imitation and semblance of natural Butter.

That the tubs in which the same was contained did not have the words "Oleomargarine Butter" upon the top or side thereof, and such words were not burned in or painted thereon with permanent black paint, in a straight line not less than one half inch in length, where deponent could see such brand; that no printed label, bearing the words "Oleomargarine Butter" was delivered therewith to the purchaser thereof.

Deponent further says that on said 2nd day of August, 1886, he went to the said John Doe of said New York in said City and County, and told said John Doe that he wanted to buy some butter, that said John Doe showed deponent ten pounds of the said Oleomargarine hereinbefore mentioned, offered the same to deponent for sale, and sold the same to deponent; that he so sold to deponent ten pounds thereof, and deponent then paid to him therefor the agreed price thereof, amounting to the sum of \$ one to four; that, as deponent believes and charges, the said John Doe at the time of so offering and selling the same, well knew that it was Oleomargarine, and had been manufactured and colored as hereinbefore stated; that he did not tell deponent at any time that the said Oleomargarine so sold to deponent was not Butter, the product of the Dairy; that deponent saw the tubs in which the said Oleomargarine was contained, and no printed label bearing the words "Oleomargarine Butter," was delivered by said John Doe

to deponent with the Oleomargarine sold to him; that on June 2nd, 1886, deponent delivered a sample of such Oleomargarine, so purchased by him as aforesaid, to Edward G. Gore a chemist of the city of New York N. Y., and caused the same to be analyzed by such chemist, as shown by the annexed certificate of such chemist.

Wherefore, deponent prays that a warrant may issue for the arrest of the said John Doe

and that he may be dealt with as the law directs.

Sworn to before me this 18 day of June, 1886

My Comm. Charles Sears
Justice.

POOR QUALITY
ORIGINAL

0152

Paul Port Price
Court of New York

County of

THE PEOPLE, &c.,

vs.

John Doe

Affiant:

Charles Lee
350 Broadway Ave

Witnesses:

William M. Weston

Residence 350 Broadway Ave

Edward H. Gore

Residence 123 Broadway

Residence

POOR QUALITY
ORIGINAL

0153

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

David Millmann 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 *David Millmann*

Question. How old are you?

Answer *51 years*

Question. Where were you born?

Answer *New York City*

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

Answer *Corner Washington and Fulton Streets
New York City from weeks*

Question What is your business or profession?

Answer *Provisions*

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 and
demand a trial by jury -
David Millmann*

I taken before me this

day of *March* 1888

Wm. J. Smith

Police Justice.

POOR QUALITY
ORIGINAL

0154

Sec. 151.

Police Court 2nd District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To the Sheriff of the County
OF NEW YORK, } of New York, or to any Marshal or Policeman of the City of New York, GREETING :

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by Charles Sears
of No. 350 Washington Street, that on the 2nd day of June
1886 at the City of New York, in the County of New York, on the premises

211 Washington Street one John Doe did
have in his possession with intent to sell
the same for butter and did sell to Charles
Sears ten pounds of oleomargarine made
in imitation and resemblance of butter in
violation of Chapter 187 of the Laws
of 1885

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to
answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant, and bring him
forthwith before me, at the 2nd District Police Court, in the said City, or in case of my absence
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
be dealt with according to law.

Dated at the City of New York, this 18 day of June 1886.

ay done POLICE JUSTICE.

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Sears

vs

John Doe

Warrant-General.

Dated June 18 1886

Wm. H. Bone Magistrate.

Campbell Officer.

The Defendant John Doe
taken, and brought before the Magistrate, to answer
the, within charge, pursuant to the command con-
tained in this Warrant.

Campbell Officer.

Dated June 18 1886

This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

Time of Arrest, June 28 1886

Native of as

Age, 37

Sex, Male

Complexion, White

Color, White

Profession, Declarator

Married, No

Single, No

Read, No

Write, No

211 Washington

POOR QUALITY
ORIGINAL

0155

BAILED

No. 1, by *John C. Street*

Residence *249 East 44th Street*

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Street

Mr. 30th St.

The Justice Building

100-10 Ave C

Ann. mul. fine

accept. bail in the

mul. fine in my

absence

Wm. A. Burke

Police Justice

Police Court

District

THE PEOPLE, &c

ON THE COMPLAINT OF

Samuel Miller

Samuel Miller

Samuel Miller

Samuel Miller

Samuel Miller

Samuel Miller

Samuel Miller

Samuel Miller

Samuel Miller

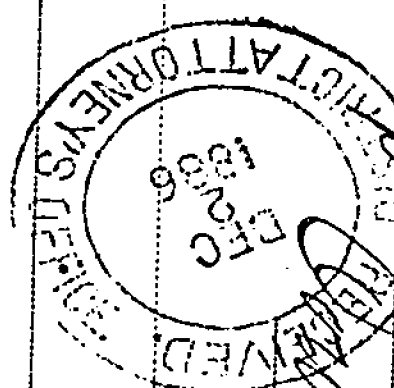
Samuel Miller

Samuel Miller

Samuel Miller

Samuel Miller

Samuel Miller



NOVEMBER 30 1886

NOVEMBER 30 1886

NOVEMBER 30 1886

NOVEMBER 30 1886

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

Daniel Miller

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

Dated *Nov. 30* 188 *Wm. A. Burke* Police Justice.

I have admitted the above-named *Samuel Miller*

to bail to answer by the undertaking hereto annexed.

Dated *December 1* 188 *Samuel Miller* 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.

POOR QUALITY
ORIGINAL

0156

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

David Mittleman

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

- David Mittleman -

(Chap. 458, Laws of 1885, § 3.) of a Misdemeanor, committed as follows:

The said *David Mittleman*,

late of the City of New York, in the County of New York aforesaid, on the ~~second~~ day of *June*, - in the year of our Lord one thousand eight hundred and eighty-~~six~~ *five*, at the City and County aforesaid, ~~ten pounds~~ of a certain oleaginous substance and compound, not made nor produced from milk or cream (a more particular description of which said substance and compound, and of the ingredients and matters of which the same was made and produced, is to the Grand Jury aforesaid unknown, and cannot now be given), unlawfully did sell, and cause and procure to be sold to one *Charles Sears*, for butter, the product of the dairy; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SECOND COUNT: (Chap. 246, Laws of 1882, § 1.)

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

- David Mittleman -

of a Misdemeanor, committed as follows:

The said *David Mittleman*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold, at retail, to one *Charles Sears*, ~~ten pounds~~ of a certain substance, not butter, commonly called oleomargarine, and did then and there falsely represent the same to the said *Charles Sears*, -

to be butter; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

**POOR QUALITY
ORIGINAL**

0 157

THIRD COUNT: (Section 480, Penal Code.)

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

- David Willeman -

of a Misdemeanor, committed as follows:

The said David Willeman,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one

Charles Sears; as an article of food ~~ten pounds~~ of a certain substance in imitation of a certain article of food, to wit: butter, without disclosing such imitation by a suitable and plainly visible mark or brand; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

FOURTH COUNT: (Chap. 238, Laws of 1882, § 3.)

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

- David Willeman -

of a Misdemeanor, committed as follows:

The said David Willeman,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, a certain parcel containing ~~ten pounds~~ of a certain article and substance in semblance of butter, not the legitimate product of the dairy, and not made exclusively of milk or cream, but into which divers oils and fats not produced from milk or cream, entered as component parts (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), the same being then and there an article and substance required by law, in case of retail sales in parcels, to be sold from a tub, firkin, box or package, distinctly and durably stamped, branded or marked upon the top and side with the words "Oleomargarine Butter" only, where it could be plainly seen, in Roman letters, burned in or painted thereon with permanent black paint in a straight line, and not less than one-half inch in length, and wherewith the seller was then and there required by law, to deliver to the purchaser, a printed label, bearing the plainly printed words "Oleomargarine Butter" only, in Roman letters not less than one-half inch in length, in a straight line, unlawfully did then and there sell and cause and procure to be sold at retail to one Charles Sears;

from a certain ~~Kut and box~~ which was not then and there stamped, branded or marked as aforesaid; and did then and there unlawfully omit to deliver therewith to the said Charles Sears, a label of the kind and description aforesaid, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

**POOR QUALITY
ORIGINAL**

0158

FIFTH COUNT : (Chap. 215, Laws 1882, § 2.)

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

- David Millman -

of a Misdemeanor, committed as follows :

The said *David Millman,*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the City and County aforesaid; did unlawfully sell and cause and procure to be sold to one

Charles Sears, Ten pounds.

of a certain article and substance in semblance of natural butter, and known as oleomargarine or imitation butter, the same not being the legitimate product of the dairy, and not being made exclusively from milk or cream, or both, with salt or rennet, or both, with or without coloring matter or sage, but into which divers oils, and animal and other fats, not produced from milk or cream, had been introduced (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SIXTH COUNT : (Chap. 458, Laws of 1885, § 2.)

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

- David Millman -

of a Misdemeanor, committed as follows :

The said *David Millman,*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one

Charles Sears, Ten pounds.

of a certain article, substance and compound in imitation and semblance of, and designed to take the place of natural butter produced from pure, unadulterated milk, or cream of the same the said article, substance and compound, so sold as aforesaid, being rendered and manufactured out of divers animal fats and oils not produced from unadulterated milk, or cream from the same, the said article, substance and compound not being manufactured or in process of manufacture on the ~~thirtieth~~ ^{30th} day of April, in the year of our Lord one thousand eight hundred and eighty-five (a more particular description of which said article, substance and compound, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

RANDOLPH B. MARTINE,
District Attorney.

0159

BOX:

242

FOLDER:

2352

DESCRIPTION:

Miller, William

DATE:

12/21/86



2352

POOR QUALITY
ORIGINAL

0160

Witnesses:

W. R. Ferguson
John C. Elliott

Counsel,

Filed, 21 day of Dec 1886

Pleads,

THE PEOPLE

vs.

William Miller

Grand Larceny, second degree
[Sections 528, 53 Penal Code]

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

W. W. Montgomery
Dec 22/86 Foreman.
Pleads Guilty -
S. P. Three years.

POOR QUALITY
ORIGINAL

0 16 1

Police Court—First District.

Affidavit—Larceny.

City and County }
of New York, } ss.

