

0000

**BOX:**

**533**

**FOLDER:**

**4860**

**DESCRIPTION:**

**Mack, John**

**DATE:**

**09/22/93**



4860

0889

**BOX:**

**533**

**FOLDER:**

**4860**

**DESCRIPTION:**

**Pospichil, Frank**

**DATE:**

**09/22/93**



4860

Witnesses:

W. H. Galt

Ch. J. Quinn

The defendant herein  
pleads to the indictment  
that the District Attorney  
wants to ~~make~~ in Michigan  
of the extreme penalty  
being imposed. That he  
is advised by the Police  
Commissioner. That from  
extensive information  
obtained from them. They  
have been able to prevent  
large amounts of money  
and to further the  
Commissioner of other crimes  
upon officers.

Dec. 18-93  
W. H. Galt  
Ch. J. Quinn

Counsel,

Filed

day of

1893

Pleads,

THE PEOPLE

vs.

John Mack  
and  
Frank B. Spuchel

Grand Larceny, second Degree.  
[Sections 828, 829, Penal Code.]

Head of the

Disrupt Attorney.

Part I Dec. 18-93

A TRUE BILL.

Geo. Bloomingdale

No 271

Off. of the Court  
No 1 5.10 3 years.  
No 2 1 year 6 months.

0091

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877.

G. H. Gates  
aged 60 years, occupation Inspector of No. 1400  
H. R. R. Co. 1st N. 32 Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Mattie J. O'Brien  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this

day of

1893

G. H. Gates  
Police Justice.



0892

Police Court 2 District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

Mattie J. O'Brien  
of No. New York Center & 4th R.R. Street, aged 20 years,  
occupation Clerk being duly sworn,  
deposes and says, that on the 6<sup>th</sup> day of September 1897 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 case of cigars of the value  
of about four hundred dollars  
\$ 400

the property of New York Center & 4th R.R. &  
on common carriers

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloni-  
ously taken, stolen and carried away by John Mack, now  
here, under and Frank Pospichil, now  
here, under the following circumstances:  
The defendant Mack delivered five  
cases of goods to deponent, on said  
date about the hour of 4 o'clock  
P.M. at Door 19 at the foot of  
West 32 St. and among the said  
cases was the aforesaid case of cigars  
for which deponent gave a receipt,  
and deponent saw the defendant Mack  
unload five cases of goods from his  
truck assisted by the said Pospichil.  
Deponent went away from the door  
and those were the only cases  
checked by deponent at that door

Sworn to before me, this

189

day  
Police Justice.

and no customer had a right to  
take any case out of said door  
at said time. The said case was  
missed in about fifteen or twenty  
minutes and then defendant was in-  
formed by Inspector George H. Gates  
that he saw a man  
taking away a case of goods from  
door 19 immediately after defendant  
checked the said case. Defendant  
knows from the circumstances that  
no other person but the defendant  
could have taken said case away

Matthew J. O'Brien

SWORN TO BEFORE ME

THIS 16 DAY OF

1913

POLICE JUSTICE.

0894

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *John Mack*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *1442 Avenue B. 2 years*

Question. What is your business or profession?

Answer. *Driver*

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

Answer. *I am not guilty-**J Mack*Taken before me this  
day of *July* 191*4*

Police Justice.

0895

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,*Frank Pospichil*

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

Question. What is your name?

Answer.

*Frank Pospichil*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*401 East 74 Street - 1 1/2 years*

Question. What is your business or profession?

Answer.

*Driver*

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

Answer.

*I am not guilty -**F. Pospichil*

Taken before me this 14

day of

*April*

1933

*1933*

Police Justice.

## POLICE COURT

## SECOND DISTRICT

THE PEOPLE vs.  
MATTHEW J. O'BRIEN  
v.  
JOHN MACK  
FRANK POSPICHEL

EXAMINATION BEFORE JUSTICE KOCH  
SEPT 14 1893

For the People;-  
Henry B. Dwyer Esq.  
For the Dfts.  
Myer Stein Esq.  
G. C. Basch Esq.

The People's case is presented in the complaint, and Affidavit  
of Geo. H. Gates.

George H. Gates recalled;-

Cross examined by Mr. Basch:

Q By whom are you employed?

A The N. Y. Central R. R. Co.

Q What is your occupation?

A Freight Inspector.

Q Do you know the contents of this affidavit --the complaint?

A Yes sir.

Q You have substantiated the affidavit to the effect that  
you saw a man taking away a case of goods from door 19?

A I saw him.

Q Could you identify him?

A I think I could.

Q You are not sure?

A I think I could.

Q Is it not customary that when a truckman unloads some boxes  
that he often puts some otherd on?

A Yes, he does.

Q - That is a usual occurrence?

A. It happens at times.

Q Is it not usual.

A Not usual--It has been done once in a while.

Q It was such a common occurrence that when you saw this man put this one case back on his truck you made no objection?

A I did not.

Q You thought it was an ordinary occurrence?

A I did.

Q Did you see the case?

A I did.

Q Could you identify the case?

A I could identify about the size of it.

