

0497

BOX:

304

FOLDER:

2892

DESCRIPTION:

McDonald, John

DATE:

04/05/88



2892

Witnesses:

14. No 14.

Counsel,

Filed

5

day of April

1888

Pleads

WILLIAM
vs.
JOHN R. FELLOWS

John Mc Donald

Burglary in the Third degree,
and Grand Larceny —
Second degree —
[Section 498, 506, 528 and 531.]

JOHN R. FELLOWS,

District Attorney.

Wm. J. Berry
Pleads Guilty
S.P. 14 yds.
A True Bill.

W. J. Berry

Foreman.

April 11/88.

0499

Police Court District.

City and County of New York, ss.:

of No.

occupation

deposes and says, that the premises No. 474 East 117th Street, 11th Ward

in the City and County aforesaid, the said being a Four Story Brick
Museum House, one store of which
and which was occupied by deponent as a Saloon

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

George E. Fisher and several others.

were BURGLARIOUSLY entered by means of forcibly raising the
rear window of said store and
going through said window into
said store

on the 31 day of March 1888 in the afternoon, and the
following property feloniously taken, stolen, and carried away, viz:

Coat, one Cardigan
Jacket and one Shawl
of the total value of
thirty (\$30) Dollars

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

John M. Donald (now
deceased)

for the reasons following, to wit: About seven o'clock
on the night of said date
Deponent saw the rear door
and windows of said store
effectually closed, at about
11:15 o'clock on the night of said
date Deponent saw said
Defendant, with said property,
in his arms, going through

0500

One of the rear windows
of said store; therefore Deponent
now charges said defendant
with Unlawfully entering said
store, and taking, stealing and
carrying away therefrom the
property aforesaid, and prays
that said Defendant be dealt
with on the Law's side.

Sworn to before me }
this 1st day of April, 1888 }
S. J. [Signature] }
Deputy Sheriff }
City of New York }

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

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
1.	28.
2.	
3.	
4.	
Offence—BURGLARY.	
Dated	1888
Magistrate.	
Officer.	
Clerk.	
Witnesses,	
No.	Street,
No.	Street,
No.	Street,
\$	to answer General Sessions.

0501

Sec. 195-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

being fully 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 to see fit to answer the charge and explain the facts alleged against him, that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Guilty
John McDonald

Taken before me and this

day of

1888

Police Justice.

2050

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.

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

Dated 188 Police Justice.

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

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

Police Court District.

THE PEOPLE & C.,
ON THE COMPLAINT OF

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Witnesses

No

Street.

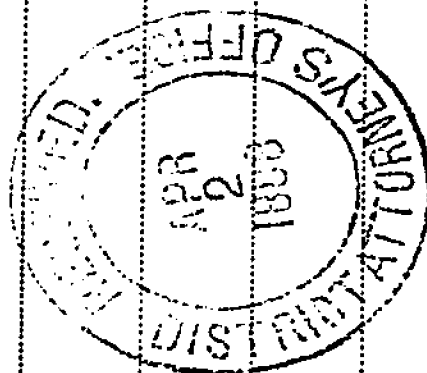
No

Street.

No

Street.

\$1500 to answer



188

Magistrate.

Officer.

Precinct.

0503

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Mc Donald

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

John Mc Donald —

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

The said *John Mc Donald*.

late of the *Seventeenth* Ward of the City of New York, in the County of New York, aforesaid, on the *Twenty-first* day of *March*, in the year of our Lord one thousand eight hundred and eighty-*eight*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *saloon* of one

George R. Kucher. —

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

George R. Kucher. —

in the said *saloon* 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.

0504

SECOND COUNT—

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

John Mc Donald —

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

The said *John Mc Donald.*

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 *month* time of the said day, with force and arms,

one sum of the value of twenty
five dollars, one jacket of the value
of five dollars, and one hand of
the value of five dollars,

of the goods, chattels and personal property of one *George Kischer.*—

in the *saloon* of the said *George Kischer,*—

there situate, then and there being found, *in* the *saloon* 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.

John H. Hallows,
Attorney

0505

BOX:

304

FOLDER:

2892

DESCRIPTION:

McGarry, Andrew

DATE:

04/26/88



2892

WITNESSES:

Officer J. Perry
2nd Dist.

His hereby consented
that the within action
be transferred to
Special Session
for trial
May 7, 1888
Frank J. Perry
Att. for deft

N^o 346

Counsel,

Filed 26 day of April 1888

Pleads *Verdict*

THE PEOPLE,

vs.

B
Andrew McGarry

VIOLATION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and
page 1989, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.
May 7/88 - P² May 7/88
transferred to 27/88
A True Bill the trial by law

W. J. Lobberry
For Gov.

April 25/88

0506

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Andrew McGarry

The Grand Jury of the City and County of New York, by this indictment, accuse
- *Andrew McGarry* -
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

Andrew McGarry

late of the City of New York, in the County of New York aforesaid, on the
fifteenth day of *April* in the year of our Lord one
thousand eight hundred and eighty-*eight* at the 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 whiskey, one gill of cordial,
one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer,
and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,
unlawfully did sell as a beverage to one

- *Leo T. Boney* -

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

- *Andrew McGarry* -

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

Leo T. Boney

late of the 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 a certain place
there situate, which 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.

JOHN R. FELLOWS,

District Attorney.

0508

BOX:

304

FOLDER:

2892

DESCRIPTION:

McGivney, Hugh

DATE:

04/24/88



2892

0509

Witnesses:

Officer Mrs. Kerns
2 of 2

1290.

Counsel,
Filed, 24 day of April 188
Pleads, *Indigently (no)*

THE PEOPLE,

vs.

B

Hugh McSweeney

Pr now 20789
It answered by answer
to City S.S. for 10/10/88
JOHN R. FELLOWS.

District Attorney.

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday.)
[III Rev. Stat. (7th Edition), Page 1988, Sec. 2.]

A True Bill.

W. J. Berry

Part 3
Foreman.

18
10/10/88

05 10

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against
Hugh McGivney

The Grand Jury of the City and County of New York, by this indictment, accuse *Hugh McGivney*,
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 *Hugh McGivney*,
late of the City of New York, in the County of New York aforesaid, on the
first day of *April* in the year of our Lord one
thousand eight hundred and eighty-*eight*, 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 a certain place there situate, which 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 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.

JOHN R. FELLOWS,

District Attorney.

05 11

BOX:

304

FOLDER:

2892

DESCRIPTION:

McGuire, James

DATE:

04/13/88



2892

Witnesses;

Sept has served
a term in J.P. for
H. & his Ch.
in Sep 1887, for

W. J.

Counsel,

Filed

day of

1887

Pleas,

Chattel

THE PEOPLE

vs. W. J.

vs.

James Mc Guire

H.D.

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

JOHN R. FELLOWS,

District Attorney.

Apr 17, 1887.

Yours truly,

A True Bill.

W. J. Berry

Foreman.

7 Apr 1887

W. J.

05 12

0513

Police Court—11 District.

Affidavit—Larceny.