539 to 535 Broadway Street, aged 25 years,
of No. 1 Salesman being duly sworn

deposes and says, that on the 16th day of December 1886 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property viz:

One suit of clothes, of the value
of Forty Seven dollars + some
furnishing goods of the value of three
dollars + one cent together of the value
of Fifty dollars + one cent

the property of Rogers Peet + Co and in the
care and custody 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 William Miller Nowhere

from the fact that the defendant came
to Rogers Peet + Co store where deponent is
employed as Salesman at about the hour of one
o'clock + thirty minutes P.M. on said date
and presented to deponent the signed
false and fraudulent order and stated
to deponent that he defendant desired to
purchase a suit of clothes and deponent
believing said order to be genuine gave the
defendant the aforesaid suit of clothes to the
defendant and he defendant signed a
receipt on the back of said order for goods
to the value of fifty dollars + one cent signing
his name Peter Jones deponent is informed

POOR QUALITY
ORIGINAL

0162

John C. Elliot business manager of the Daily
News of No 25 Park Row that Benjamin Wood
never made said order or authorized any person
to make said order and that the signature of
Benjamin Wood Editor signed to said order is
a forgery

Sworn to before me this 18th day of December 1889

Matthias P. Ferguson
Police Justice

18th day of December 1889

POOR QUALITY
ORIGINAL

0163

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 28 years, occupation John C. Elliott Manager of Daily News of No.

25 Park Row Street, being duly sworn, deposes and

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

Sworn to before me, this

day of

188

John C. Elliott
Police Justice.

POOR QUALITY
ORIGINAL

0164

Sec. 198-200.

154 District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name?

Answer. *William Miller*

Question. How old are you?

Answer. *27 Years*

Question. Where were you born?

Answer. *South Carolina*

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

Answer. *137 West 32nd St 3 days*

Question. What is your business or profession?

Answer. *Waiter*

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

Answer. *I am not guilty I paid twenty seven dollars for the two orders and presented them and was given the goods I thought the orders were all right as they were represented to be all right by the man I brought them from this name is Peter Jones and he stated to me that he lived in Brooklyn*

Wm Miller

Taken before me this

day of

188

Police Justice.

POOR QUALITY
ORIGINAL

0155

Police Court

1st District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Walter P. Stevenson
William Miller

Offence

Dated

Dec 18 1888

Magistrate

William T. Harkin
Officer

Precinct

Witnesses

No. 1, by
Street

No. 2, by
Street

No. 3, by
Street

No. 4, by
Street

No. 5, by
Street

No. 6, by
Street

No. 7, by
Street

No. 8, by
Street

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

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

Dated Dec 18 1888 Police Justice.

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

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

POOR QUALITY
ORIGINAL

0166

Messrs. R. Peter & Co

Benny & Prince & Co
Lst. bears have goods
to the amt. of
Fifty dollars & a chq. the
same to the Daily News

Benny & Prince, Editor
12/16/86

POOR QUALITY
ORIGINAL

0167

1
Pete Jones —
18 Pallets for
P.M.K.

Office Ryan Ditch
Giving Thomas of

Dec 14/86
Received from Rogers & Co
goods to the value of Fifty-
Dollars and one cent.

Pete Jones

POOR QUALITY
ORIGINAL

0168

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

William Miller

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

William Miller

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

The said *William Miller*,

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

one overcoat of the value of twenty
four dollars, one coat of the value of
thirteen dollars, one vest of the value of
four dollars, one pair of trousers
of the value of eight dollars, and
a quantity of furnishing goods,
(a more particular description
whereof is to the Grand Jury
aforesaid unknown) of the value of
three dollars and one cent, —

of the goods, chattels and personal property of one

William A. D. Martin, —

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

Randolph B. Smith

District Attorney.

0169

BOX:

242

FOLDER:

2352

DESCRIPTION:

Mingst, Herman

DATE:

12/01/86



2352

POOR QUALITY
ORIGINAL

0170

X360B

Counsel, Settler
Filed 1st day of Dec 1886
Pleads Not Guilty (a/

Violation of Excise Law.
(Sunday).
[III Rev. Stat., 7th Edition, page 1983 Sec. 21, and
page 1980, Sec. 5].

THE PEOPLE

vs. B

Herman Minger
vs. B. Minger
Oct 21/86

RANDOLPH B. MARTINE,

District Attorney.

Sub to Special Session
A True Bill.

M. W. Minger

John H. H. H. H.
Foreman.

Wm. H. H. H.
9.5.00

Witnesses:

POOR QUALITY
ORIGINAL

0171

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Herman Mink

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

Herman Mink —

of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE
ON SUNDAY, committed as follows :

The said *Herman Mink*.

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
31st day of *October*, in the year of our Lord one thousand
eight hundred and eighty-*five*, at the Ward, City and County aforesaid, the same
being the first day of the week, commonly called and known as Sunday, with force and arms,
certain intoxicating liquors and certain wines, to wit : One gill of wine, one gill of brandy, one
gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill
of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain
intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to

John P. Mead, and to —

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

SECOND COUNT :

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

Herman Mink —

of the CRIME OF GIVING AWAY INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY,
committed as follows :

The said *Herman Mink*.

late of the Ward, City and County aforesaid, afterwards, to wit : On the day and in the year
aforesaid, at the Ward, City and County aforesaid, the same being the first day of the week,

**POOR QUALITY
ORIGINAL**

0172

commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did give away as a beverage to

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

THIRD COUNT:

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

Herman Munro —

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Herman Munro —

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of certain premises at number

83 Thomas Street —

in the City and County aforesaid, which said place was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

RANDOLPH B. MARTINE,
District Attorney.

0173

BOX:

242

FOLDER:

2352

DESCRIPTION:

Mitchell, Frederick

DATE:

12/02/86



2352

POOR QUALITY
ORIGINAL

0174

X 265B

Witnesses:

Dep't. Las Sarnes
a Pleas in Hope
Aug 7/88

Counsel,

Filed, 2 day of Dec 1886

Pleads,

Not Guilty

THE PEOPLE

vs.

16. Mat
592

Fredrick Mitchell

Grand Larceny,
(From the Person)
[Sections 528, 530, Penal Code]

RANDOLPH B. MARTINE,

District Attorney.

Plead Guilty

A True Bill.

W. W. W. W. W.

Foreman.

2 up G. W. W. W. W.

POOR QUALITY
ORIGINAL

0175

Police Court—

1st District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 200 York Street, aged 37 years,
occupation Labourer being duly sworn

deposes and says, that on the 21 day of November 1886 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the night time, the following property viz:

One Silver Cased watch and chain
together of the value of six 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 Fredrick Mitchell (now here)

from the fact that on said date
said Mitchell approached deponent
seized hold of said chain and
obviously drew said watch from
deponent's pocket and ran
away with said property.

Martin West

Subscribed before me, this
day of November 1886
Charles J. Smith
Police Justice.

POOR QUALITY
ORIGINAL

0176

Sec. 198—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK. } ss.

Fredrick Mitchell 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.

Fredrick Mitchell

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer,

W

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

Answer.

297 Mott St. 2 years

Question. What is your business or profession?

Answer,

Porter

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

Fred Mitchell

Taken before me this

day of

Amos Smith

Police Justice.

POOR QUALITY
ORIGINAL

0177

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

43658 1706
Police Court District.
THE PEOPLE vs. John J. Williams
ON THE COMPLAINT OF
Charles W. Smith
Defendant
Charles W. Smith
Prosecutor
Dated November 23 1886
Magistrate
John J. Williams
Officer
John J. Williams
Witnesses
No. 75 Delaware Street
No. 500 Delaware Street
to answer 9/1

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

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

Dated November 23 1886 Charles W. Smith Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY
ORIGINAL

0178

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Frederick Mitchell

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

Frederick Mitchell
of the CRIME OF GRAND LARCENY IN THE *first* DEGREE, committed
as follows:

The said

Frederick Mitchell
late of the City of New York, in the County of New York aforesaid, on the
Twenty-first day of *November*, in the year of our Lord
one thousand eight hundred and eighty-*five*, at the City and County aforesaid, in the
night time of the same day, with force and arms,

one pocket of the value of
five dollars, and one chain
of the value of one dollar,

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

Randolph B. Smith

District Attorney.

0179

BOX:

242

FOLDER:

2352

DESCRIPTION:

Moehren, Anton Jr.

DATE:

12/23/86



2352

POOR QUALITY
ORIGINAL

0180

Witnesses:

Bernard F. Cameron

Counsel,

Filed 23 day of Dec 1886

Pleas

Not guilty (24)

THE PEOPLE

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

Anton Moehrer Jr.

Defendant

Spec. Counsel of
Assault & Battery

RANDOLPH B. MARTINE,

City District Attorney.

S.P. 2 yds. Jan 1/87

A True Bill.

S. W. Leonard

Foreman

Jan 12
1887

2/80

The People
vs.

Anton Moehren, JR

Court of General Sessions, Part I.

Before Judge Cowing.

January 27, 1937.

Indictment for assault in the first degree.

Bernard W. Cannon sworn. I live 331 Tenth Avenue in this city and am a plumber by trade, I know the defendant about ten years; this alleged assault was committed on election day, the 2nd of November in this city. I never had had any trouble with him previous to that, I received a letter from him dated August 12, 1936, the letter now shown me is the one, I guess I saw him a hundred times between August 12 and November 2nd, I do not remember having any conversation with him. On the 2nd of November I met him on the corner of 53rd Street and Ninth Avenue, I was with my brother, my brother said to him, come here, I want to see you; as soon as he did the prisoner said, I will, you son of a bitch, and he whipped out a pistol and shot me ~~in~~ in the left leg; we were on the corner of 52nd Street I was getting my shoes shined and a boot-black says to me, Earnie, your brother is going to be shot. I says, is that so? We started to go up home from 52nd to 53rd St. and when we got within fifteen feet of the prisoner my brother says to him, come here Tony, I would like to see you, he did not make any motions; as he said the word the prisoner said, I will you son of a bitch, and took out the pistol and shot me, I felt the sting in my thigh, the ball is in my leg. I ran after the prisoner and in the middle of the car track I caught him and at that moment he shot again the end of my finger off, I got the pistol in my hand and I said to the policeman, Officer, I am shot and

here is the pistol, I wrenched it out of the prisoner's hand; two officers took me up to the Roosevelt Hospital and I lay there seventeen days in bed, I have not been able to do a good day's work since. I noticed that there were three barrels of the pistol loaded and two he had discharged, I am pretty sure it was a five barreled pistol.