Q The size of it?

A Yes sir.

Q Now will you swear that you could identify the man who put on that box back on the truck?

A I know it was one of <sup>the</sup> two men. I can't say positively which of the two.

Q Were they so much alike--Did they resemble each other?

A They had about the same appearance.

Q You could not swear which it was?

A No sir?

Q You could not swear as to the contents of that box could you?

A Not any more than about it being sealed and strapped.

Q About the goods?

A It weighed about 210 pounds.

Q And one man lifted that up?

A He turned it up- He did not lift it--turned it back.

Q Had it been there?

A It had been on our platform at the doorway.

Q Do you swear that the man lifted a weight of 210 pounds?

A He rolled it--not that he lifted it- he turned it over.

Q Did you see where this one case came from--where he brought it from after he had unloaded?

A He laid it in the doorway back of the truck.

Q Notwithstanding the fact that it had been left in the doorway you permitted him to reload it making no objections and allowed him to drive away?

A I had no objections to make--It was not my part of the business but I happened to see this I saw this done.

Q That is all you know?

A That is all I know about it.

Q Where was you at the time?

A On the platform.

Q Where was O'Brien at the time?

A O'Brien was about receiving freight--passed this door to another door

Q At the time you saw these goods restored to the wagon where was O'Brien?

A I think he had gone into the office - and was about somewhere there. He was there on the platform with us. He was walking about--about his business.

Q At the time that this was rolled on?

A Yes sir.

Q How far away?

A The office is about twelve feet from this doorway.

Q How far from you?

A About eight feet.

Q Had Mr O'Brien been there?

A He had. He received the goods and gave the receipt.

Q Did you see him. Were you present?

~~A I was close by~~

A I was close by when he handed the receipt to the cartman.

Q Do you know what he receipted for?

A He receipted for five cases of cigars.

Q You saw the receipt?

A I saw the receipt and handled the duplicate receipt

Q You did not see the original receipt?

A No sir I was not so close ~~that~~ I could see it.

Q Was O'Brien within four feet at the time of the reloading?

A No sir--I saw him--I was about eight feet from the doorway

Q O'Brien was about twelve feet?

A I won't say positively whether he was or not--He was in and out--close by--attending to his business.

Q After O'Brien receipted for these goods and when you saw this man reloading this one case how long a time had elapsed

A Well I don't think over five minutes.

Q Pretty sure?

A I should say so I should judge that.

Q When you corroborated this affidavit you thought it was fifteen minutes?

A No sir -from the time of the receipt it was fifteen or twenty monutes before they discovered the loss. When they came to check the goods by the duplicate receipt the man said " Where is that case of cigars? " No one knew and we found it nowhere.

Q Where were you all this time?

A On the platform sir.

Q Any other trucks there?

A Not at that door sir.

Q Any doors?

A No sir.

Q Could they not have taken it in by one door and out by ~~each~~



another?

A No sir

Q You say you could identify the man?

A Yes sir.

QX Did you notice how many cases were on the platform?

A Five.

Q Did you see how many cases were on?

A I did not.

Mr Stein moves to di&miss the complaint against the defendant Mack on the ground that there is no identification of him. that he had nothing at all to do with the matter.

THE COURT;-There is enough identification Motion denied.

EXCEPTION

Defendants held to answer \$500 bail each.

*W. J. Campbell*  
*Benjamin*  
*? Dist Court,*

0901

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

Dated Sept 11 1893 Frank Poppichil Police Justice.

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

Dated Sept 14 1893 Frank Poppichil Police Justice.

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

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

Ex. aud. to 14 Sept at 9 AM  
 Bail \$1000  
 No 1 Bailed by Wm Connolly  
 1510 - 1 Ave

Witnesses for Complainant:  
~~Joseph~~  
~~John J. O'Brien~~  
 George H. Gate  
 330th Ave., by 5th Ave.  
 15 Oakland St. Brooklyn

BAILED.  
 No. 1, by Morris Tracy  
 Residence John J. Vedder

No. 2, by Henry R. Tappan  
 Residence Joseph Joseph  
 305 E. 7th St.

No. 3, by Theodore Langenbauer  
 Residence 10th E. side of 1st Ave.  
 bet. 66th + 67th Sts.

No. 4, by All of above witnesses  
 Residence can be had, by notifying  
 Frank Morris Court Counsel  
 9. Sept 425 St. + 4th Ave by Ct.

No 2 Bailed by  
 Charles Machovsky  
 329 East 105th St

Police Court--- 2 District. 971

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

Matt. J. O'Brien  
 NYC + R R R R R

1 John Mack  
 2 Frank Postulit  
 3  
 4

Offence  
 Lany  
 Lee

Dated Sept 14 1893  
 Koch Magistrate.

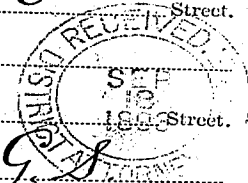
McCarthy T. Cuff Officer.  
 Precinct.

Witnesses Geo H. Gate  
 No. 14 R.R.C. Mar 22 Street.