City and County } ss.:
of New York,of No. 53 Greenwich Street, aged 25 years,
occupation Farmer being duly sworndeposes and says, that on the 9th day of April 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possessionof deponent, in the evening time, the following property viz:

One silver watch and
plated chain attached
valued at fourteen
dollars

the property of

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

(new) for the reasons following
to wit: On or about the four
of 9 block on said date
as deponent was walking
on Greenwich Street having
the said watch to which was
attached the chain and which
watch was in the left pocket
of the over then worn by de-
ponent as a portion of his
bodily clothing when the said
deponent seized said watch
from said over and ran away
with the same. Wm. M. M. M.

Sworn to before me, this

day

of April 1888

Police Justice.

05 14

Sec. 198—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

James McGuire.

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

New York

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

Answer.

107 Washington Street, New York

Question. What is your business or profession?

Answer.

Labourer

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

Answer.

I am very faithfully
James McGuire

Taken before me this

day of

188

Police Justice.

Police Court - District.

THE PEOPLE, &c
ON THE COMPLAINT OF

August 1881
 53rd.
 James M. C.

BAILED,

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

Dated 17/04/2018 188

.....
Magistrate.

W. G. K. L. Officer.

..... Precinct.

Witnesses Dean J. Miller

No 30 Glenhurst Street.

Free & Co

No. 55 Frederick Street.

2/10/02

No. 111 St. James Street

\$..... f. VVV to answer - 22

.....

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

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

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

I here being no sufficient cause to believe the within named

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

Dated 188

0515

05 16

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 McQuinn

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

James McQuinn —

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

The said *James McQuinn*.

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

one watch of the value of

twelve dollars, and one chain of the

value of two dollars.

of the goods, chattels and personal property of one *August Vorodai*. —
on the person of the said *August Vorodai*. —

then and there being found, from the person of the said *August Vorodai*. —
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.

John R. Fellows,

District Attorney

05 17

BOX:

304

FOLDER:

2892

DESCRIPTION:

McKeon, Thomas

DATE:

04/13/88



2892

Witnesses :

10157

Counsel,

Filed

13 day of *April* 188*8*

Pleads,

Chiquilly (16)

THE PEOPLE

vs.

B

Thomas McKeon

ASSAULT IN THE THIRD DEGREE
(Section 219, Penal Code).

JOHN R. FELLOWS,

District Attorney.

[Signature]

A True Bill.

W. J. Berry
Foreman.

25 / 10 / 1888
[Signature]

Part of [Signature] 2/1/88
Complaint sent to Special Agents

05 18

05 19

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Thomas Mc Keon

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

— Thomas Mc Keon —

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

The said *Thomas Mc Keon*,

late of the City of New York, in the County of New York aforesaid, on the *27th*
day of *February*, in the year of our Lord one thousand eight hundred and
eighty-~~eight~~ at the City and County aforesaid, in and upon the body of one *Melvinia*
Mc Manus, in the peace of the said People then and there being, with force
and arms, unlawfully did make an assault, and *her* the said *Melvinia*
Mc Manus, did then and there unlawfully beat, wound and ill-treat, to the great damage
of the said *Melvinia Mc Manus*, against the form of the
statute in such case made and provided, and against the peace of the People of the State of
New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0520

BOX:

304

FOLDER:

2892

DESCRIPTION:

McLoughlin, John

DATE:

04/03/88



2892

This man abuses his wife
& 2 children, is a drunkard
& does not support his family.
Witnesses: P.B.M.

Counsel,

Filed

Pleads,

710 227
J. F. Kinley

Day of April 1888

Pleads, July 14

THE PEOPLE

ATTEMPTING SUICIDE.
(Section 174, Penal Code).

vs.

3 Breckenridge

50 Rock Street

John McLaughlin
April 18, 88
P.B.M.

JOHN R. FELLOWS,

District Attorney.

arrested & committed May 7/88
Discharged by Court May 9/88

A True Bill.

W. J. Cherry

Foreman.

Panel III April 6/88

Pleads guilty

April 2/88
Sentence suspended
P.B.M.

0521

0522

District Attorney's Office.

PEOPLE

vs.

John McLaughlin

Your words,
& sentence,
My dear Chief
in this are
admirable &
shd be repeated
by all judges
G. S. S.

0523

SOCIÉTÉ FRANÇAISE DE BIENFAISANCE

DE NEW YORK.

Fondée en 1869. Incorporated 13 Avril, 1879.

HOSPICE FRANÇAIS.
131 West 14th Street,
NEW YORK.

New York 5th May 1888

This is to certify that Mrs Brainard,
alias Vandervoort, alias McLaughlin, received from
our Society, from Nov. 1883 to May 1887 about one hundred
and fifty dollars (\$150 ⁰⁰), and that, having been
informed at this time that this case was a
fraud, we stopped all assistance to this woman.
For further particulars, it would be convenient to
apply to the Charity Organization Society,
21 University Place, by which the case was
thoroughly investigated

G. T. Anthony
Super.

People

vs

John McLaughlin

Court of General Sessions of the Peace

Jessie McLaughlin the wife of the defendant states that on April 16 last her husband John McLaughlin came to her rooms. He was intoxicated. Her daughter Georgina McLaughlin (her daughter aged 5 years) tells Mrs McLaughlin that her father met her on the street just before he came to the rooms, and showing the little girl a green powder done up in a package told the little girl that there was something which she could take and that would make her die right away. When he came to ~~see~~ Mrs McLaughlin's he asked for insurance papers. When she offered them to him he refused to take them. Two women were in the room with her. McLaughlin was wild in his manners, said that he came to make trouble, that he did not care about anything, he would make all the trouble. ^{he said} Mrs McLaughlin finally ran out of the room, her husband following her. He went along the street after her, calling her. He went along the street after her, calling her. He went along the street after her, calling her.

City & County of New York
State of New York

her true names. *Jessie McLaughlin*
 Subscribed & sworn

to before me this 17th day of April, 1888
John B. Martine
 Judge Gen. Sessions.

0525

~~823-721~~
People
John W Longhlin
~~John W Longhlin~~
~~John W Longhlin~~

Affidavit
of
Jennie McLaughlin

April 17 1888

0526

New York, May 14th 1888.

Judge Martine,
 Excuse me for taking the privilege
 of writing to you, My mother has
 been in court, against Mr. McLaughlin,
 He promised he would not trouble her, now,
 I want to know if he can come, and
 whistle for my brother, and when he saw
 she would not go down to him, he wanted
 the little girl to go down, this happened
 today, Monday, the same evening, he sent
 a boy, to tell my oldest brother, a boy of
 sixteen, that some one wanted to see him,
 my brother went, not knowing who it
 was, he then told my brother, he wanted
 a razor, we had, which belonged to him,
 3 francs, and a cap, the little girl was
 christened in, strange things to ask for.
 He then spoke to my mother, in a very

0527

New York, May 14th 1888.