This happened between twelve and one o'clock in the day time. Just as I was going for him he shot at me again and I wrenched the pistol from him and he took a portion of my thumb off.

Cross Examined. After the second shot went off I wrenched for the pistol and we both fell to the ground, I got the pistol off him and handed it to the policeman, I did not mean to throw him down, I am pretty sure he was underneath me, it is not a fact that he was under me before the first shot was fired. It is true that I never had any words with the defendant before election day. I never had a fight with the defendant. I never told Mr Clancy that I had licked the defendant, I never fought with this man previous to the 2nd of November on Ninth Avenue or in any other place. The defendant left my brother's employment before this occurrence, he is a plumber; there was a bitterness of feeling on my part to him in regard to that letter, I spoke to him about that letter and asked him why he sent it, I guess it was of a Sunday morning in August, we did not quarrel about it, he raised up his hands and ran down Ninth Avenue, he said, I want my tool box, I said, I know nothing about your tool-box, and we left; then he went two blocks below and he said he would put a hole in the first Cannon he would meet,

that is what I understood him to say to one of the witnesses, I never heard him say that. I did not have him on the ground when he fired these shots, he was standing up when he shot me the second time and he was standing up the first time also, I did not strike him with anything before he shot me, I was within fifteen feet of him when he fired the first shot but was close to him when he fired the second; the defendant had been working for my brother about ten months.

Owen A. McGory sworn. I was not present at the alleged shooting on the 2nd of November; the defendant told me that he was going to bore a hole in either one of the Cannons, that is three or four months ago, I could not exactly say the day: he got talking about the letter he sent to him and he told me that if ever they bothered him about it he would bore a hole in either one of the Cannons.

This was in 53rd Street near Ninth Avenue; he asked me if I had seen the letter he sent to Cannon and I said no, he says, if they bother me I will bore a hole in them, I did not say anything.

John Cannon sworn. I live 831 Tenth Avenue in this city, I am the brother of Bernard F. Cannon who was shot on the 2nd of November, I was present on that occasion and saw the whole affair; my brother and I were going home to dinner between the hours of twelve and one o'clock, when within fifteen feet of the south-east corner of 53rd Street and Ninth Avenue we saw the prisoner. I said to him, come here, I want to speak to you, and he

deliberately took his pistol out and fired at my brother who was seventeen days in the Roosevelt Hospital; one ball struck him in the groin and the other through the thumb, they were both together on the sidewalk when the second shot was fired, my brother wrenched the pistol from him and gave it to the policeman.

Cross Examined. I heard the defendant say nothing before he fired on my brother; when the first shot was fired they had a scuffle and they went out in the street, they were wrestling when the second shot was fired in the middle of the street. My brother engaged private counsel in this case.

Joseph MacDonald sworn. I was present on the 2nd of November when this shooting occurred, I was standing on the south-east corner of 53rd Street and Ninth Avenue and I saw two gentlemen coming up the street; I did not know who they were, one of the two halloed, come here and the prisoner turned around, there was another gentleman along with him and the prisoner put his hand in his pocket and pulled out and fired at one of the two that was coming uptown and after he fired he started to run and the other party ran after him and they caught hold of one another and another shot went off, I stood there and I went over after and saw the officer having hold of the man who was shot and I asked him if he was hurt, Mr Cannon asked me my name and I told him and that is the way I come to get a subpoena, I should judge they were about fifteen or twenty feet apart when the first shot was fired; they were not near enough each other for one to strike the other at the time the first shot was fired. I never saw the parties

before to my knowledge.

Cross Examined. I have seen this lawyer Mr O'Callaghan in Court, he asked me what I knew about the case, the last time I saw the Cannons before to-day was when they were in this court-room. I live 360 West 31st Street, I am an engineer and work for Peter H. Welsh, the Stevedore, 33 West Street, I have never been in the house of either of the Cannons.

Joseph McDonald sworn. (This is another witness but the same name as the previous witness.) I was not present when this assault was alleged to have been committed; about six weeks before the shooting I was standing on the corner of 55th Street and Ninth Avenue about nine o'clock on Sunday morning when the prisoner came along and said, Hello Jo. I says, hello Tony; he walked a couple of steps and said, come here, I want to speak to you, I went over to him and he said, I just met the Cannon brothers up the avenue and we had a bout up there. I says, did you have a fight? He says, nothing of any account, we just had a couple of words, he said, come in and have a drink, I went in and had a drink with him, we came out and had a couple more words and then he told me that the first chance he got he would put a hole in Bernard Cannon, he said he did not have it with him that morning or he would have done it then, he said nothing more that I can remember and we parted.

Cross Examined. I am working for the Cannons but was not then, I went that very night and told Bernard Cannon to be on his guard, that this man was going to be him some

bodily harm, put a hole in him.

Henry E. Fox sworn. I live at 355 West 34th St. and am a car driver, the Wixth Avenue is the last place I drove, I am not doing anything now; on the 2nd of November I was standing on the corner of 53rd Street and 9th Avenue and saw Mr Cannon and his brother standing on the corner together and the first thing I heard was the report of a pistol but did not see who fired it, I turned around and saw Mr Cannon and the prisoner scuffling in the middle of the street and a revolver in their hand, at that particular instant when I heard the report they were out on the middle of the street, I heard the first shot before they were in the middle of the street and when I heard the second shot they were in the middle of the street, I saw Mr Cannon take the revolver out of the prisoner's hand and then the policeman came up.

William Sandford sworn. I live 53rd Street and 9th Avenue and black boots, on this morning in question I blacked Mr Cannon's boots about nine o'clock, I know nothing about the shooting, only what I was told.

James Doorley sworn. I am an officer of the 22nd precinct and was on duty on the 2nd of November, I arrested the prisoner, I was standing on the south-west corner of 53rd Street and 9th Avenue and heard a pistol shot, I turned around quick to see if I could see where it came from, I saw the prisoner and Cannon right behind him and Cannon had him by the collar, I saw the pistol in the prisoner's hand, he kind of dropped in that way and turned towards Cannon and discharged another shot. The prisoner

was apparently trying to get away from him and Cannon had him by the collar and then he fired the second time, I ran and grabbed the prisoner and another officer came and grabbed him a second after and Mr Cannon was wrenching the pistol out of his hand; two or three officer grabbed Cannon and took the pistol away from him and brought him to the hospital as quick as they could. I did not hear Cannon say anything at the time in the presence of the prisoner, it was election day and there was a great on every corner, I saw that the thumb nail was shot off the right hand of the complainant and a bullet wound in the region of the thigh, I could not tell the distance between Cannon and the prisoner at the time the first shot was fired, when I looked around the prisoner and Cannon were in contact, they were on the railroad track at the time Cannon had him by the collar; after the second shot was fired they fell to the pavement.

Bernard Banks sworn. I am an officer of the 32nd precinct and was on duty on election day, the 2nd of November in the neighborhood of 9th Avenue and 53rd Street, I was at the polling place on the north-east corner between twenty and thirty yards from where I was standing this alleged difficulty occurred; the first thing that attracted my attention was hearing the pistol shot, I looked through the window, I was standing on the floor, I saw two men I thought clinched on the avenue crossing and saw Officer Aiken running and I heard another pistol shot, when I got there there was a crowd around and I saw a man there which I learned since to be Bernard Cannon and he had his left hand with a pistol in it saying, here is the

pistol, I am shot, there was a crowd around him at this time, I put over my hand and took the pistol, I gave it to Officer Doorley in the course of half an hour after that occurrence.

James Doorley recalled. I have not that pistol with me, the last I saw of it was at the Station House.

Bernard Bagks recalled. I did not examine the pistol when I first got it carefully, I gave it a slight examination, I drew the hammer back and I could see two cartridges gone, bullets and I considered there were three in it, there were three unloaded barrels.

The Case for the Defence.

James Burns sworn. I did live at 786 Ninth Avenue but live at present in Stamford, Conn, I am a baker by trade and drive a doctor's carriage now, Dr Ayres. On election day about an hour or so before the shooting Johnnie Cannon came and told me - ; the complainant and the defendant are both friends of mine.

Fred Lehning sworn. I am now in the milk business, driving a truck for Broker & Layhe, 60th Street, a bottling milk firm, I know the defendant and the Cannons, I saw a fight between the complainant and Bernard Cannon on Sunday morning corner of 58th Street and Ninth Avenue, the defendant was coming from 59th Street and Cannon was crossing 58th Street and Bernard Cannon turned around and struck him and followed him up the second time and the defendant lost his hat and he came over to me on the corner at that time I was employed by a grocer, Christopher

Stevens corner of 58th Street and Ninth Avenue, I think it was in August on a Sunday morning that I saw this fight between Bernard Cannon and the defendant. I heard Cannon say, I will give you this every time I meet you, Cannon struck at the defendant and hit him around the neck.

John Clancy sworn. I know Bernard Cannon he told me something about beating the defendant previous to the shooting, he did not make any threats to me of what he would do to him; he told me this riding home one night on the railroad.

John Aiken sworn. I belong to the 22nd precinct and was there at the time of the shooting, I saw Cannon and this man on the ground struggling, I saw the other Cannon there, the two Cannons were standing and the prisoner was underneath in a leaning position, one of them had hold of him by the back of the neck, he was bending, leaning over sideways, Bernard Cannon had him by the collar and while they were in that position the second shot was fired, I heard a shot on the other side of the street before that and I saw the prisoner start to run and the other two after him, and when they were in the middle of the street they caught hold of him; there was a whole lot run and I run myself and two more officers and the Cannons run, I don't know how far apart the Cannons were from the defendant when I first heard the shot but when I looked around I saw they were six or seven feet apart.

Samuel Collard sworn. Where do you live? 661 Washington Street. I am a plumber and know the Cannon brothers and the defendant, Bernard Cannon never made any threats as to what he would do to the defendant in my presence, I saw the Cannon brothers up at the building where I was working, Bernard cursed the prisoner, called him every name so as to make trouble for him on the job.