John J. Better  
 No. 452 W 26 Street.

ch 271  
 No. 370 Lach 9th Street.

\$ to answer  
 No 2 Bailed



0903

**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 Mack and*  
*Frank Pospichal*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*John Mack and Frank Pospichal*  
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed  
as follows:

The said

*John Mack and Frank Pospichal, both*

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

*eight thousand cigars of the*  
*value of five cents each, and*  
*one case of the value of ten dollars*

of the goods, chattels and personal property of ~~one~~ *a certain corporation*  
*known as the New York Central and Hudson River Rail Road Company*

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

*De Lancey Nicoll,*  
*District Attorney.*

0904

**BOX:**

533

**FOLDER:**

4860

**DESCRIPTION:**

Malone, Patrick

**DATE:**

09/29/93



4860

Witnesses:

*R. M. Connel*

Counsel,

Filed

29 day of Sept 1893

Pleas,

*W. H. Connel*

THE PEOPLE

vs.

*Patrick Malone*

*Burglary in the Third Degree.*  
[Section 498, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

DE LANCEY NICOLL,

District Attorney.

*Part II*  
*Ch. II*

A TRUE BILL.

*Geo. Bloomfield*

Foreman.

Part 3. October 1893

Indebted and acquitted

Ch. 287

Police Court—2<sup>nd</sup> District.

City and County } ss.:  
of New York,

of No. 155 W 14<sup>th</sup> Street, aged 26 years,  
occupation Bookkeeper being duly sworn

deposes and says, that the premises No 24 Second Avenue Street,  
in the City and County aforesaid, the said being a Three story and  
basement brick building  
and which was <sup>not</sup> 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 opening the  
front basement door leading into  
said premises

on the 11<sup>th</sup> day of September 1889 in the day time, and the  
following property feloniously <sup>attempted to be</sup> taken, stolen, and carried away, viz:

a quantity of Gas fixtures. Lead  
pipe faucets and a copper boiler  
the whole valued at about  
One hundred and twenty five dollars

\$ 125<sup>00</sup>/<sub>100</sub>

the property of the Estate of William C Rhinelanders in the care 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 <sup>attempted to be</sup> taken, stolen, and carried away by

Patrick Malone (nunner)

for the reasons following, to wit: Deponent is informed by  
Paul Krohn that he securely locked said  
premises at the hour of 9<sup>30</sup> pm on said  
date. That at the hour of 5 pm on said  
date said Krohn found said basement door  
open and said property was packed ready for removal  
Deponent is further informed by Rufus  
W Cornell that he saw the defendant  
cross over the fence of said premises at

about 5 pm on said date. Defendant  
therefore charges the defendant with  
murder and prays that he be  
held to answer

Sum to before me this  
21<sup>st</sup> day of September 1893

*[Signature]* Police Justice

Police Court, District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Burglary

Degree

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.



0908

1877

CITY AND COUNTY }  
OF NEW YORK, } ss.

Emil Krohn  
aged 14 years, occupation Office boy of No. 155  
W 14<sup>th</sup> Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Daniel Petrus  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this ✓ 1

day of April

1893

Emil Krohn.

Police Justice.

0909

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877.

*Relief W Cornell*  
aged *35* years, occupation *Carpenter* of No. *254*  
*East 74<sup>th</sup>* Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of *David Peters*  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this *21<sup>st</sup>* }  
day of *September* 189*3* } *Relief H. Cornell*

*[Signature]*  
Police Justice.

0910

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Patrick Malone*

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

Question. What is your name?

Answer. *Patrick Malone*

Question. How old are you?

Answer. *33 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *433 East 13<sup>th</sup> Street 5 years*

Question. What is your business or profession?

Answer. *Shoe Dealer*

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

Answer.

*I am not guilty*  
*- Patrick Malone*

Taken before me this *2*  
day of *September* 189*3*

Police Justice

*[Signature]*

0911

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

*Just at 10:30*  
*Twenty* *Defendant*  
~~and that there is sufficient cause to believe the within named~~ 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 *Sept 21<sup>st</sup>* 1893 *[Signature]* Police Justice.

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

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

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

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

09 12

1020

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*David Peters*  
*155 W. 14th St.*  
*Park Malone*

*Offence / Burglary*

BAILED,

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

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

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

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

Dated - *Sept 21* 18*93*  
*Hogan* Magistrate.

*Brown and Quindlen* Officer.  
*9th* Precinct.

Witnesses *Emil Krown*  
No. *155 W 14th* Street.

*Relief W Cornell*  
No. *254 E 74th* Street.

*Wm G. Howcastine*  
No. *W W corner 7th and 13th* Street.  
§ *2000* to answer *M.S.*

*Ch 357*  
*RECEIVED*  
*SEP 23 1893*  
*CLERK*  
*2nd*  
*22 York Jackson 201 W 12th*  
*Marion Muller - 86 Greenwich Ave*

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Patrick Malone*

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

*Patrick Malone*

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

The said

*Patrick Malone*

late of the 17<sup>th</sup> Ward of the City of New York, in the County of New York, aforesaid, on the *eleventh* day of *September*, in the year of our Lord one thousand eight hundred and ninety-*three*, in the *day* - time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *Building* of one *William Rhinelander*

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

*William Rhinelander* 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.