Judge Martine,
Excuse me for taking the privilege
of writing to you, My mother has
been in court, against Mr. McLaughlin,
He promised he would not trouble her, now,
I want to know if he can come, and
whistle for my brother, and when he saw
he would not go down to him, he wanted
the little girl to go down, this happened
today, Monday, the same evening, he sent
a boy, to tell my oldest brother, a boy of
sixteen, that some one wanted to see him,
my brother went, not knowing who it
was, he then told my brother, he wanted
a razor, we had, which belonged to him,
3 francs, and a cap, the little girl was
christened in, strange things to ask for.
He then spoke to my mother, in a very

had any about my mother, my brother in the house, it is terrible to be always young, and should not hear such things kept in hot water with a man like mentioned to him, it made him feel very dim, I am always worried, go where bad, he said he was watching the house, you please, and every body will speak and could tell what was going on, he well of my mother and her children, followed my brother all day Sunday, and he said I was worse than my mother, told my brother, he could tell him every I wish you would be kind enough to place he went, and said, if he would advise us, if you want reference, of get one of our family in his claud he would see you can send where I live, or where I work. their friend for them, My wife & I have been working for the last six years, told my brother if he was in our place I. & Mary. i.e. Manufacturing Dept. by brother he would leave the house, he would like work at H. & I. indeter. & on 28 Bond St. we to leave my mother, but Ho. we done our former residence was 33 E. 7th St. der too much, many a energetic she has Mr. McLaughlin says, der mother der made to bring us up, she has always money, and we can do nothing to him. been a good Mother, and has never set We have no money, but still I have us a bad example, but when he was in confidence in you. It worries me very the house, we heard nothing, but-owning, much to think, my mother der to be and abuse; we could not even eat same persecuted in such a way.

Yours truly
Josephine Vandermoot

10-50 Greenwich Ave.
N. Y.

0528

0529

The People

18

Wm. H. Fox

John H. Fox
Ind. W. H. Fox

0530

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

POLICE COURT, 2

DISTRICT.

Jennie Mc Laughlin
of No. 50 Greenwich Avenue Street, being duly sworn, deposes and

says that on the 29 day of March 1881

at the City of New York, in the County of New York, John Mc Laughlin

(nowhere) did, with intent to take his own life, administer to himself in Dependent's presence, and against her advice and protest, a quantity of poison known as 'blue stone' or blue vitriol, or copperas. He said at the time that he was tired of life and wanted to kill himself. Wherefore Dependent charges Defendant with attempt at suicide in violation of Section 174 of the Penal Code of the State of New York

Subscribed before me this
30th day of March 1881
J. M. Patterson
Notary Public

Jennie Mc Laughlin

Jr

0531

Sec. 198-200.

2. District Police Court.CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

John M. Langhin

Question. How old are you?

Answer.

37 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

51 Greenwald Avenue - 1 year

Question. What is your business or profession?

Answer.

Driver

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

Answer.

I did not mean to take my own life. The stuff I had in my bucket was a horse medicine. I took it by mistake. I was excited with drink. I am willing to go away and not give the coroner any more trouble.

John M. Langhin

Taken before me this

50

day of

March

188

J. M. D. Curran

Police Justice.

22350

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.

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

Dated _____ 188 _____ Police Justice.

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

Police Court-2 District. 511

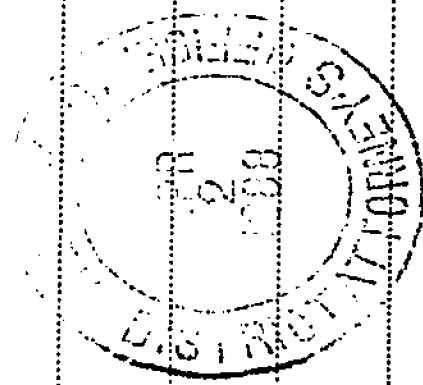
THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jennie H. Taylor
57 Margaret St.
John H. Taylor
Offence Judge

Dated March 30 1888

Pattem Magistrate.
John A. Duhamel Officer.
9 Precinct.

Witnesses _____
No. _____ Street.
No. _____ Street.
No. _____ Street.
\$ 500. to answer
Cond



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

0533

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Mc Donogh

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

John Mc Donogh

of the CRIME OF ATTEMPTING SUICIDE, committed as follows:

The said *John Mc Donogh*,

late of the City of New York, in the County of New York aforesaid, on the
Twenty-first day of *March*, in the year of our Lord
one thousand eight hundred and eighty-eight, at the City and County aforesaid,
with intent to take *his* own life, did feloniously *give and ad-*
minister into himself, and drink
and swallow down into his body, a
quantity of a certain deadly poison
to the Grand Jury aforesaid
unknown.

the same being an act dangerous to human life, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0534

BOX:

304

FOLDER:

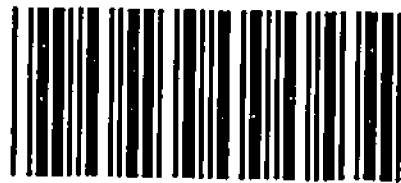
2892

DESCRIPTION:

McMenamy, Hugh

DATE:

04/18/88



2892

Witnesses: -
Officer Law. O'Henry
of P. S. 1

C#230.

Counsel,
Filed, 18 day of April 1888
Pleads, Chesquibly 149

THE PEOPLE,

vs.

B

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday,
(III Rev. Stat., 7th Edition), page 1889, Sec. 5)

Hugh McMenamy

April 18

JOHN R. FELLOWS,

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

W. J. C. Berry

Foreman.

April 18. 1888

0535

0536

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
Plaintiff's
against
Hugh Mc Menamy
Defendant.

The Grand Jury of the City and County of New York. by this indictment accuse the above named defendant 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 defendant late of the City of New York, in the County of New York, aforesaid, on the *fourth* day of *March* in the year of our Lord one thousand eight hundred and eighty *eight*, 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 a certain place there situate, which 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 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.

John R. Fellows,
~~RANDOLPH B. MARTINE~~, District Attorney.

0537

BOX:

304

FOLDER:

2892

DESCRIPTION:

McQuade, Robert

DATE:

04/11/88



2892

0538

BOX:

304

FOLDER:

2892

DESCRIPTION:

McCarthy, John

DATE:

04/11/88



2892

0539

BOX:

304

FOLDER:

2892

DESCRIPTION:

O'Neil, John

DATE:

04/11/88



2892

1888

Witnesses ;

Counsel,

Filed

day of April 1888

Pleads,

THE PEOPLE

vs.

Robert McQuade
John McCarthy
John O'Neill

Burglary in the Third degree.

[Section 498, A.C.C.]

JOHN R. FELLOWS,

attest District Attorney.

all Read Receipt
Each S.P. 1st 1st.

A TRUE BILL.

W. J. O'Leary
Foreman

April 10 1888

0541

Police Department of the City of New York.

Precinct No. 7

New York, Augt. 17th 1888

John Connors } For Burglary
Thomas Dillon } at 234 & 236
Cornelius Connolly }
Cherry St.

Discharged
Cutting the lead pipe all over
the building.

Searg

April 19th /87

John Connors } For Burglary
Thomas Dillon }
Wm Conklin at 196 Cherry St.