Anton Moehren, Jr sworn. I am twenty-five years of age, am a plumber, am a single man and know the two Cannons. It is not true what Bernard Cannon said that he never had any difficulty or angry words with me. One Sunday morning in August I was going up Ninth Avenue and when I got between 53th and 59th Streets Bernard Cannon rushed across the street and he says, come here, I want to speak to you. I says, what do you want? He says, what are you talking about and he hit me in the neck and knocked my hat off; that was near the grocery store about which the witness testified yesterday. On the 2nd day of November I went up to 53rd Street and a friend of mine asked me to go down to the poles with him and drop his vote. I went down there and when we came out a friend of mine told me to keep away from here that the Cannon brothers were going to do me up. I went away and the man who was with me said he would see me at half past twelve and we would go uptown. I went home and got my dinner and came out and the man had not got down yet and I waited for him on the corner for a second or two, I was standing there but a few minutes when the two Cannons came up Ninth Avenue and

walked as far as the corner and turned the street a little way and Johnnie Cannon says, come here you son of a bitch, I want to talk to you. I said, I don't want to have anything to do with you, go away from me. The two rushed at me, Barney first and Johnnie right close behind him, Barney struck me on the nose and knocked me down, Johnnie says to him, you son of a bitch, let us kill him and he put his hand to his pocket as if he was going to draw something and I jumped on my feet and fired at him with the intention to keep him off me, I could not say where it took effect, I did not aim at the man, I had no intention of doing him bodily harm, I wanted to keep him off me; at the time I fired the shot from what I had heard about the Cannon brothers and from what they did to me immediately preceding it, I believe that I was in danger of personal injury. When they had me down upon the ground I put my hand in my pocket and fired at one of them, I tried to run away and got about half way across the street when they knocked me down again, I could not tell where it hit him. I have never been arrested for any offence before, I worked for the Cannons about ten months, I worked for Louis Strof and Joseph Quinn plumber, corner of 20th Street and 4th Avenue and several other men, I have been hard working and industrious since I left school and never have been in any difficulty save this.

Cross Examined. He was right close to me when I fired the first shot and he had me down at the time, I was in the act of getting up and running away when I fired the first shot, I was not in the middle of the street when I fired the first shot but was there when I fired the second shot, I did not fire until I was knocked down. Both of

0 192

the brothers followed me, I do not remember his saying to the officer, I am shot, here is the pistol; there were five cartridges in that pistol. I was always on good terms with the complainant until he licked me in Ninth Avenue in August. I did not write a letter to either of the Cannons dated August 12, I have never seen the letter now shown me, I am positive it is not in my hand-writing, I never told Joseph MacDonald No.2 that I wrote this letter in a disguised hand, I never said to him that the first chance I got I would put a hole in the complainant.

Charlie Scheideler sworn. I live 76 Ninth Avenue and am a wagon maker, I know the defendant for pretty nearly six years, he was a perfectly nice young fellow, I never saw him fighting with anybody and he never used any rough words, he was a well behaved, peaceable and orderly young man.

Cross Examined. I have heard my mother-in-law say that he was well-behaved and she has lived in 53rd St. for the last eighteen years, I never knew he was in the habit of carrying a pistol.

John W. Castleburger sworn. I live 326 53rd Street and am a beer bottler, I have lived in New York going on six years, I have known the defendant two years and always found him to be an orderly and quiet young man, I never heard of his getting into any trouble except this.

Frederick Heit sworn. I know the prisoner ten years and I have known him to be honest, industrious and quiet.

0 193

Patrick Kelly sworn. I live 336 West 53rd Street and work in Brewster's carriage factory for twelve years, I know the defendant for the last twelve years and never saw a glass of liquor on him and never saw him quarrel.

Anton Mohren sworn. I am a locksmith and work twenty-seven years for Nicholar Muller, my boy is a good boy.

The jury rendered averdict of guilty of assault in the second degree.

0194

Testimony in case of
Anton Moehren Jr.:

Filed Dec. 1886.

[illegible][illegible]

VLADIMIR KOTLIK, *Director* J. J. A. M. JONGBOVEN, *Chairman*

L. D. T.

REASON FOR THE LOSS OF RECORD OF THIS CASE: RECORD WAS DESTROYED

Beide: 1. Kette: 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 83

SECRETARY OF THE ARMY IN CONNECTION WITH GENERAL INVESTIGATION OF MATRONS

FILED 1967 OCT 12 10 50 AM '67

0 195

New York General Sessions.

The People &c
vs.
Anton Moehren Jr.

Honorable
Rufus B. Cowing,
City Judge.

We, the Undersigned, the Jurors
who were empaneled to try the
above case, and who found the
above named defendant Anton
Moehren Jr. guilty of assault in
the second degree, Do hereby ask
your Honor in view of the
extreme provocation - the good
character of the Defendant - and
all the circumstances of the case -
to impose a fine on the Defendant,
and not degrade him by impris-
onment in the State Prison.

Dated, January 31st 1884.

David Schiff
Solomon Rosches
Mark Harris

POOR QUALITY
ORIGINAL

0 196

John F. Bauer
Harvey Witsenart (Foreman)
Hos. Hansen
M. A. Hansen
Frederick Wittlich
Adolph Marko

POOR QUALITY
ORIGINAL

0 197

Police Court—4th District.

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

Bernard F. Cannon
of No. 881 — 10 Avenue Street, aged 23 years,
occupation Plumber being duly sworn
deposes and says, that on the 2^d day of November 1886 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Arthur
Muehren Jr (now here) who fired and
discharged a revolving pistol
loaded with powder and ball
at deponent ^{thereby} injuring and
wounding deponent in the groin
and right hand, and that said
Assault was so committed

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

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

Sworn to before me, this 23 day

of November 1886

B. F. Cannon

John B. Smith
Police Justice.

POOR QUALITY
ORIGINAL

0 198

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY
OF NEW YORK { ss

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

Question What is your name?

Answer

Anton Moehren Jr

Question How old are you?

Answer

25 years

Question Where were you born?

Answer

United States

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

Answer

N^o 405 West 51st Street & about 7 years

Question What is your business or profession?

Answer

Plumber

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 and demand
an examination. The complainant
sues me and I shot him in self defense
Anton Moehren Jr.

Taken before me this

23

day of

September

1888

Office Justice

POOR QUALITY
ORIGINAL

0 199

Sec. 192.

X District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Andrew J. White a Police Justice
of the City of New York, charging Anton Mochren Defendant with
the offence of Felony Assault
on Richard F. Cannon

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We, Anton Mochren Defendant of No. 405
West 51st Street; by occupation a Plumber
and Fredrick Heydt of No. 232 West 31st
Street, by occupation a Milk Dealer Surety, hereby jointly and severally undertake that
the above named Anton Mochren Defendant
shall personally appear before the said Justice, at the X District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of _____
Hundred Dollars.

Taken and acknowledged before me, this 13

day of November 1888

Charles J. White POLICE JUSTICE.

Anton Mochren
Fredrick Heydt

POOR QUALITY
ORIGINAL

0200

CITY AND COUNTY } ES.
OF NEW YORK, }

Sworn to before me this
1881
by
Justice.

the within named Bail and Surety being duly sworn, says that he is a resident and free
holder within the said County and State, and is worth ten Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of chancellor

situated at number 232
West 131st Street in said city
and valued in the above sum
over all liabilities.

Fredrick Heydt

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

Taken the day of 188

Justice.

POOR QUALITY
ORIGINAL

0201

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, DISTRICT.

of No. 22 Police Precinct Street, aged 34 years,
occupation Police Officer being duly sworn deposes and says
that on the 2 day of November 1886

at the City of New York, in the County of New York, Deposee arrested
ed Alvin Malheur (nowhere)
on a charge of shooting one
Bernard F. Cannon. That said
Cannon by reason of his in-
juries is not able to appear
in Court. Therefore Deposee
asks that said Malheur
be held till such time as
said Cannon can appear
James Doolley

Sworn to before me, this

of

November 1886

day

Police Justice.

POOR QUALITY
ORIGINAL

0202

Police Court, 22 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James Dooly

vs.

Anton Moehren

AFFIDAVIT.

Dated November 3 1886

White Magistrate.

Dooly Officer.

Witness,

Nov 22 1886, 2 PM

Nov 23 3 PM

Paul J. [Signature]

Disposition,

Held to await the
result of injuries

*Bound for examination by
the district attorney
Nov 22 1886
W. J. Dooly*

POOR QUALITY
ORIGINAL

0203

ROOSEVELT HOSPITAL,

59TH STREET & NINTH AVENUE.

JAS. R. LATHROP,
SUPERINTENDENT.

New York, Nov. 3. 1886.

This is to certify that ^{Bernard}~~Wheeler~~
Cannon is a patient at this
hospital suffering from bullet wound
of the thigh. He has so far done
well but the nature & extent of the
injury can not yet be told.
George W. Wadley.
House Surgeon.

POOR QUALITY
ORIGINAL

0204

ROOSEVELT HOSPITAL,

59TH STREET & NINTH AVENUE.

JAS. R. LATHROP,
SUPERINTENDENT.

New York, Nov 13th 1886.

This is to certify that Bernard
Cannon remains a patient at this
hospital. He is considered entirely
out of danger, but remains confined
and cannot leave the hospital
for a few days.

George W. Halsey M.D.
Attending Physician.

POOR QUALITY
ORIGINAL

0205

Sec. 192.

4th District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Solomon B. Smutko a Police Justice
of the City of New York, charging Anton Morluru Defendant with
the offence of Delinquent Assault

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned

We, Anton Morluru Defendant of No. 405
Met 31st Street; by occupation a Reverend
and Frederick Heydt of No. 232 Met 31st
Street, by occupation a Wick Dealer
the above named Anton Morluru Surety, hereby jointly and severally undertake that
shall personally appear before the said Justice, at the 4th District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of five
Hundred Dollars.

Taken and acknowledged before me, this 23d Anton Prochen Jr.
day of November 1886 Frederick Heydt
Solomon B. Smutko POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0206

CITY AND COUNTY
OF NEW YORK, } ss.

Frederick Heydt
Sworn to before me, this 29th day of May, 1888.
S.S.I. 188

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth ten Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of a House and Lot

situated at No. 232 West 31st Street
in said City and valued at twenty
thousand and no more or less than
four thousand
dollars.

Frederick Heydt

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to appear
during the Examination

28.

Taken the day of 1888

Justice.

POOR QUALITY
ORIGINAL

0207

Nov 29 3 PM

BAILED,
No. 1, by Frederick Hecht
Residence 232 West 13th St.
No. 2, by
Residence
No. 3, by
Residence
No. 4, by
Residence
Street.