## SECOND COUNT—

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

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

The said

*Patrick Malone*

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

*three hundred pounds of lead pipe of the value of ten cents each pound, ten gas-fixtures of the value of three dollars each, fifteen faucets of the value of two dollars each, and one boiler of the value of thirty dollars*

of the goods, chattels and personal property of one

*William Rhineland*

in the

*building*

of the said

*William Rhineland*

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.

*De Lancey Nicoll*  
*District Attorney*

09 15

**BOX:**

**533**

**FOLDER:**

**4860**

**DESCRIPTION:**

**Maloney, John**

**DATE:**

**09/12/93**



4860



09 16

**BOX:**

533

**FOLDER:**

4860

**DESCRIPTION:**

Maloney, Emma

**DATE:**

09/12/93



4860

0917

Witnesses:

John J. Carthy

Counsel,

Filed

day of

1893

Pleas,

THE PEOPLE

vs.

P

John Maloney.

and P.

Emma Maloney.

H.D.

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

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Geo. Bloomberg  
Foreman.

Sept 2. Sep 21. 1893.  
Both tried and acquitted

Chas 101

111 11

09 18

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT 2 DISTRICT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

of the 9th Precinct Police, being duly sworn, deposes  
and says that Arthur Mc Carthy  
(now here) is a material witness for the people against  
Arthur Maloney & Emma Maloney charged  
with felonious possession. As deponent has  
cause to fear that the said Arthur Mc Carthy  
will not appear in court to testify when wanted, deponent prays  
that the said Arthur Mc Carthy be  
committed to the House of Detention in default of bail for his  
appearance.

John L. Maher

Sworn to before me, this  
day of May 1893

Police Justice

0919

Police Court— District.

City and County } ss.:  
of New York,

of No.

occupation

Street, aged 26 years,

being duly sworn

deposes and says, that on the 27 day of August 1883 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Mr. Malney, Mrs. Emma Malney

(both now here) The deponent then

feloniously cut and stabbed Malney

in the head with a pocket knife

he then and there held in his hands

and the deponent Emma

struck deponent in the head

with an axe. She then and

there held in her hands, deponent

further says that said assault was

committed

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

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

Sworn to before me, this

day

of

1883

Police Justice.

0920

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer. *Emma Malin*

Question. How old are you?

Answer. *54 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *42 Clarkson St*

Question. What is your business or profession?

Answer. *Rep House*

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*  
*Emma Malin*  
*True*

Taken before me this  
day of *June* 189*7*

Police Justice.

0921

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

*John Mulvey* 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.

Taken before me this  
day of

188

Police Justice.

0922

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

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

Dated *May 2/93* 1893 *[Signature]* Police Justice.

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

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

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

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

0923

Ex Aug 28<sup>th</sup> / 1893  
10<sup>30</sup> A.M.

Police Court---

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

HOUSE OF DETENTION CASE

BAILED,

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

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

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

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

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

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

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

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

3.

4.

Dated

Magistrate.

Officer.

Precinct.

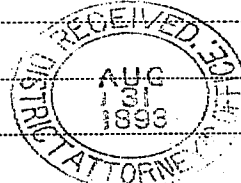
Witnesses.

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

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

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

\$ \_\_\_\_\_ to answer



cto 101

Com

909

Offense



0924

Court of General Sessions of the Peace  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Maloney and  
Emma Maloney*

The Grand Jury of the City and County of New York, by this indictment, accuse  
*John Maloney and Emma Maloney*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *John Maloney and Emma Maloney*, both  
late of the City of New York, in the County of New York aforesaid, on the *twenty-seventh*  
day of — *August* — in the year of our Lord one thousand eight hundred and  
ninety — *three* —, with force and arms, at the City and County aforesaid, in and upon  
the body of one — *John Mc Carthy* — in the peace of the said People  
then and there being, feloniously did make an assault, and *him* the said  
*John Mc Carthy* with a certain *knife* and  
*also with a certain axe*  
which the said *John Maloney and Emma Maloney* —  
in *their* right hands 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 *him* the said *John Mc Carthy*  
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 Maloney and Emma Maloney* —  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:  
The said *John Maloney and Emma Maloney*, both  
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid,  
at the City and County aforesaid, with force and arms, in and upon the body of the said  
*John Mc Carthy* in the peace of the said  
People then and there being, feloniously did wilfully and wrongfully make another assault,  
and *him* the said *John Mc Carthy*  
with a certain *knife* and *also with a certain axe* —  
which the said *John Maloney and Emma Maloney* —  
in *their* right hands 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.

## THIRD COUNT—

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

*John Maloney and Emma Maloney*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *John Maloney and Emma Maloney, both*

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

with a certain *knife and also with a certain axe* —

which *they* the said *John Maloney and Emma Maloney* in *their* right hands then and there had and held, in and upon the *head* — of *him* the said *John Mc Carthy*

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

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

DE LANCEY NICOLL,  
District Attorney.