Conklin & Dillon. Pleaded guilty
And was sent to the House of Refuge
By Judge Cowing. Sitting in Part. 2.
U.S. May 12th /87. Searg.
Connors was Dis. July 19th /87

0542

John W. Hunter
Arrested Jan 5th 87
for carrying burglary
tools Plead Guilty
Judge Conring

0543

the first of the
with a 5-th ⁵/₁₆ inch
the small human
tooth. The
the
found in the
of the

the first of the

with a 5-th ⁵/₁₆ inch

the small human

tooth. The

the

found in the

of the

the first of the

with a 5-th ⁵/₁₆ inch

the small human

tooth. The

the

found in the

of the

0544

CITY AND COUNTY }
OF NEW YORK, } ss.

aged

years, occupation

Daniel Driscoll

Police Officer

of No.

774

Chenue

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

Meyer Simon

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

Sworn to before me, this

day of

188

Daniel Driscoll

A. J. White

Police Justice.

0545

Police Court—

District.

City and County } ss.:
of New York,of No. 164 East 72nd Street, aged 50 years,occupation Builder being duly sworndeposes and says, that the premises No. 232, 234 & 236 Cherry Street Wardin the City and County aforesaid the said being a Stable Buildingand which was occupied by ~~deponent as a~~

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

were BURGLARIOUSLY entered by means of forcibly breaking
and forcing the scuttle covers
on the roof of said premiseson the 5th day of April 1888 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:A quantity of lead pipes of
the value of over twenty five
dollarsthe property of Apartmentand 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 byRobert W. Quade, John W. Carthy & John Neil

for the reasons following, to wit:

That Apartment was and
is informed by Daniel Driscoll of the
Police that he arrested
said defendants in said premises
on said date, forced the scuttle
covers broken as described and
a quantity of sheet lead and pipes
from its place and prepared
for removal My sworn

Examine to determine if defendant was present on said date, 1888
John W. Carthy
John Neil
Robert W. Quade

0546

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question. What is your name?

Answer. *John McCarthy*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *NY*

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

Answer. *45 Morgan St. Jersey City*

Question. What is your business or profession?

Answer. *Roofing*

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

Answer. *I have nothing to say at present*
John McCarthy

Taken before me this

day of

Police Justice.

0547

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *John O'Neil*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *ML*

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

Answer. *90 Murray. 2 years*

Question. What is your business or profession?

Answer. *Baker*

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

Answer. *I have nothing to say*
John O'Neil

Taken before me this

day of

Police Justice.

0548

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss

3 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this

day of

Police Justice.

6450

Police Court--

3553
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
1. *James J. Smith*
2. *Robert M. Lunde*
3. *John McCarthy*
4. *John J. Smith*
Offence

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

Dated *Sept. 5-18* 188
Magistrate,
David D. MacColl
Officer,
John J. Smith
Precinct,
James J. Smith
Witnesses
No. *1500* Street,
James J. Smith

No. Street.
No. Street.
\$ *1500* to answer
James J. Smith

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *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 *Sept. 5-18* 188 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.

0550

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Robert McDade, John
McCarthy and John O'Neil

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

Robert McDade, John McCarthy
and John O'Neil —

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

The said

Robert McDade, John
McCarthy and John O'Neil, all

late of the 5th Ward of the City of New York, in the County of
New York, aforesaid, on the 27th day of April, in the year of
our Lord one thousand eight hundred and eighty-eight, with force and arms, at the Ward,
City and County aforesaid, a certain building there situate, to wit: the Building of one

Meyer Linn. —

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

Meyer Linn. —

in the said Building, 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.

John R. Keenan,
District Attorney

0551

BOX:

304

FOLDER:

2892

DESCRIPTION:

Merkel, Frank

DATE:

04/26/88



2892

WITNESSES:

Officer Robert W. Colan
2nd Post

No 337

Counsel,

Filed

26 day of *April* 188*8*
Pleads *not Guilty*

THE PEOPLE,

vs.

B

Frank Merkel

VIOLATION OF EXCISE LAW

(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1983, Sec. 21 and
page 1989, Sec. 5.]

JOHN R. FELLOWS,

per Nov 16/88. District Attorney.

transferred by consent to C.

of S.S. for trial.

A True Bill.

W. J. B. Berry
Foreman.

April 25. 1888

0552

0553

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frank Merkel

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

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

The said

Frank Merkel

late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *April* in the year of our Lord one thousand eight hundred and eighty-*eight*, at the 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 whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

Robert W. Clarke —

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

Frank Merkel —

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

Frank Merkel —

late of the 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 a certain place there situate, which 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.

JOHN R. FELLOWS,

District Attorney.

0554

BOX:

304

FOLDER:

2892

DESCRIPTION:

Meyers, Adolph

DATE:

04/09/88



2892

0555

No 96
J. H. Bernol

Counsel,
Filed 9th day of April 1888
Pleads, *Guilty* (10)

Witnesses;

THE PEOPLE
vs.
Adolph Meyers
Burglary in the Third degree.
and Petit Larceny
[Section 498, 506, 528 & 532.]

JOHN R. FELLOWS,
April 17th 1888 District Attorney.

*Ordered to Court of General Sessions
for trial - April 12th 1888 -*
A True Bill
W. J. Berry

W. J. Berry
Foreman.
April 23rd 1888
W. J. Berry
with receipt of money
April 23rd 1888
No 96
B. M., 25.

Witnesses;

Counsel,

Filed

9th day of April 1888

Pleas,

Friday, April 11th 1888

THE PEOPLE

vs.

Adolph Meyer

Adolph Meyer

Burglary in the Third degree.
and Petit Larceny.

[Section 488, 500, 528, 532]

JOHN R. FELLOWS,

April 11th 1888 District Attorney.

*Admitted to Court of General Sessions
for trial - April 12th 1888 -
A True Bill of Indictment*

W. J. C. Berry

Foreman.

April 23rd 1888

*Went & considered Peter Sweeney
with reference to robbery -
sentenced to 1 year -
No 96 sentence suspended
B.M.*

Court of General Sessions.

+++++
 THE PEOPLE &c.,
 - vs -
 Robert Witt, arrest-
 ed as ADOLPH MEYERS
 +++++

City and County of New York SS:

William ~~Gustav~~ Witt, being duly sworn, deposes and says; that he is a brother of the defendant, who has been convicted herein for the alleged crime of Burglary, that the Defendant has been in deponent's employ on and off for the past three years, that deponent is engaged as a Wholesale Dealer in Milk carrying on business at No ~~404~~ ³¹² West ~~28th~~ ^{31st} Street in the City of New York, that the defendant since his arrival in this Country upwards of 8 years ago, has always been an honest hardworking and industrious young man, that he never was addicted to any bad habits, that in the course of his employment with deponent, deponent had repeatedly entrusted the defendant with his money and property, and that he at all times found the defendant strictly honest, that has employment for the defendant at present and in case of a suspension of sentence herein deponent will at once take the Defendant back into his employ.

Sworn to before me

this 25th day of April 1888.

Indraukis

M. S. - 1/1/18

0558

Court of General Sessions

The People &c.

VS

Robert Witt Arrested as

Adolph Meyers

City and County of New York ss.