Police Court 4 District 1789

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward F. Gorman
881 - 10 Ave.
Anton Mehren

Offence Felony Assault

Dated Nov. 23 1886

S. B. Smith Magistrate.

Witnesses
John Bauman
No. 881 10th Ave.
Duen Melary
538 West 4th St.
No. 500 to answer
for the complaint 360 - 10 Ave.
Henry F. Gorman 54 St.
Mr. Gorman 11th St.
S.E. cor. 53 St + 9 Ave.
Geo. Clumbitt St. 442 W. 57

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

Anton Mehren

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

Dated Nov 29 1886 Solon O. Smith Police Justice.

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

Dated November 29 1886 Solon O. Smith Police Justice.

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

Dated 1886 Police Justice.

POOR QUALITY
ORIGINAL

0208

R. VANDENHENDEN,
Pharmacist,
No. 755 NINTH AVENUE,

New York, January 29th 1887

Hon Rufus B. Coving

Dear Sir,

Anton Moken Jr., who was
found guilty of assault, I have
known for many years, and know
him to be respectable and industrious
and worthy of consideration.

Respectfully yours

R. Vandenhenden

POOR QUALITY
ORIGINAL

0209

New York Jan 29th/87
Hon. Rufus B. Corning
Dear Sir:

Anton Moehren Jr. who was
found guilty of assault. I have known
for many years and know him to be
respectable and industrious and worthy
of consideration

Yours truly

George A. Phillips
1403 W-51st St

POOR QUALITY
ORIGINAL

02 10

STEPHEN N. SIMONSON.

ESTABLISHED 1864.

FRANK A. MULLER.

OFFICE OF

SIMONSON & MULLER,

→ Real Estate and Insurance. ←

763 NINTH AVENUE,

COR. 51ST STREET.

NOTARY PUBLIC.
LOANS NEGOTIATED.
RENTS COLLECTED.
ESTATES MANAGED.

New York, January 29 1887.

Hon Rufus B. Cowing,

My dear Sir

I have been urged by a large number of friends to write you in behalf of Victor Mohren Jr. who was found guilty of Assault &c. His parents are respectable and his neighbors speak of him in the highest terms, his associates were young men of respectability. If the evidence warrants I trust that you will impose a light sentence for the sake of his father and mother who are grieved at the position in which their only son is placed.

Respectfully.

S. N. Simonson.

STATE OF NEW YORK
SENATE CHAMBER
ALBANY

N.Y. Jan'y 29/87

Hon. Rufus B. Cowing

My Dear Sir:-

Permit me to
state that I have known
the family of Anton
Krohn for the past
fifteen years, and
this being his first
offense I hope you
will be as lenient
with him as possible
and oblige Yours Resptly

W. D. Lusk

442 N. 51st St. N.Y.

02 12

New York
Jan 29/87

Hon Judge

Sir, I take the liberty of addressing a few lines in regards to the qualifications of the young man who is at your Clerkenwell. The above mentioned A. M. O'Brien I have been acquainted for years and have always found him to be a sober, honest and intelligent person and always attentive to business.

Yours Respt
George F. Liguier

Provisional # 1652 Jan

POOR QUALITY
ORIGINAL

0213

Headquarters 19th Assembly
Dist Republican Assn
Rm 67th and Boulevard

NY Jan 29th 187.

Dear Sir

Pardon me for the liberty
I take - but unfortunately one of our
Members - Anton Wehner - has been
convicted in your Court today - for
"felonious assault". We understand
that this is his first offence - and would
respectfully urge that you be as
lenient as the Law will permit -
towards him - and as confer
a great favor on

Yours Truly
Wm. D. Dunn
Secy -

Chas. F. Bradley
President -

Good evening.

POOR QUALITY
ORIGINAL

0214

State of New York.

Executive Chamber.

ALBANY, May 6 1887.

SIR:

An application for Executive clemency having been made on behalf of Anton Kocher, Jr., who was convicted of Murder, 2nd degree in the County of Richmond, and sentenced Feb. 7 1887, to imprisonment in the Sing Sing Prison for the term of 2 years and 0 months and to pay a fine of \$0. I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial or upon the preliminary examination, or before the Coroner's jury, if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since the conviction.

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

I am,

Very respectfully yours,

William C. Rice,

Private Secretary.

To Hon.

J. C. Martine,
Dist. Atty. of West,
N. Y. City.

POOR QUALITY
ORIGINAL

0215

Answered
July 29th 1887
R. B. Sr.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Anton Madmen
the younger

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

Anton Madmen the younger

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

The said *Anton.*

late of the City of New York, in the County of New York aforesaid, on the
second day of *November*, in the year of our Lord
one thousand eight hundred and eighty-*five*, with force of arms, at the City and
County aforesaid, in and upon the body of one *Bernard S. Ramon.*
in the peace of the said People then and there being, feloniously did make an assault
and to, at and against *him* the said *Bernard.*
a certain *pistol* then and there loaded and charged with gunpowder and one
lead bullet, which the said *Anton*
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 *Bernard.*
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

Anton Madmen the younger

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

The said *Anton.*

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 one *Bernard S. Ramon.*
in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make an assault, and to, at and against *him* the said

Bernard.
a certain *pistol* then and there charged and loaded with gunpowder
and one leaden bullet, which the said *Anton*

in *his* right hand then and there had and held, the same being
an instrument likely to produce grievous bodily harm, then and there feloniously
did wilfully and *fully* 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.

RANDOLPH B. MARTINE,

District Attorney.

0217

BOX:

242

FOLDER:

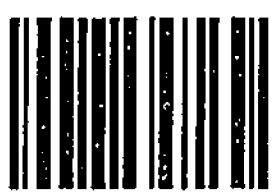
2352

DESCRIPTION:

Molz, Meyer

DATE:

12/08/86



2352

POOR QUALITY
ORIGINAL

0218

No. 23. D. Lamy

Counsel,

Filed 8 day of Dec 1886

Pleads, *Guilty* (19)

THE PEOPLE

vs.

38 *year*

Meyer Molz

ASSAULT IN THE THIRD DEGREE.

(Section 219, Penal Code.)

RANDOLPH B. MARTINE,

Tr *July 7/83* District Attorney.

and *July* *186* - *25*.

Remanded to the City of Chicago

A True Bill. *James* *of* *the* *County*

of *the* *County* *of* *the* *City*

W. G. Cornwell

Foreman

P. 2. Feb. 7. 1887

Shed and

City Prison 10 days

Witnesses:

Chung Lee

Officer Hughes

13th Precinct

POOR QUALITY
ORIGINAL

0219

Sec. 198-200.

9

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

Meyer Moly 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

Meyer Moly

Question. How old are you?

Answer

33

Question. Where were you born?

Answer.

Germany

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

Answer.

34 Chrystie St - 1 year

Question What is your business or profession?

Answer

Bedder

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. The
complaint struck me first
and I defended myself. I
demand a trial by jury*

*Meyer & Maly
mark*

Taken before me this

day of

Sept

188

6

John J. ...
Police Justice.

POOR QUALITY
ORIGINAL

0220

BAILED,
No. 1, by Simon Shuck
Residence 57 Orchard Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

Police Court 3
District 13th

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Chung Lee

200 Broadway

Upper Story

Offence Assault

Date Sept 11 1886

Gorman Magistrate.

Hynes Officer.

at 10 PM Precinct.

No. 200 Delaney Street.

Sept 9/17 Gorman 18

City Sept 9/17 Gorman 18

Sept 9/17 Gorman 18

Sept 9/17 Gorman 18

Sept 9/17 Gorman 18

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

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

Dated Sept 11 1886 John Gorman Police Justice.

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

Dated Sept 12 1886 John Gorman Police Justice.

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

Dated _____ 1886 _____ Police Justice.

POOR QUALITY
ORIGINAL

0221

Police Court—3—District.

CITY AND COUNTY } ss.
OF NEW YORK, }

Ching Lee
of No. 200 Delaney Street, aged 29 years,
occupation Launder being duly sworn, deposes and says, that
on the 11th day of September 1886 at the City of New York,
in the County of New York,

he was violently ASSAULTED and BEATEN by Meyer Holz (now
here) who struck deponent several severe
blows on the head with a leg of a wooden
table
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 the above assault, &c, and be dealt with according to law.

Sworn to before me, this 11
day of September 1886 }

John J. Forman (Interpreted by Charles T. King
Police Justice. 26 West 9th)

POOR QUALITY
ORIGINAL

0222

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Morgan M. M. M.

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

Morgan M. M. M.

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

The said

Morgan M. M. M.

late of the First Ward of the City of New York, in the County of New York
aforesaid, on the *seventh* day of *September*, in the year of our Lord
one thousand eight hundred and eighty-*six*, at the Ward, City and County
aforesaid, in and upon the body of one *Alvin Lee*,
in the peace of the said people then and there being, with force and arms, unlawfully
did make an assault and *in* the said *Alvin Lee*,
did then and there unlawfully beat, wound and illtreat, to the great damage of the
said *Alvin Lee*, against the form of the statute
in such case made and provided, and against the peace of the People of the State of
New York, and their dignity.

RANDOLPH B. MARTINE,

District Attorney.

0223

BOX:

242

FOLDER:

2352

DESCRIPTION:

Monroe, James

DATE:

12/06/86



2352

POOR QUALITY
ORIGINAL

0224

No 9

Counsel,

Filed

Pleads,

6 day of Dec 1886

THE PEOPLE

vs.

James Monroe

Burglary in the Third Degree,
1st & 2nd Counts, Breach of
Fidelity, 408, 506, 528, 532 & 550.

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

J. W. Conant
Foreman
Dec 7/86

J. P. Davis
S. P. Davis

Witnesses:

Harold O'Neil
608 Water St.

Thos. Lannon
361 Cherry St.

0225

District.

of No.

occupation

deposes and says, that the premises No.

Street, aged 42 years,

being duly sworn

Street 7 Ward

in the City and County aforesaid the said, being a capable wheel

and which was ^{used} ~~occupied~~ by deponent as a Stable
and in which there was at the time ^{no} human being, by name

...
were **BURGLARIOUSLY** entered by means of forcibly

on the 3rd day of November 1886 in the Night time, and the following property feloniously taken, stolen, and carried away, viz: _____

A set of harness consisting
of Whippers, lines, collar &c all
of the value of about fifteen dollars
\$15-⁰⁰/₁₀₀

the property of.