0926

**BOX:**

**533**

**FOLDER:**

**4860**

**DESCRIPTION:**

**Marousek, Charles**

**DATE:**

**09/15/93**



4860

0927

Witnesses:

*Albert Chapman*

Counsel,

Filed

15<sup>th</sup> day of

1893

*Plaintiff*

*vs. Defendant*

THE PEOPLE

vs.

*Charles Marousch*

Grand Larceny, second Degree.  
[Sections 528, 534, Penna Code.]

DE LANCEY NICOLL,

District Attorney,

Part 2 Sept 27 1893  
Reads H. S. L. 192 Leg

*James R. F.*

A TRUE BILL.

*W. J. Bloomington*

*Oct 7 190*

Foreman.

0928

Police Court Fourth District.

1912

Affidavit—Larceny.

City and County of New York, ss.

of No. 1386-2 Avenue Street, aged 35 years,  
 occupation Seam Maker being duly sworn,  
 deposes and says, that on the 7 day of September 1893 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  
thirty dollars  
\$30.00

the property of deponent

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

here) for the reason that deponent  
 is informed by Mrs Anna Marousick  
 that she Anna saw the defendant  
 with the said property in his possession  
 and in the act of taking the same away.  
 Therefore deponent prays that the  
 defendant be dealt with as the law  
 directs

Albert Marousick

Sworn to before me this  
10th day of September 1893

Police Justice.

0929

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

aged 58 years, occupation Rep House of No.403 E 93 Street, being duly sworn, deposes andsays, that he has heard read the foregoing affidavit of Alber Mrouser

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

Sworn to before me this 7 day  
of Sept 1893Alber MrouserW. V. Brady

Police Justice.

0930

Sec. 193 - 200

H District Police Court.

CITY AND COUNTY  
OF NEW YORK

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

Question. What is your name?

Answer. *Charles Marousek*

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. *600 3rd Avenue 3rd Fl 14 years*

Question. What is your business or profession?

Answer. *Machinist*

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

Answer. *I am guilty*

*Chas. Marousek*

Taken before me this

day of

189

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

*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, Sept. 7 1893

*W. B. Lundy*

Police Justice.

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

Dated, \_\_\_\_\_ 189

Police Justice.

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

Dated, \_\_\_\_\_ 189

Police Justice.



0932

Police Court---

1334 District

THE PEOPLE, &c.,

IN THE COMPLAINT OF

*Alben Harounet*  
*vs. 1386-2 ave*  
*Gas Harounet*

*Officer Paul Harounet*

2  
3  
4

Dated, *Sept 17* 189 *3*

*Grady* Magistrate.  
*Archibald* Officer.

Witnesses *Alben Harounet*  
*1103 East 73* Street.

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

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

\$ *5.00* to answer



*Comm*  
*cho 190*

BAILED,

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

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

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

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

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

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

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

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

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Charles Marousek*

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

*Charles Marousek*

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

The said

*Charles Marousek*

late 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 ninety-three, at the City and County aforesaid, with force and arms,

*one coat of the value of sixteen dollars, one vest of the value of six dollars and one pair of trousers of the value of eight dollars*

of the goods, chattels and personal property of one

*Albert Marousek*

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

*De Lancey McCall*  
*District Attorney.*

0934

**BOX:**

533

**FOLDER:**

4860

**DESCRIPTION:**

Martin, Alice

**DATE:**

09/08/93



4860

Witnesses:

Manda Widen

off Lang

Counsel,

Filed

Pleads,

1893

day of

Voluntary

THE PEOPLE

vs.

Alice Martin

N.D.

DE LANCEY NICOLL,

District Attorney.

Grand Larceny,  
(From the Person)  
Degree.  
[Sections 828, 83,  
Penal Code.]

A TRUE BILL.

Ed. J. Longmire

Foreman.

Sept 11/93

James D. H. May

2 yrs 6 mo 13

for Women

0936

## AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT 2 DISTRICT.CITY AND COUNTY }  
OF NEW YORK, } ss.of the 19 Precinct Police, being duly sworn, deposes  
and says that Maud Wilson(now here) is a material witness for the people against  
Alice Smith chargedwith Grand Larceny. As deponent has  
cause to fear that the said Maud Wilson  
will not appear in court to testify when wanted, deponent prays  
that the said Maud Wilson be  
committed to the House of Detention in default of bail for his  
appearance.Adam LangSworn to before me this  
day of Sept 1893

Police Justice.

0937

Police Court 2 District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

of No St. Denis Hotel Street, aged 45 years,  
 occupation Railroad Conductor being duly sworn,  
 deposes and says, that on the 1st day of September 1893 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:

Good and lawful money to  
the amount of five hundred  
dollars.