John D. Luessen being duly sworn deposes and says; that he is a liquor dealer carrying on business at the corner of 72nd street and first avenue in the City of New York. That he has been acquainted with the defendant herein

for the past five years that during said time the defendant has been in his employ as a bartender for about nine months and in the course of his employment deponent invariably ~~was~~ entrusted the defendant with his money and property, and that ~~he~~ at all times found the ~~defendant~~ strictly honest and truthful, that he is acquainted with the defendants general conduct and habits that he has never heard any person speak harsh of the defendant and that deponent would at any time cheerfully take the defendant into his employ .

Sworn to before me this
25 thday of April 1888.

} John D. Luessen

John W. Maubauer
notary

0559

Cour of General Sessions

The People &c.

VS

Robert Witt Arrested as Adolph Meyers

City and County of New York ss:

Adam Muller being duly sworn deposes and says that
he resides at NO. 1325 First Ave in the City
of New York that he is acquainted with the defendant herein
and has known him for the past 2 1/2 years that he has always
known him as an honest hardworking sober and industrious young
man that he never was addicted to any bad habits that in case
sentence is suspended herein deponent is willing to give the xxx
defendant employment .

Sworn to before me this
25 th day of April 1888.

} Adam Muller

Adam Muller

On of Decr
- 1888

0560

County of

SS:

being duly sworn says that he is years of age and upwards,
That on the day of 188 between the hours of M. and
M., at
in the of he served the foregoing
upon

in this action by delivering to and leaving with
personally, a true copy thereof

Deponent further says, that he knew the person served as aforesaid to be the person
mentioned and described in

Sworn to before me this day
of 188 }

General Sessions Court.

The People vs.

Plaintiff

against

Robert Will arrested
as Joseph Meyers

Defendant

Applicants in support
of motion to suppress evidence

A. H. BERRICK,

Attorney for

Defendant

NO. 25 CHAMBERS STREET,

ROOMS 30, 31 & 32.

NEW YORK.

To

Esq.

Attorney for

Due and timely service of a copy of the within

is hereby admitted.

Dated

188

Attorney for

SS:

Sworn to before me this day
of 1888

The Temple St.

Plaintiff

acquist

Robert Whit arrested
as David Meyers

Defendant:

Efforts in support
of motion to suspend sentences

A. H. BERRICK.

Attorney for

NO. 25 CHAMBERS STREET,

NEW YORK.

ROOMS 30, 31 & 32.

Esq. _____

Attorney for

Due and timely service of a copy of the within

is hereby admitted.

Dated 188

Attorney for

0563

said shanty broken open as aforesaid
and the defendant. and the said three
unknown men not yet arrested together in
the act of running away from said shanty.
and at that time the defendant had said
plate of oranges in his hand.

Wherefore deponent charges the said defendant
and said three unknown men not yet arrested
with being together and acting in concert with
each other and burglariously entering said
shanty as aforesaid and feloniously taking
stealing and carrying away said property.

Sworn to before me
this 27th day of March 1888 Vincenzo Astarita
Solemnly sworn

Per me Justice

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Degree.

vs.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

0564

CITY AND COUNTY }
OF NEW YORK, } ss.

Fredrick W. Goetzger
aged *20* years, occupation *Police Officer* of No

20th Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Vincenzo Accorita*

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

Sworn to before me, this *29*
day of *March* 188*8*

Solomon *Fredrick Goetzger*
Police Justice.

5950

Police Court District.

2511

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Vicenzo Detarita
357 W. 41st St.
Joseph Meyers

Offence
Burglary

BAILED,

No. 1, by Charles Plety
Residence 292 - 10th Ave. Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated March 29 1888

Magistrate

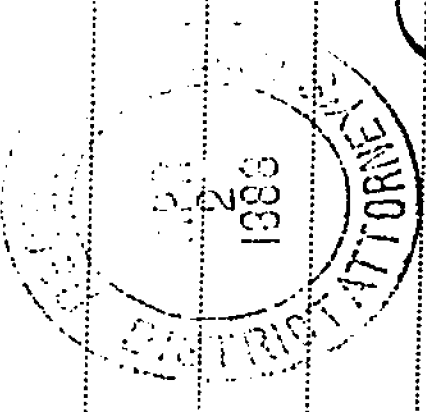
Jud W. Gutzger, Officer.

Precinct.

Witnesses

No. 20 West 12th Street.

No. Street.



No. 500 to answer

Order

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

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

Dated March 29 1888
Mandry, J. Ballou

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

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.

0566

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss

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

Question. What is your name?

Answer.

Joseph Meyers

Question. How old are you?

Answer.

21 years old

Question. Where were you born?

Answer.

New York City

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

Answer.

342 W. 42nd St. New York

Question. What is your business or profession?

Answer.

Drive a milk wagon

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

Answer.

I am not guilty

Joseph Meyers

Taken before me this *29*
day of *March* 188*8*
Wm. H. Smith
Police Justice.

0567

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Adolph Meyers

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

Adolph Meyers —

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

The said *Adolph Meyers*.

late of the *Second* Ward of the City of New York, in the County of New York, aforesaid, on the *29th* day of *March*, in the year of our Lord one thousand eight hundred and eighty*eight*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *residence* of one

Vincenzo Astorita, —

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

Vincenzo Astorita, —

in the said *residence* 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.

0568

SECOND COUNT—

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

— *Adolph Mengers* —
of the CRIME OF *Petit* LARCENY, — committed as follows:

The said *Adolph Mengers*.

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

*one plate of the value of ten cents
and sixty oranges of the value
of five cents each,*

of the goods, chattels and personal property of one *Vincenzo Astorita*,

in the *dwelling* of the said *Vincenzo Astorita*. —

there situate, then and there being found, *in* the *building* 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.

John R. Fellows,

District Attorney

0569

BOX:

304

FOLDER:

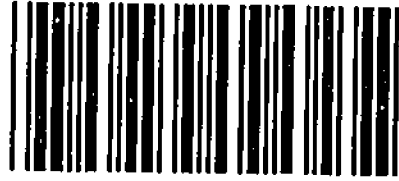
2892

DESCRIPTION:

Miller, John

DATE:

04/16/88



2892

0570

BOX:

304

FOLDER:

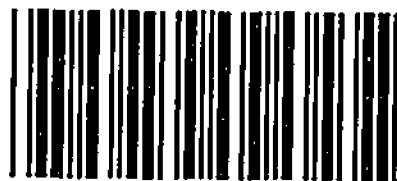
2892

DESCRIPTION:

Henkel, Jacob

DATE:

04/16/88



2892

Witnesses

Jacob Schaeffer
William Bondt

Counsel,

Filed

16 day of April 1888

Pleads,

THE PEOPLE

vs.
W. J. Berry

John Miller

and
Jacob Henkel

Burglary in the 1st degree.
(Indictment)

[Section 496 of Code]

JOHN R. FELLOWS,

District Attorney.

Recd. of W. J. Berry

A TRUE BILL.

Each S.P. 4 yrs & 8 mos.

W. J. Berry

Foreman.

April 16. 1888.

C. 10198

0571

0572

GOUVERNEUR HOSPITAL.
NEW YORK.

April 10, 1884.

August Reinhardt is
still lying in a very
critical condition at this
hospital.

J. N. Jos. Bird M.D.
House-Surgeon

0573

GOUVERNEUR HOSPITAL.
NEW YORK

Apr. 9, 1888.