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

for the reasons following, to wit:

for the reasons following, to wit: That on the Morning succeeding
Said night deponent discovered that
the rear door of the stable which had
been previously locked and fastened was
broken open, and the aforementioned property
stolen and carried away. That deponent
is informed by one Thomas Cassin that
about eleven O'clock P.M. on the night aforesaid
he saw the defendant passing along

POOR QUALITY
ORIGINAL

0226

Montgomery Street having in his possession
a set of harness and saw him bring
it to a junk shop in Cherry Street
and when he left the place he had
no harness with him. Deponent believes
the same to be true. That upon this
information deponent went to the junk
store in question and there found
the harness which deponent obtained
from the keeper of said junk store and
identified it as the harness stolen
and taken away from the stable
where deponent kept it.

Subscribed before me this } Daniel O'Fall
1st day of Decr 1886 }
Wm J. Conway }
Police Justice }

Dated 1886 Police Justice

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

Dated 1886 Police Justice

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

Dated 1886 Police Justice

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

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

Police Court, District,	Offence—BURGLARY.
THE PEOPLE, &c., on the complaint of	
1.	
2.	
3.	
4.	
Dated 1886	Magistrate.
	Officer.
	Clerk.
Witnesses,	
No.	Street,
No.	Street,
No.	Street,
\$	to answer General Sessions.

POOR QUALITY
ORIGINAL

0227

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 14 years, occupation drive a car of No.

361 Cherry Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Daniel O'Neil

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

Sworn to before me, this

day of

1888

John J. [Signature]
Police Justice.

POOR QUALITY
ORIGINAL

0228

Sec. 195-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, { ss

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

Question What is your name?

Answer

James Monroe

Question How old are you?

Answer

35 Years

Question Where were you born?

Answer

New York City

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

Answer

102 West Street

Question What is your business or profession?

Answer

Sailor

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

Answer

I am not guilty of the charge

Taken before me this

day of

188

John J. Murphy
Police Justice.

James Monroe

POOR QUALITY
ORIGINAL

0230

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Monroe

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

James Monroe —

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

The said *James Monroe*,

late of the *Seventh* Ward of the City of New York, in the County of New York, aforesaid, on the *thirtieth* day of *November*, in the year of our Lord one thousand eight hundred and eighty-*nine*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *Store* of one

David M. M. —

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

David M. M. —

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

POOR QUALITY
ORIGINAL

0231

SECOND COUNT—

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

James Monroe
of the CRIME OF *Robt* LARCENY, —

committed as follows :

The said *James Monroe*,

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

*one set of harness of the
value of fifteen dollars.*

of the goods, chattels and personal property of one

Daniel O'Neil —

in the *stable* of the said

Daniel O'Neil —

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

**POOR QUALITY
ORIGINAL**

0232

THIRD COUNT—

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

James Monroe —

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

The said *James Monroe,*

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

one set of harness of the

value of fifteen dollars,

of the goods, chattels and personal property of one

Daniel O'Neil, —

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

Daniel O'Neil, —

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

James Monroe, —

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

RANDOLPH B. MARTINE,

District Attorney.

0233

BOX:

242

FOLDER:

2352

DESCRIPTION:

Moore, Benjamin

DATE:

12/01/86



2352

POOR QUALITY
ORIGINAL

0234

Counsel, *Black*
Filed *1st* day of *Dec* 188*6*
Pleads *Not guilty*

THE PEOPLE
vs.
Benjamin Moore
Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code.)

RANDOLPH B. MARTINE,
Dist. Atty.
Dec 13/89
Dischd. by the C. & a di. mag.
A True Bill.
[Signature]

Foreman.
[Signature]
Jan 13/90

Witnesses:

All of the facts in the matter
and the testimony show that if
shots were fired at all, they were only
fired for the purpose of scaring away
the complainant and his associate.
Who had broken the windows of the
defendant's house. The
affirmative evidence would substantiate
in my judgment, the fact of the
shots being fired in the air.
I do not think a conviction can
be had, and I consent to the
prisoner's discharge.

James FitzGerald
Asst Dist Atty

Comd of Annual Sessions
The People vs
us
Benjamin Moore

City of Albany, New York ss.
Albert M. Nevins
being duly sworn says he
resides at Van Cortlandt
Station N.Y. - and is by occupation
a bookkeeper. That he has
known the above defendant
and come in contact with
him every day for months
as both working for the same
Company - That he always
found the defendant to be a
hardworking, honest, peaceable
man, and one who stood
well in the estimation of his
fellow workmen - always very
quiet, and deponent is certain
that this is the first time
the defendant has ever been
arrested.

In witness whereof } A. M. Nevins
This 13th day of January 1887
Stephen D. Blake
Com of Sessions Co

City of New York

Benjamin Van Lassel being
duly sworn says he resides at
Thompson N.Y. that he has been
in contact almost every day
with the above defendant
and found him to be an honest
and true man also a
peaceable and quiet one
that he has never heard
anything against the Character
of defendant but on the contrary
has always heard him
spoken of in the highest terms
as a true and faithful man

13th day of January 1887 } Benjamin Tamm
Stephen S. Blake
Com of dross N.Y.C.

City County of New York ss.

Peter H. Turner
being duly sworn says he
resides at Van Cortlandt Ave
and was present when the trouble
occurred between ~~the~~ Complainant
and defendant herein - That on
the day in question the
Complainant Burton was
violent and assaulted the
defendant and endeavored to
force an entrance into defendant's
house and did succeed in
breaking two windows and other-
wise injuring said house
That thereupon the defendant
fired a revolving pistol in
the air, as defendant believes
for the purpose of intimidating
said Burton and did not try
to inflict and badly hurt
upon the said Burton

Subscribed and sworn to this
13 day of January 1887
Stephen D. Blott
Comptroller of New York

P. H. Turner

POOR QUALITY
ORIGINAL

0238

General Channing

The People's

vs

Benj Moore

Applicant to

Character

BLAKE & SULLIVAN,
CONSULTANTS AT LAW,
No. 75 CUNNING STREET, N. Y.

POOR QUALITY
ORIGINAL

0239

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Benjamin Moore

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. The facts are that on the 23^d day of November 1886 Henry Clemens and myself were in front of the house of Milton Moore the brother of the defendant who was absent at that time and said defendant was in charge of the premises we smashed in the window in said house - that is to say said Clemens and myself were upon a pistol shot was fired by some one to our loss and no one was hurt I did not see the pistol fired - but I made a charge against said defendant believing he fired it and intended to shoot me, but I think now if said defendant did shoot and fire off said pistol, it was for the purpose of frightening off said Clemens and myself and for that purpose was fired off in the air I do not think said defendant intended to hurt any one, as he is a man of good character and I now believe him innocent of the charge against him I hereby express my desire to withdraw the charge against him
~~Signed before me and attested by me this 23^d day of November 1886~~

Joseph Burton

POOR QUALITY
ORIGINAL

0240

People in

as
Bey Moore

Withdrawal of

charge

POOR QUALITY
ORIGINAL

0241

Police Court— 6 District.

CITY AND COUNTY }
OF NEW YORK. } ss.

of No. Moshulu Avenue Block 20 New York City, aged 28 years,
occupation Labrer being duly sworn, deposes and says, that
on the 23^d day of November 1886 at the City of New York,

in the County of New York, at the corner of Moshulu and Grand Avenues
Kingbridge, New York City, he was violently assaulted and feloniously assaulted
by Benjamin Moore, now here, who aim
and discharged against the person of deponent a
revolving pistol loaded with powder and ball,
firing two shots from said pistol at deponent—
as deponent was endeavoring to escape from said Moore
without any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be ~~prosecuted~~ and bound to
answer the above assault, &c., and be dealt with according to law.

Sworn to before me, this 24th

day of November 1886

Joseph Biston

Police Justice

POOR QUALITY
ORIGINAL

0242

Sec. 108—200.

6 ^m

District Police Court.

CITY AND COUNTY {
OF NEW YORK, } ss

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

Question. What is your name?

Answer. Benjamin Moore

Question. How old are you?

Answer. 20 years

Question. Where were you born?

Answer. Virginia

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

Answer. Shopt 19 1/2, Kingsbridge; 2 months

Question. What is your business or profession?

Answer. Laborer

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

Answer. I am not guilty

Benjamin ^{his} Moore
Mark

Taken before me this

24

day of November 1886

W. H. H. H.
District Police Justice.

POOR QUALITY
ORIGINAL

0243

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

#35813

Police Court 6th District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Barton
Salvatore
Benjamin Moore

1 _____
2 _____
3 _____
4 _____

Offence Assault
felony - 1st Degree

Dated November 24 1886

Wells Magistrate.

Joseph Young Officer.

35 Precinct.

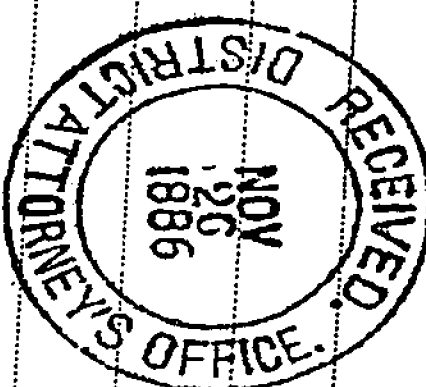
Witnesses said officer

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

\$ 1000. to answer _____



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

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

Dated November 24 1886

W. Wells Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY
ORIGINAL

0244

Peoples
vs
Benj. Moor

Part 2 - Jmgy x3

Subpounds Sured
by Mc Coy

Consul Notified

Jmgy 6/86

Ry

POOR QUALITY
ORIGINAL

0245

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Benjamin Moore

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

Benjamin Moore

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

The said *Benjamin*

late of the City of New York, in the County of New York aforesaid, on the *Twenty third* day of *November*, in the year of our Lord one thousand eight hundred and eighty-*nine*, with force of arms, at the City and County aforesaid, in and upon the body of one *Joseph Binton*, in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *Joseph*, a certain *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which the said *Benjamin* 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 *Joseph*, 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

Benjamin Moore

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

The said *Benjamin*

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 one *Joseph Binton*, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and to, at and against *him* the said *Joseph*, a certain *pistol* then and there charged and loaded with gunpowder and one leaden bullet, which the said *Benjamin* in *his* right hand then and there had and held, the same being 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.

RANDOLPH B. MARTINE,

District Attorney.

0246

BOX:

242

FOLDER:

2352

DESCRIPTION:

Moore, John

DATE:

12/09/86



2352

POOR QUALITY
ORIGINAL

0247

115 41 A
Counsel, *1965*
Filed *9* day of *Dec* 1886
Pleads *Whitely (Apparent)*
perish before to be held for 100

Grand Larceny, 2nd degree
[Sections 528, 531 — Penal Code]

THE PEOPLE

40. E 10th
314
Waller

John Moore

RANDOLPH B. MARTINE,

District Attorney.