\$500.00

the property of

Debnath

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 Alice Martin (now Mrs.)

for the following reasons to wit:  
 that at about 7:30 o'clock a.m.  
 said date deponent was in a  
 room in the premises No 160 West  
 17th Street when the defendant  
 came in caught deponent hold  
 of deponent threw him on a  
 bed and feloniously took  
 stole and carried away the  
 said property from the inside  
 pocket of a vest that he was  
 then and there wearing upon  
 his person

Willard Johnson

Sworn to before me this

day

of

September 1893

at

New York

City

of

New York

County

of

New York

City

of

New York

County

of

New York

City

of

New York

Police Justice.

0938

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.....

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

Dated *Sept 2 1893* ..... *R. J. Ryan* ..... Police Justice.

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

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

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

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

0939

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court--- 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

William J. Johnson  
vs.  
Alice Martin

2  
HOUSE OF DETENTION CASE

3  
4  
Witness \$500 bail

Dated Sept 2 1893

Hogan Magistrate.

Lang & Sullivan Officer.

14 Precinct.

Witnesses Maund Wilson

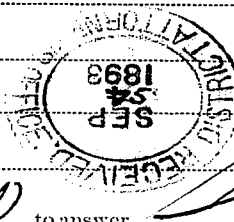
No. House of Detention Street.

No. .... Street.

No. .... Street.

\$ 2000 to answer

Alm  
1044



922  
Maud Sullivan

12  
Person



Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK, } ss.

2 District Police Court.

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

Question. What is your name?

Answer.

*Alice Martin*

Question. How old are you?

Answer.

*35 years.*

Question. Where were you born?

Answer.

*U.S.*

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

Answer.

*16 Downing St.*

Question. What is your business or profession?

Answer.

*book*

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*  
*Alice Martin*  
*emk*

Taken before me this  
day of

188

Police Justice.

**Court of General Sessions of the Peace**  
**OF THE CITY AND COUNTY OF NEW YORK.**

THE PEOPLE OF THE STATE OF NEW YORK

against

*Alice Martin*

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

*Alice Martin*

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

The said

*Alice Martin,*

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

*the sum of five hundred dollars in money lawful money, of the United States of America, and of the value of five hundred dollars*

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

*De Lancey Ricall,*  
*District Attorney*

0942

**BOX:**

**533**

**FOLDER:**

**4860**

**DESCRIPTION:**

**Martin, Elmer**

**DATE:**

**09/08/93**



4860

Witnesses:

*W. L. Schwartz*  
*J. Green*

Counsel,

Filed

Pleads,

1893

THE PEOPLE

vs. *P*

*Elmer Martin.*

Forgery in the Second Degree.  
(Sections 511 and 521. Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*W. L. Schwartz*  
*Sept 11 1893*  
Foreman.

*W. L. Schwartz*  
*Sept 11 1893*  
Ch. 94.

*171 43 my sp. per*  
*Sept 15 1893*

*Sybil V. Montgomery*

Police Court, 3 District.

1901

City and County of New York, ss. Albert L. Schwartz  
 of No. 173 East Houston Street, aged 29 years,  
 occupation painters supplies being duly sworn, deposes and says,  
 that on the 28 day of August 1893, at the City of New  
 York, in the County of New York,

Elmer Martin (now Ken) did wilfully and feloniously, with intent to defraud deponent, forge an instrument in writing, to wit: a check which is hereto annexed, purporting to be the act of another and by which a pecuniary demand or obligation was purported to be created, in the manner following to wit:

That on the aforesaid date defendant came to deponent's place of business at the above-named place and purchased from deponent a bill of goods, tendering in payment thereof the aforesaid check, purporting to have been made payable to defendant's order and drawn on the Market and Fulton National Bank by L.H. Mace & Co. for the sum of Ten Dollars (\$10<sup>00</sup>/<sub>100</sub>). That relying upon the representations of defendant that said check was genuine and of good value deponent gave him portion of said bill of goods.

Deponent further states that he is informed by one John L. Gwyer, of No. 111 East Houston Street, a member of the firm of Mace & Co., that the aforesaid check was not made by L.H. Mace & Co. and that the signature to said check is a forgery. Therefore deponent accuses defendant of having violated the provisions of Section 511 of the Penal Code in the manner aforesaid and prays that he may be dealt with according to law.

A. L. Schwartz

*From before me this  
29 day of August 1893*

*John W. Woodcock  
Police Justice*

0945

No. 233

New York August 29<sup>th</sup> 1893

 MARKET & FULTON NATIONAL BANK

Pay to the order of Elmer Martin

Ten Dollars

\$ 10.00

L. A. Mace & Co

LEHNAUER & BROS. 55 & 56 FULTON ST. N.Y.

0946

Emm Martin

0947

*District Attorney's Office,  
City & County of  
New York.*

---

*Identified by  
Officer  
Vincent Hughes  
11th Precinct*

---



0948

1921

CITY AND COUNTY } ss.  
OF NEW YORK, }

aged 44 years, occupation refrigerators of No.

111 East Houston Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Albert L. Schwarz -  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 29 day of August 1893, John L. Gwyer

John P. Pookis Police Justice.

0949

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer. *Elmer Martin*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *Palace Hotel, Christopher West St - 315546*

Question. What is your business or profession?