This certifies that August
Reinhardt, who was shot at
an early hour this morning,
is in too critical a condition
to appear in court today.

J. T. J. Bird M.D.
House Surgeon.

0574

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas P. McCormack
Police Officer
aged *35* years, occupation *Police Officer* of No. *100*

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

Sworn to before me, this

day of

188*8*

Thomas P. McCormack

R. J. Morris

Police Justice.

0575

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles A. Flay
aged _____ years, occupation *Police Officer* of No. _____

The 12th Precinct Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *James Seebacher*

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

Sworn to before me, this

day of

April 188*8*

Charles A. Flay

A. J. [Signature]

Police Justice.

0576

Police Court— 3 District.

City and County } ss.:
of New York,

of No. 155 Clinton Street, aged 54 years,

occupation Special Agent being duly sworn

deposes and says, that the premises No. 155 Clinton Street, 13 Ward

in the City and County aforesaid the said being a dwelling house

and which was occupied by deponent as a dwelling house

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

& children, were BURGLARIOUSLY entered by means of forcibly removing the

window catch of a rear window in deponent's premises

on the 9th day of April 1888 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

Household furniture and jewelry of the value of five hundred dollars

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

John Miller, Jacob Hinkel and August Reinhardt now confined in the New York Hospital for the reasons following, to wit:

That deponent was informed by Officers Charles A. Flay and Thomas J. McCormack each of the 12th Precinct that at about the hour of 2 am of said date they discovered the defendants in the rear of said premises acting in a suspicious manner that they pursued them and arrested them

0577

and found in their possession two
pieces of candle and a very thin bladed
table knife. Dependent when acquainted
with the arrest of the defendants examined
the rear windows of his premises and
found the window catch of one of them
pushed back, said window having
been securely fastened before dependent
retired the previous evening
Jacob Schuchter

Sworn to before me this
10th day of April 1888
Attest
Philip J. [unclear]

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1888 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 therein mentioned, I order he to be discharged.
Dated 1888 Police Justice.

Police Court, District.	Office—BURGLARY.
THE PEOPLE, &c., on the complaint of	
vs.	
1	
2	
3	
4	
Dated 1888	Magistrate.
	Officer.
	Clerk.
Witness,	
No.	Street,
No.	Street,
No.	Street,
\$	to answer General Sessions.

0578

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Jacob Henkel 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. *Jacob Henkel*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *Harvard House*

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 may think will tend to your
exculpation?

Answer. *I am guilty*

Jacob Henkel

Taken before me this

day of

188

Police Justice.

0579

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question. What is your name?

Answer. *John Miller*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *4 East Broadway, 1 mi*

Question. What is your business or profession?

Answer. *Street Cather*

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

Answer. *I am guilty*

John Miller

Taken before me this

day of

188

Police Justice.

0850

Police Court-- 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Jacob Sephaca
157 Stanton
John Miller
James H. Mackel and
Augusta P. Richardt
(for ~~the~~ ~~same~~ ~~part~~)
Officer *Longway*

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

Dated April 10 188
Magistrate
Hay & Hornack Officer.
13 Precinct.

Witnesses _____
No. _____ Street _____
No. _____ Street _____
No. _____ Street _____
\$ 2.00 to answer
J. M. Longway

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

Wm. L. Longway
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 New York, until he give such bail.
Dated April 10 188
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.

0581

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Miller and
Jacob Seebacher*

The Grand Jury of the City and County of New York, by this indictment, accuse
John Miller and Jacob Seebacher of the
crime of attempting to commit —
of the CRIME OF BURGLARY IN THE *First* DEGREE, committed as follows:

The said *John Miller and Jacob Seebacher*,
both

late of the *Fifteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *ninth* day of *April*, in the year
of our Lord one thousand eight hundred and eighty-eight, with force and arms, about the
hour of *two* o'clock in the *night* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one *Jacob Seebacher* —

attempt to
there situate, feloniously and burglariously did break into and enter, there being then and there
some human being, to wit: *one Caroline Seebacher and*
others. —

within the said dwelling house, with intent to commit some crime therein, to wit: the goods
chattels and personal property of the said *Jacob Seebacher*. —

in the said dwelling house then and there being, then and there feloniously and burglariously to
steal, take and carry away; *(The said John Miller and*
Jacob Seebacher, and each of them, being
then and there assisted by a confederate
actually present, to wit: each by the other
and by one August Reinhardt and others 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,

John H. Adams,
District Attorney

0582

BOX:

304

FOLDER:

2892

DESCRIPTION:

Mink, John

DATE:

04/16/88



2892

0583

1914.

Witnesses;

Marnie Crow

Annie Chastler

penetr.

Rockland Bm

30" pet 9 x 10 chr.

Counsel,

Filed

16 day of April 1888

Pleads,

Magically 17

THE PEOPLE

vs.

John Mink

Burglary in the second degree.

[Section 497 Penal Code]

JOHN R. FELLOWS,

District Attorney.

April 20th
Spied & concealed the
Burglary day

A TRUE BILL

April 20th - John R. F.

W. J. Berry

Foreman.

April 16th

4-7

The People vs. John Mink { Court of General Sessions. Part I
Before Judge Cowing. April 20-1938
Indictment for burglary in the second degree

Annie Kuster, sworn and examined, testified: I live in Thirty eighth st. in this city. I never saw the defendant before the 5th of April, he was in my house, he came out from the cellar. I did not give him my consent to go there. I don't know what he was doing there. I did not see him with a key in his hand.

Cross Examined. This is a double tenement house. the cellar belongs to everybody in the house. He did not have anything in his hand when I saw him. This was seven or half past seven o'clock in the evening. The vestibule door was locked but the front door was open. I was down in the cellar about three or four o'clock in the afternoon. The people who lived in the house went back and forward all the time that afternoon. We do not keep the vestibule door open at all. It might have been open once in a while. My rooms are on the first floor of the house but not over that cellar; they are two stairs from the cellar. Andrews lives between my room and the cellar.

I went down to the cellar to get some coal about two or three o'clock. The door of the cellar was closed but not locked. Each one has got his own cellar; each partition belongs to different people in the house. Then I last saw the door it was closed and when I next saw it the defendant was ⁱⁿ there; he was standing on the stairs when I saw him; he had nothing in his hand; it was dark, but I had a light.

Mamie Cooke, sworn and examined testified. I am 13 years old and I live at No 336 West Thirty eighth st. in the same house with Mrs. Kuster. I saw the defendant on Thursday the 5th of April. That was when he was going up the flight of stairs, I watched him up; he had a key and he opened the door and he saw that I watched him up, and when I was going to the store he caught hold of me and he told me if I would tell the housekeeper or the landlord that he would kill me on the spot. What did you see him do with that key? Open the inner door. Was it the door of the cellar? No sir; it was the vestibule door of the house No 336 West Thirty eighth St. in this city.

Cross Examined. I never saw the

defendant before that day he was

defendant before that day; he was arrested Sunday morning about eleven o'clock, two or three days afterward. The lady who was last on the stand owns the house. It was on Thursday night that I first saw the defendant; it was not later than seven o'clock at night, it was not twelve o'clock.