Counted 20/17

A TRUE BILL.

Pr. Apr. 29. 1887

Needs Attorney & 23 days

J.W. Leonard

S.P. Over 9 years

2 years

1. J. H. P.

Bail fixed at
\$2000 R.R.

Witnesses:

Man Ballin

POOR QUALITY
ORIGINAL

0248

-----X
The People &c.

vs.

John Moore alias James Rothschild
-----X

City and County of New York SS:

William Ballin, being duly sworn deposes and says: I am a member of the firm of Ballin & Berman, 277 Church Street New York; that on the 8th day of November 1886, John Moore alias James Rothschild, called at my place of business, and stated to me that he was Mr. Rothschild, and purchased of me goods to the amount of \$177.80, which he carried away with him, and also nearly \$800. worth of goods to be delivered to him in Morrisiana. I afterwards found that he was not James Rothschild or his representative, as he represented. The aforesaid John Moore alias James Rothchild, is now serving a sentence of five months in the Penitentiary.

Sworn to before me this

4th day of November 1886.

Francis Keenan
Clerk of Deeds
N. Y. City

Wm Ballin

POOR QUALITY
ORIGINAL

0249

THE PEOPLE OF THE STATE OF
NEW YORK

against

John Moore
alias
James Rothchild

Applicant

Wm. B. Gallie
277 Church

RANDOLPH B. MARTINE,

DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,
NEW YORK CITY.

James Rothchild
2691 - 3 Ave.
Off. Handy

Central Office,
B. Lichtenberg
471 Broadway

POOR QUALITY
ORIGINAL

0250

COUNTY OF NEW YORK, SS.

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

An indictment having been found on the 9th day of Dec
1886, in the Court of General Sessions of the Peace, of the County of
New York, charging John Moore

with the crime of Grand Larceny 2^d degree

Moore You are therefore Commanded forthwith to arrest the above named John

and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York,

New York City, the

10

day of

Dec 1886

By order of the Court,

Mark
Clerk of Court

POOR QUALITY
ORIGINAL

0251

N. Y. General Sessions of the Peace

THE PEOPLE
OF THE STATE OF NEW YORK,


against

John Moore

Bench Warrant for Felony.

Issued

Dec. 10 188 *6*

 The officer executing this process will make his
return to the Court forthwith.

POOR QUALITY
ORIGINAL

0252

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Moore

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

John Moore

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

The said *John Moore,*

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

*Twelve dozen mufflers of the
value of fifteen dollars each
dozen,*

of the goods, chattels and personal property of one

William Ballin,

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

Randolph B. Smith

District Attorney.

0253

BOX:

242

FOLDER:

2352

DESCRIPTION:

Moran, William

DATE:

12/16/86



2352

POOR QUALITY
ORIGINAL

0254

W-103
Counsel, *Starkley*
Filed, 16 day of Dec 1886
Pleads, *Guilty* 117

Grand Larceny, *First degree*
(FROM THE PERSON)
[Sections 628, 630, Penal Code]

THE PEOPLE

vs.

William Moran

RANDOLPH B. MARTINE,

District Attorney.
Jan. 13. 1887
Tried and acquitted

A True Bill.

S. W. Linnestock

Foreman.
Jan. 13 1887

W. S. Linnestock

Witnesses:

Simon J. Encourtz

POOR QUALITY
ORIGINAL

0255

Count of General Sessions

The People
vs
William Moran

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.

100 EAST 23^d STREET,

New York, December 12 1886

CASE NO. 26877 OFFICER Masterson 13th Dist
DATE OF ARREST December 10th 1886
CHARGE Larceny for the person
AGE OF CHILD 16 years of age in the 6th dist.
RELIGION Catholic
FATHER dead 2 years
MOTHER Susan
RESIDENCE 706 East 13th Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT boy walked
last one month ago, & was arrested on three (3)
different occasions, for disorderly conduct, twice fined
\$10. & one occasion was discharged with a
reprimand, his mother is a drunkard

All which is respectfully submitted,

Do

POOR QUALITY
ORIGINAL

0256

County of General Services

<i>W. Laphor</i>	<i>agent.</i>
<i>William Moran</i>	

PENAL CODE, ss *Section 100.0*

Report of The New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. GERRY,
President, &c.,
100 East 23d Street,
NEW YORK CITY.

POOR QUALITY
ORIGINAL

0257

Police Court—3—District.

Affidavit—Larceny.

City and County } ss.
of New York,

Simon S. Escovitz
of No. 218 Delancey Street, aged 20 years,
occupation Sailor being duly sworn

deposes and says, that on the 9th day of December 1888 at the City of New

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

A Silver Watch chain of the
value of five dollars

the property of

deponent

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

And another person not arrested
That about eight O'clock P.M. on said
Night deponent was standing in
Delancey Street when the defendants
and said other person came up to
deponent that they tried to pick
a quarrel with deponent and while
they pushed and jostled deponent
he saw the defendant snatch the
chain and by a vigorous pull detached
the chain from deponent's watch, and
from the rest then worn by deponent
and then walked away. That an officer
came along in about fifteen minutes thereafter
when deponent pointed out the defendants
and caused his arrest Simon S. Escovitz

Subscribed before me, this
9th day of
December 1888
J. M. Patterson Police Justice.

POOR QUALITY
ORIGINAL

0258

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question. What is your name?

Answer. *William Moran*

Question. How old are you?

Answer. *16 Years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *706 East 13th Street*

Question. What is your business or profession?

Answer. *Errand boy*

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

Answer. *I am not guilty of the charge*

William Moran

Taken before me this

day of *December* 188*8*

James J. Sullivan
Police Justice.

0259

Offence

100-443887-100

Dated 188 *Police Justice.*

POOR QUALITY
ORIGINAL

0260

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

William Moran

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

William Moran

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

The said

William Moran

late of the City of New York, in the County of New York aforesaid, on the

ninth

day of

December

in the year of our Lord

one thousand eight hundred and eighty-

five

, at the City and County aforesaid, in the

night

time of the same day, with force and arms,

one watch - chain & the

value of five dollars.

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

Randolph B. Smith

District Attorney.

0261

BOX:

242

FOLDER:

2352

DESCRIPTION:

Murphy, James

DATE:

12/14/86



2352

POOR QUALITY
ORIGINAL

0262

Witnesses:

John Hangerford

Counsel,

Filed 14 day of Dec 1886

Pleads

Chiquity (16)

THE PEOPLE

vs.

James Murphy
Jan 18/87

Spied & requested

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

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

S. M. Emert
Foreman.

POOR QUALITY
ORIGINAL

0263

Police Court—4th District.

City and County } ss.:
of New York,

of No. 41 La Fayette Avenue John Hungerford 27 years,
occupation Driver being duly sworn
deposes and says, that on the 6th day of December 1886 (at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by James Murphy
(now here) who did willfully (and feloniously
point-dum and discharge from a
Revolving Pistol then and there held in
the hand of said defendant one shot, the
Bullet from the Pistol striking deponent
on the Head thereby wounding deponent.
He further says that said assault was
committed while deponent was on 3^d
Avenue between 14th & 15th Streets in said
City at about 9 o'clock P.M., and that
it was done

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 7th day

of December 1886

John Hungerford

Solomon B. Smith
Police Justice.

POOR QUALITY
ORIGINAL

0264

Sec. 195-200.

4

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *James Murphy*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *203 East 128th St - 3 mos.*

Question. What is your business or profession?

Answer. *foundry*

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

Answer. *I am not guilty I desire to waive examination and elect to give bail to answer and desire the money now deposited with the County Treasurer to remain as security for my appearance in the Court of General Sessions.*

James Murphy

Taken before me this

James Murphy
1887
Police Justice.

POOR QUALITY
ORIGINAL

0255

Dec 9
10 am
500 for ex

BAILED,
No. 1, by James Murphy
Residence 411 E. 14th St. Street.
No. 2, by James Murphy
Residence 411 E. 14th St. Street.
No. 3, by James Murphy
Residence 411 E. 14th St. Street.
No. 4, by James Murphy
Residence 411 E. 14th St. Street.

Police Court, 14th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Murphy
James Murphy
James Murphy

Offence Felony Assault

Dated December 7 1886

Solomon D. Smith Magistrate.
James C. Smith Officer.

Michael Greuderville
Wm. C. 14th St. 3A St.
Edward J. Thomas
59 Myrtle Ave. Brooklyn

No. 500 Street.
to answer 403

Bailed by deposit
with County Treasurer

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

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

Dated December 7 1886 Solomon D. Smith Police Justice

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY
ORIGINAL

0266

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Murphy

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

James Murphy

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

The said *James Murphy*

late of the City of New York, in the County of New York aforesaid, on the *ninth* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*six*, with force of arms, at the City and County aforesaid, in and upon the body of one *John Stungford*, in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *John Stungford*, a certain *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which the said *James Murphy* 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 *John Stungford*, 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

James Murphy

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

The said *James Murphy*

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 one *John Stungford*, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and to, at and against *him* the said *John Stungford*, a certain *pistol* then and there charged and loaded with gunpowder and one leaden bullet, which the said *James Murphy* in *his* right hand then and there had and held, the same being 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.

RANDOLPH B. MARTINE,

District Attorney.

0267

BOX:

242

FOLDER:

2352

DESCRIPTION:

Murphy, James

DATE:

12/24/86



2352

0268

BOX:

242

FOLDER:

2352

DESCRIPTION:

Smith, Charles

DATE:

12/24/86



2352

0269

107. Has been
 been in Pen
 & the back Comper
 10. 2. 10
 Please for Perry
 Circuit

Prochilodus sp.

4/16/64
4/16/64
4/16/64

James Murphy

James
H. C. C. C.

Charles Smith

Robbery, First degree. [Sections 224 and 228, Penal Code].

RANDOLPH B. MARTINE,

Pr Dec 29/20 District Attorney
 Bond filed Dec 29/20

A True Bill.

Wm. Cornwell
Foreman

Foreman

Div. 1. 1. 4th Div.
 New York 4100.

Apr 2. 1945. Per

WZ

POOR QUALITY
ORIGINAL

0270

MEMORANDUM

of testimony before the Grand Jury in the case of
THE PEOPLE, &c. vs. JAS. MURPHY & ano.