Answer. *ebm*

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.*

*Elmer Martin*

Taken before me this *29*

day of *March*

*1895*

*John P. O'Neil*  
Police Justice.

0950

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 August 29 1893 John B. Wooley Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

0951

\$1500 for Ex<sup>u</sup> Aug<sup>1</sup> 30/93 9 am 310 932  
" " " 31/93 9:30 am  
Aug<sup>1</sup> 31/93 Ex<sup>u</sup> waived by  
Counsel N.S. Levy for Release

Police Court,

District.

THE PEOPLE, &c.  
—ON THE COMPLAINT OF

Albert L. Schwartz  
173 1/2 March  
Elmer Martin

Offense, Forgery

BAILED,

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

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

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

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

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

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

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

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

Dated, Aug. 29 1893

Voorhis Magistrate.

Harper Officer.

11 Precinct.

Witnesses Wm. Lake

No. 142 Ludlow Street.

Daniel E. Rose

No. 786 Elizabeth Street.

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

\$ 1000 to answer

G.S.  
Cora  
No 94

0952

Court of General Sessions of the Peace

1721

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Elmer Martin*

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

*Elmer Martin*

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

The said

*Elmer Martin*

late of the City of New York, in the County of New York aforesaid, on the *twenty-ninth* day of *August* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with intent to defraud, feloniously did forge a certain instrument and writing, which said forged instrument and writing is as follows, that is to say:

No 233.

*New York, August 29<sup>th</sup> 1893.*

*The Market and Fulton National Bank*

*Pay to the order of Elmer Martin*

*Ten*

*Dollars*

*\$ 10<sup>00</sup>/<sub>100</sub>*

*L. H. Macle Mes.*



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

*Elmer Martin*

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

The said

*Elmer Martin*

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 intent to defraud, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, which said forged instrument and writing is as follows, that is to say:

No 233

New York August 29<sup>th</sup> 1893.

The Market and Fulton National Bank

Pay to the order of *Elmer Martin*

Ten

Dollars

\$10<sup>00</sup>/<sub>100</sub>

L. H. MacCabe

the said

*Elmer Martin*

then and there well knowing the same to be forged, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0954

**BOX:**

**533**

**FOLDER:**

**4860**

**DESCRIPTION:**

**Martin, Leon**

**DATE:**

**09/08/93**



4860

Witnesses:

*Charles A. Gillette*

Counsel,

Filed *8<sup>th</sup>* day of *Sept.* 189*3*

Pleads,

*By Charles A. Gillette*

THE PEOPLE

vs.

*At*

*Leon Martin*

Grand Larceny,  
[Sections 528, 529,  
Penal Code.]  
*Second Degree.*

*Sept 11/93*  
*By* **ALANCEY NICOLL,**  
District Attorney.

*Thos. G. May*

A TRUE BILL.

*For Doonough*

*Foreman.*

*2nd J. J. J.*

*13*

0955



0956

Police Court

District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

of No. 60 Chubb Place Street, aged 24 years,  
 occupation Hotel Clerk being duly sworn,  
 deposes and says, that on the 10 day of August 1893 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 spring overcoat, one diagonal suit, one chevron suit, one pair of pantaloons, one vest, one shirt and a quantity of jewelry all together of the value of two hundred and fifty dollars.  
(\$250.)

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 John Martin (Crown)

for the following reasons to wit: That on or about said date the said property was taken from deponent's room in the said premises. That deponent immediately there after notified the police of his loss and gave the police a coat which was found in deponent's room after the said larceny. Deponent is informed by Detective Thomas G. Murphy that on August 14, 1893 he arrested the defendant on suspicion that he then found that the vest that the defendant was then wearing upon his person was of the same material as that which in the coat that was found.

in defendant's room. after the said larceny  
had been committed.

Defendant further says that he  
has heard the defendant in open court  
of his own free will. acknowledge and  
confess that he had feloniously taken  
stolen and carried away the said property  
from the said premises. and had disposed  
of it in Baxter Street  
I am to refer me } x M. J. Gilligan  
This 17 day of Aug 1893.

C. J. Gilligan

Police Justice

0958

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877.

Thomas F. Silhovsky  
aged        years, occupation Detective of No.       

W. Recusal Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Nelson A. Gillespie  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 17 day of Aug 1893 } x Thomas F. Silhovsky  
[Signature]  
Police Justice.

0959

Sec. 198-200

CITY AND COUNTY  
OF NEW YORK,

District Police Court.

*Leon Martin* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is his right to  
make a statement in relation to the charge against him; that the statement is designed to  
enable him 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.

*Leon Martin*

Question. How old are you?

Answer.

*34 years*

Question. Where were you born?

Answer.

*Russia*

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

Answer.

*52 South 5th Ave. 8 years*

Question. What is your business or profession?

Answer.

*book*

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

Answer.

*I am guilty*  
*Leon Martin*

Taken before me this  
day of

1893

Police Justice.

0960

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 100 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.  
Dated, Aug 17 1893 Stephen Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.  
1891

096

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Police Court--- 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Weldon A. Gillespie  
vs. 60 Clinton St  
John Martin

2.....