Aunice Kuster recalled. Do you own that house? Yes sir. Are you a married lady? Yes sir. Where is your husband? He is home, he is a horse shoer; the house is in his name and in mine both.

John Mink, sworn and examined in his own behalf testified. Where do you live? I live 302 Thirty eighth st. I aint sure whether it is 330 or 332. What portion of that house did you live in? Down in the basement with Samuel Pyer. Who is he, what relation to you if any? He is an uncle of mine. You heard what that young lady has stated and the complaining witness about you having come out of a cellar there on the evening of the 5th of April is that true? No sir, it is not. Did you go in there at all? No sir. When were you arrested? I was arrested a week from Sunday. How old are you? Twenty

years old this month. How long have you been in New York city? I have been born here. Who were you working for last? For a butcher on Eighth Avenue, Glawser. How long had you worked for him? I aint sure if it was five or six weeks I have been working for him. When were you arrested? I was arrested on a Sunday morning in front of this young lady's house. I was just coming from an errand and I was stopped by a young man. I did not know what for. Did you go in and open that vestibule door? No sir. I am sure I never thought of anything of the kind. I would never think of going in a house and opening any strange door or robbing or stealing. I was never arrested before.

Marnie Cooke recalled. I was on the stoop watching the prisoner when I saw him with a key in his hand trying to open the door. I was two or three feet from him. I did not say anything to him then, but when I was going to the store at eight o'clock he threatened to kill me if I told the housekeeper or the landlady. I am positive the prisoner is the man I saw.

The jury rendered a verdict of guilty of burglary in the third degree.

0588

Testimony in the
case of
John Mink

Filed April
1888.

0589

Police Court 21 District.City and County }
of New York, } ss.:of No. 826, W. 3rd St Street, aged 49 years,occupation Housekeeper being duly sworndeposes and says, that the premises No 826, W. 3rd St Street,in the City and County aforesaid, the said being a four storyhouse and which was occupied by deponent as a housekeeperand in which there was at the time a human being, by name Annie Kusterwere BURGLARIOUSLY entered by means of forcibly unlocking thevestibule door of said premises witha fake key.on the 7th day of June 1888 in the PM time, and the

following property feloniously taken, stolen, and carried away, viz:

Clothing and other household effectsof the value of about fifty dollars(\$50.00)the property of Deponent

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

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

John Smith John Smithfor the reasons following, to wit: that deponent is informedby Marie Cooke that she saw thesaid deponent insert a key in thekey hole of said vestibule door and unlocksaid door and enter said premiseswhereupon deponent charges the said deponentwith burglariously entering said premises asaforesaid with intent to steal and may beheld and dealt with accordingly.Annie KusterI am for truth
the 7th day of June 1888
Annie Kuster

0590

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 13 years, occupation School girl of No. 336 West 3rd Street, being duly sworn deposes and

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

Sworn to before me, this
day of April 1888

1888

Samuel C. Sullivan
Police Justice.

0591

Sec. 198—200.

CITY AND COUNTY }
OF NEW YORK, } ss.District Police Court.

Lyman M. Wick 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. *Lyman M. Wick*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *330 West 38th Street 9 months*

Question. What is your business or profession?

Answer. *Butcher*

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

Answer. *I am not guilty*

John J. Wick

Taken before me this *27th*

day of *March*

188*7*

Samuel C. Hackett Police Justice.

2650

Police Court--

District.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

Maria Tucker
1376 West 38th
John Mack

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

April 9 1898

Magistrate.

Officer.

Precinct.

Witness

Maria Tucker
376 W. 38th

No.

Street.

No.

Street.

No.

Street.

\$ 15.00 to answer

Com

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

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

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

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.

Dated 188

Police Justice.

Dated 188

Police Justice.

0593

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 Vinde

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

John Vinde —

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

The said *John Vinde*.

late of the *Twentiethe* Ward of the City of New York, in the County of New York
aforesaid, on the *Eight* day of *April*, in the year
of our Lord one thousand eight hundred and eighty-*eight*, with force and arms, about the
hour of *Twelve* o'clock in the *night* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one *Annie Hunter*.

there situate, feloniously and burglariously did break into and enter, there being then and there
some human being, to wit: *the said Annie Hunter*.

within the said dwelling house, with intent to commit some crime therein, to wit: the goods
chattels and personal property of the said *Annie Hunter*.

in the said dwelling house then and there being, then and there feloniously and burglariously to
steal, take and carry away;

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

John R. Kellogg,
Attorney

0594

BOX:

304

FOLDER:

2892

DESCRIPTION:

Mirorsky, Emil

DATE:

04/13/88



2892

0595

Witnesses :

Counsel,

Filed

Pleads,

13 day of April 1888

THE PEOPLE

vs.

P

Emil Mirorsky

Grand Larceny Second Degree. [Sections 528, 531, 532 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. J. Berry
April 13th Foreman.

Charles J. Tracy
April 12th 1888.

Elmer R. Appleby

0596

Police Court—

District.

Affidavit—Larceny.

City and County } ss.
of New York,of No. 212 East 7th Street, aged 21 years,
occupation school teacher being duly sworndeposes and says, that on the 2 day of April 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property viz:

A plush box containing jewelry
 consisting of a brooch ^{necklace} and bracelet
 (parure). One garnet ring, a pair of
earrings and collar button collectively
 of the value of one hundred & twenty five
dollars = \$125⁰⁰/₁₀₀

the property of

Deponent

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

from the fact that between six and
 seven o'clock P.M. on said day, the
 defendant came to deponent's residence
 on business and during his stay to
 dinner was shown to a room adjoining
 the one in which the property was lying
 on a bureau. That immediately
 after the defendant left the house
 deponent discovered that said property
 had been stolen and carried away.

That deponent saw the property on
 the bureau a short time before the defendant
 entered the house and no person other than
 the defendant was in the room from the time
 deponent first saw the property until she discovered
 that it had been stolen.

Cecilia Pisek.

Sworn to before me this
2nd day of April 1888
 at New York City
John A. [Signature] Police Justice.

0597

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK } ss. 1

District Police Court.

Emil Mirorsky 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. *Emil Mirorsky*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *Bohemia*

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

Answer. *111 West 63 Street*

Question. What is your business or profession?

Answer. *Cigar Maker*

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

Answer. *I am not guilty of the charge. I know nothing about the jewelry and never saw it.**Emil Mirorsky*

Taken before me this

188

Police Justice.

0599

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Emil Mirorsky

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

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

The said

Emil Mirorsky

late of the City of New York, in the County of New York aforesaid, on the *second* day of *April* in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, with force and arms,

*One brooch of the value of twenty-five dollars,
One necklace of the value of twenty-five dollars,
One bracelet of the value of twenty-five dollars,
One pin of the value of ten dollars,
Two earrings of the value of fifteen dollars each,
One collar button of the value of ten dollars,
and one box of the value of one dollar,*
of the goods, chattels and personal property of one *Bedelia Pusek*

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.