New York, December 23rd 1886.

Solomon Kaufman, Complainant, 84 Eldridge Street, testified he was in a saloon on 3rd Ave., near 60th Street, peddling shoe-laces, and had sold a pair to a German in the saloon, when one of the 2 def't's (who were standing at the bar) said "Give me a pair of shoe-laces", which Kaufman did. Kaufman asked for his pay, but the def't with his companion left the saloon without paying, and Kaufman followed them in the street and asked for the price of the shoe-laces, when the other def't snatched a pair of shoe-laces from his hands, and then he asked both of them to pay, and they hit him in the eye, and went away, and immediately thereafter upon counting his money, the complainant missed some 65 cents out of the \$2.00 change he had had. The money was in his outside pocket. *The Court is sure he had the money.*

Off. Saml. J. Campbell testified to having arrested the prisoners Tombody & Co. to the station house and reported the larceny, and going out I caught these men.

POOR QUALITY
ORIGINAL

0271

One of these men is a thief-
Murphy. I don't know about
Smith. I found some change
with the prisoners. It was less
than a dollar.

John Madden (a young boy
about 15) saw the men coming
out of the saloon and the
complainant after them.
He heard the free complainant
demand his pay for the
shoe lace and saw Smith
put his hand in complainant's
pocket and take out some-
thing

POOR QUALITY
ORIGINAL

0272

Police Court—44 District.

CITY AND COUNTY } ss.
OF NEW YORK,

Solomon Kaufman
of No. 84 Eldridge Street, aged 17 years,
occupation Peddler being duly sworn, deposes and says, that
on the 13th day of December 1888 (at the City of New York,
in the County of New York,

he was violently ASSAULTED and BEATEN by James Murphy and
Charles Smith (both now here) and
Murphy having struck deponent a violent
blow on his face and kicked him, and
that said Smith was present and
assisted said Murphy in said assault
without any justification on the part of the said assailant

Wherefore this deponent prays that the said assailants may be apprehended and bound to
answer the above assault, &c., and be dealt with according to law.

Sworn to before me, this 13th

day of December 1888 } Solomon Kaufman
Solomon Smith } mark
Police Justice

POOR QUALITY
ORIGINAL

0273

Sec. 198-200

CITY AND COUNTY OF NEW YORK.

H. A. District Police Court.

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

Question. What is your name?

Answer.

Charles Smith

Question. How old are you?

Answer.

29 years

Question. Where were you born?

Answer,

NY

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

Answer.

229 East 59 St. 8 years

Question. What is your business or profession?

Answer,

Barber

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 and
I held demand a trial
by Judge's court.*

Take before me this

13

day of December 1918

John W. Smith
Police Justice.

POOR QUALITY
ORIGINAL

0274

Sec. 198-200.

4th District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty and if
held demand a trial by
jury*
James Murphy

Taken before me this

day of December 1885

Police Justice.

POOR QUALITY
ORIGINAL

0275

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

Police Court 1889
District 22

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James M. Murphy
84 West 4th St.
Charles M. Murphy
Charles M. Murphy
Offence Assault

Date December 13th 1889

Magistrate.

Officer.

Precinct.

Witnesses

No. 143 & 59th Street.

No. 143 & 59th Street.

No. 507 Street. D.D.

to answer

It is ordered that the within named person be held to answer the same and be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

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

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

Dated December 13th 1889 Olson B. Smith Police Justice.

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

Dated _____ 1889 _____ Police Justice.

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

Dated _____ 1889 _____ Police Justice.

POOR QUALITY
ORIGINAL

0276

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Mumford
and
Charles Smith

The Grand Jury of the City and County of New York, by this indictment,
accuse James Mumford and Charles Smith

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

The said James Mumford and Charles Smith, both -

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
thirteenth day of *December*, in the year of our Lord one thousand
eight hundred and eighty-*nine*, ~~in the~~ ~~time of the said day~~, at the Ward, City
and County aforesaid, with force and arms, in and upon one *Edmond Hardman*,
in the peace of the said People, then and there being, feloniously did make an assault, and

*Two pairs of shoe laces of the
value of five cents each pair,
and divers coins, of a number, kind
and denomination to the regard
of the said Edmond Hardman, of the
value of sixty-four cents,*

of the goods, chattels and personal property of the said *Edmond Hardman*,
from the person of the said *Edmond Hardman*, against the will,
and by violence to the person of the said *Edmond Hardman*,
then and there violently and feloniously did rob, steal, take and carry away, *each of
them the said James Mumford and
Charles Smith 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.

Handwritten signature
District Attorney.

0277

BOX:
242

FOLDER:
2352

DESCRIPTION:
Murray, John

DATE:
12/01/86



2352

POOR QUALITY
ORIGINAL

0278

X 24113

Witnesses:

Thos. R. P. P. P. P.

Thos. R. P. P. P. P.

Counsel,

Filed

day of

Dec

1886

Pleads

Mr. G. H. P.

THE PEOPLE

vs.

John Murray

John Murray

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

RANDOLPH B. MARTINE,

District Attorney.

Pleads Answer by J. H. P.

A True Bill.

W. H. P.

Foreman.

Dec 21, 1886

POOR QUALITY
ORIGINAL

0279

Police Court—2nd District.

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

of No. 553 West 37th Street, aged 27 years,
occupation Pedlar being duly sworn
deposes and says, that on the 17th day of November 1886 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

John Murray, now here, who
quietly fired off and discharged
the contents of three chambers of
a pistol, loaded with live cartridge,
at deponent, he holding said
pistol in his hand aimed and
pointed at deponent, and as
live fire fired off from said pistol
entering and wounding deponent
in the neck.

That deponent was so beaten by
said assailant

and
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 26th day
of November 1886

John L. Livingston
Mark

W. H. McCusker Police Justice.

POOR QUALITY
ORIGINAL

0280

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY {
OF NEW YORK, } ss

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

Question. What is your name?

Answer.

John Murray

Question. How old are you?

Answer.

23 years of age

Question. Where were you born?

Answer.

New York City

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

Answer.

241 West 41 St. one year

Question. What is your business or profession?

Answer.

Clerk

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

Answer.

*I have nothing to say at
present except that I am
not guilty and know
nothing about the shooting.*

John Murray

Taken before me this

26

day of *December* 188*8*

Wm. J. Sullivan Police Justice.

POOR QUALITY
ORIGINAL

0281

ROOSEVELT HOSPITAL,

59TH STREET & NINTH AVENUE.

JAS. R. LATHROP,
SUPERINTENDENT,

New York, 20th Nov. 1886

To whom it may concern:

This is to certify that
John Livingstone a patient
in this hospital suffering from
bullet wound of neck is in
fair condition. He is not wholly
out of danger although there
are no very serious symptoms
He is not yet able to appear at
court

George Woolsey M.D.
House Surgeon

POOR QUALITY
ORIGINAL

0282

ROOSEVELT HOSPITAL,

59TH STREET & NINTH AVENUE.

JAS. R. LATHROP,
SUPERINTENDENT.

New York, 18th Nov. 1886

To whom it may concern

John Livingstone has admitted
to this hospital yesterday morning
(17th Nov.) suffering from bullet
wound of neck.

His condition at present is
good and there are no indications
that it is likely to be at all
serious

George Workey
House Surgeon

POOR QUALITY
ORIGINAL

0283

ROOSEVELT HOSPITAL,

59TH STREET & NINTH AVENUE.

JAS. R. LATHROP,
SUPERINTENDENT.

New York, Nov 17th 1886

This is to certify that John Livingston reported to be 26 years of age, married, a native of New York and a reader by occupation, was brought to this Hospital from the 20 Recruit Station house at 3:40 o'clock this morning suffering from a bullet wound of neck of sufficient gravity to render his detention in Hospital important. The extent of it will be better defined after morning rounds by the House Surgeon.

Jas R Lathrop
Supt.

POOR QUALITY
ORIGINAL

0284

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT,

DISTRICT.

Patrick J. Lane

of No. My 70th Street, aged 36 years,
occupation Police man being duly sworn deposes and says

that on the 17th day of September 1886

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

he arrested
John Murray (now here) on
information and belief that
he shot John Livingston, now
in Hospital, in such condi-
-tion as the attached Certificate
sets forth; and deponent prays
that said Murray be committed
to answer of the injuries caused
by said Murray as aforesaid.
Patrick J. Lane.

Sworn to before me, this

188

day

John D. Attaman Police Justice.

POOR QUALITY
ORIGINAL

0285

Police Court, 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Murray vs.

AFFIDAVIT.

Dated Nov 17 1886

W. J. Mason Magistrate.

Leone Officer.

Witness, _____

Disposition, To await

result

POOR QUALITY
ORIGINAL

0285

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

No. 341 B
Police Court 2 District 1766

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Livingston
John Murray

Offence Felonious
Assault

Dated November 26 1886

Paterson Magistrate.

Officer.

Precinct.

Witnesses

No. 1, by _____ Street _____

No. 2, by _____ Street _____

No. 3, by _____ Street _____

No. 4, by _____ Street _____

No. 5, by _____ Street _____

No. 6, by _____ Street _____

No. 7, by _____ Street _____

No. 8, by _____ Street _____

No. 9, by _____ Street _____

No. 10, by _____ Street _____

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

John Murray

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

Dated Nov. 26 1886 John Paterson Police Justice.

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

Dated _____ 1886 _____ Police Justice.

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

Dated _____ 1886 _____ Police Justice.

POOR QUALITY
ORIGINAL

0287

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Murray

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

John Murray

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

The said

John Murray

late of the City of New York, in the County of New York aforesaid, on the
~~seventeenth~~ day of ~~November~~, in the year of our Lord
one thousand eight hundred and eighty-~~nine~~, with force of arms, at the City and
County aforesaid, in and upon the body of one *John Livingston*

in the peace of the said People then and there being, feloniously did make an assault
and to, at and against *him* the said *John Livingston*,

a certain *pistol* then and there loaded and charged with gunpowder and one
lead bullet, which the said *John Murray*

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 *John Livingston*

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

John Murray

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

The said

John Murray

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 one *John Livingston*

in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make an assault, and to, at and against *him* the said

a certain *pistol* then and there charged and loaded with gunpowder

and one leaden bullet, which the said *John Murray*

in *his* right hand then and there had and held, the same being
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.

RANDOLPH B. MARTINE,

District Attorney.