0600

SECOND COUNT—

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

— *Emil Mirorsky* —

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

The said

Emil Mirorsky,

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

*One brooch of the value of twenty-five dollars,
One necklace of the value of twenty-five dollars,
One bracelet of the value of twenty-five dollars,
One pin of the value of two dollars,
Two earrings of the value of fifteen dollars each,
One collar button of the value of ten dollars each, and
One box of the value of one dollar,*
of the goods, chattels and personal property of one *Cecilia Pisek*

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

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

— *Emil Mirorsky* —

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.

JOHN R. FELLOWS,

District Attorney.

0601

BOX:

304

FOLDER:

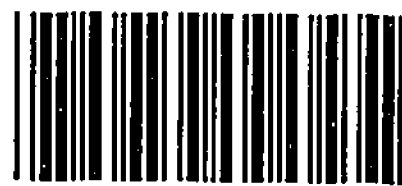
2892

DESCRIPTION:

Mitchell, James

DATE:

04/16/88



2892

Witnesses:

James Sheels
Alexander Fleming

Counsel,

Filed

Pleads,

16 day of April 1888

Guilty (17)

THE PEOPLE

vs.

47 290
20 # 35
w/over

James Mitchell

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

JOHN R. FELLOWS,
25 March District Attorney.

A True Bill.

W. J. Berry
Foreman
Part III May 1. 1888.
Tried & convicted
Essex County, Mass.
S. P. 4 yrs 8 mo. 13. M.
April 10 1888

0602

0604

2

on him. After he got through he said "I will kill you yet".

CROSS EXAMINATION:

I am not personally acquainted with the defendant; but I have seen him for about two months. I don't know that the knife he had is used for opening champagne bottles. I did not have a chair raised over the defendant's head at the time he stabbed me. I did not go to the hospital; I went home from the station house. I did go to the hospital but simply to have my wounds dressed and then I went home.

AMBROSE H. SHOWERS, a witness for the People, testified;

I live at No. 206 E. 103rd Street in this city. I was in the liquor saloon when this occurrence took place. James Mitchell and the complainant and some others were playing cards at a table and the first I saw was the defendant got up and stabbed the complainant with a knife. He cut him on the neck; I saw his neck bleeding. Mitchell struck the first blow. I did not hear any of the conversation, as I was not listening.

CROSS EXAMINATION:

These two men seemed to me to be friendly while they were playing cards. I did not see Schell's strike Mitchell with a chair. He had hold of a chair though; and he put it down when the proprietor stopped them.

JAMES DORAN, a police officer, testified to arresting the defendant who said he did the cutting in self-defense.

0605

3

D E F E N C E

JAMES MITCHELL, the defendant, testified:

I am a waiter by occupation. I live at BNo. 204 E. 98th Street . I am married and have one child. The knife with which this cutting was done I used in my business as a waiter in the Rossmore Hotel for opening champagne bottles . I have never been arrested for stabbing or for anything else in my life. I cut this complainant by accident. I was in this saloon on the 17th of March and I met several friends of mine there . I was asked by some friends to play a friendly game of cards and Schell spoke up and said he did not want to play in a game with me; that I was a kicker. We played along for a time and the complainant commenced to kick and said I was cheating and I then said I would not play any more . He said he would pull the side whiskers off of me . Then he picked up a chair and held it over me ; I caught hold of the chair and took out this knife to defend myself; he would have split my head open with the chair . I did not mean to cut him . It was while we were struggling together that he was accidentally cut.

CROSS EXAMINATION:

I did not pick up any chair. I never stabbed or cut a man in my life.

The jury found the prisoner GUILTY of Assault in the second degree.

Indictment filed Apl. 10, '88

COURT OF GENERAL SESSIONS

Part III.

The People &c.

against

JAMES MITCHELL

Abstract of testimony on

trial May 1st. 1888.

0606

0607

Police Court—5 District.City and County } ss.:
of New York, }James Shells
of No. 171 East 90th Street, aged 29 years,
occupation Bricklayer being duly sworndeposes and says, that on the 17th day of March 1888 at the City of NewYork, in the County of New York, in the Lager Beer Saloon 214 East
98th Street, he was violently and feloniously ASSAULTED and BEATEN by JamesMitchell alias "Phum stuff" (now here.)✓ who wilfully and maliciously stabbed
deponent twice on the neck and once
on the right side, ~~with~~ with a knife
which he the said defendant held
in his hand, cutting deponent's neck
in two places, and cutting through deponent's
overcoat, ^{vest} Jaeger Coat and a portion of
the neck tie.That Deponent was
assaulted as aforesaid by said
defendant.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 assailantWherefore 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 10 day
of April 1888.James Shells
P. Kelly
Police Justice

0608

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James 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. *James Mitchell*

Question. How old are you?

Answer. *47 years*

Question. Where were you born?

Answer. *Williamsburg, Long Island*

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

Answer. *204 East 98th Street, Quee Puck November*

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 may think will tend to your exculpation?

Answer.

I am not guilty. The complainant first assaulted me first by striking me on the shoulder with a chair & I then thought my life was in danger and acted in self-defense.

James Mitchell

Taken before me this

day of

[Signature]

Police Justice.

6090

Police Court District.

570

THE PEOPLE, &c.,
ON THE COMPLAINT OF
James E. Shells
171 vs. B. 90
James Mitchell

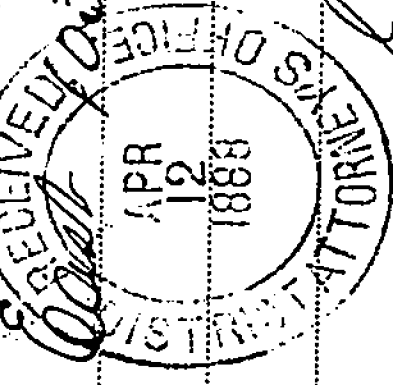
BAILED,
No. 1, by _____
Residence _____ Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

Dated *April 10, 1888*

W. H. H. H.
Magistrate.
Angela
and *Arden* Officer.

Witnessed *Oliver O. H. H.*
No. *212* East *98th* Street.
Amrose H. H.
No. *206* West *103rd* Street.

No. _____ Street.
\$ *10000* to answer *B. L.*
Am



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

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 *April 10, 1888* *W. H. H. H.* 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.

06 10

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 Mitchell

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

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

The said *James Mitchell*,

late of the City of New York, in the County of New York aforesaid, on the
seventeenth day of *March*, in the year of our Lord
one thousand eight hundred and eighty *eight*, with force and arms, at the City and
County aforesaid, in and upon the body of one *James Shells*. —
in the peace of the said People then and there being, feloniously did make an assault,
and *with* the said *James Shells*. —
with a certain *knife* —

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

with intent *to kill* the said *James Shells*. —
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 Mitchell —
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *James Mitchell*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said *James Shells*. —

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

with a certain *knife* —

which the said *James Mitchell* —

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

0611

THIRD COUNT—

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

James Mitchell —

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

The said *James Mitchell* .)
5)

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

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

in the said *James Shields*. —

with a certain *knife* —

which *he* the said *James Mitchell*. —

in *his* right hand then and there had and held, in and upon the *neck*
and side of *in* the said *James Shields*. —

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

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

JOHN R. FELLOWS,
District Attorney.