3.....

4.....

Dated, Aug 17 1893

J. J. Hoffman Magistrate.

Callahan & Kaula Officer.

15 Precinct.

Witnesses Call Officer

No. .... Street.

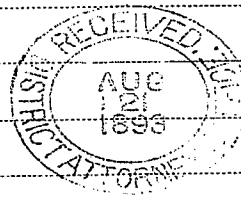
No. .... Street.

No. .... Street.

\$ 1000 to answer

Com

Chobz



**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Leon Martin*

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

*Leon Martin*

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

The said

*Leon Martin*

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

*one overcoat of the value of thirty dollars, two coats of the value of twenty-five dollars each, three vests of the value of twelve dollars each, three pairs of trousers of the value of thirteen dollars each, and one shirt of the value of five dollars and divers articles of jewelry, of a number and description to the Grand Jury aforesaid unknown) of the value of one hundred dollars, of the goods, chattels and personal property of one Nelson A. Gillespie*

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.

*Re Lancer Nicoll,*  
*District Attorney.*

0963

**BOX:**

**533**

**FOLDER:**

**4860**

**DESCRIPTION:**

**Mattox, William D.**

**DATE:**

**09/26/93**



4860



Since the endorsement was made on this indictment,  
the District Attorney has received the answer of communication  
from the S.P.C.C., and for the reasons therein expressed,  
the District Attorney moves that the indictment  
be dismissed: my Jan'y 17/96 Henry Winger  
Deputy Dist. Atty.

RAPE in the 2d Degree and  
ABDUCTION.  
(Sections 278 and 282, Penal Code.)

THE PEOPLE

vs.

William D. Mattox

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Geo. B. Cunningham

Jan'y 17/96.  
Foreman.

Quincy J. Winger

Deputy Dist. Atty.

Cunningham

See endorsement  
within

Witnesses:  
Gentle, Lemuel

Laborer, Lemuel

The defendant is a

married man of conceded

good character. The evidence

shows all tend to the

conclusion of innocence

of the crime charged. There

seems to be an entire failure

of corroboration of the

complaints. It is stated

and has convinced that

no connection could

be made. The jury

has this day returned

the defendant who has

been on bail and ready

to answer the indictment

at any time during the

past two years. No

evidence is satisfactory

public and would be

subscribed by the jury

the defendant to trial

and I respect full

recommends his charges

on his own responsibility

my Jan'y 25/96. H. Winger

Deputy Dist. Atty.

Witnesses

Deputy Atty.

1  
D. J. Donovan M.D.  
being duly sworn  
deposes and says I  
was summoned forth  
with last Sunday by  
the Surgeant of the 30th  
Regiment to make a  
physical examination of  
this little girl, I did  
so, I found all the  
parts in their natural  
condition; no laceration,  
no evidence of Rape;  
the parts were immen-  
sely dilated which might  
indicate they were so  
from birth, I inquired  
from the child how  
it occurred, she stated  
that this man had his  
little girl with him,  
that he sent her away,  
that he approached her  
1

2.

And opened his pants  
and put her on the  
ground and attempted  
to assault her. There  
was no one present at  
the time; that she had  
no pain; no soreness,  
no bleeding, and in  
no way she suffered  
from the attempted  
assault; the child is  
pretty fairly developed  
for one of her age,  
there is no positive  
proof of rape or even  
penetration, the parts  
are all intact, that  
there might have been  
an assault possibly  
but not probably.

3

Q

Cecile Hogan, aged  
17 years

Do you know  
what it is to take an  
Oath?

Q.

Yes Sir,  
Put your hand on  
the Bible?

Q.

Yes Sir,  
Do you know this  
little girl, Penrock and  
Mr Mattot's daughter?

Q

Did she (Penrock) tell  
you anything 2 or 3 weeks  
ago?

A

Yes Sir, she told  
me Mr Mattot and his  
little daughter asked  
me to go to River Side  
Park, and when they got  
to where it was muddy,  
and dark in the Park,  
and Mr Mattot little

3

4

girl was picking flowers  
and Mr. Matter threw  
her down on the ground  
and said if she did  
not tell what he did  
he would give her money  
he gave her 25 Cents,  
and he gave her pea-  
nuts, she asked me if  
I would tell if I was  
in her place, I said  
if I were in her place  
I would tell (her sister)

Q.

When was this on  
a week day?

A. 2

Do you remember  
was it the day after  
Sunday? I think it was

Q

two or three days after  
Sunday

2

Did you tell

4

Q.

anyone at the time  
No Sir,

Q. Did you ever hear  
any little girl say to  
her anything about it

Q. No Sir,  
You did not hear  
any little girl say  
they did not want to  
play with her because  
of what she did with  
Mr Mattot?

Q. No Sir,  
When she told you  
this did she cry or  
say what a horrible  
thing it was?

Q. She did not cry,  
she just told me, she  
seemed kind of ner-  
vous

Q. Do you know  
if she knows any  
little boys?

(5)



6

Q. 2. Does she play with them much?

A. Yes Sir, I know her, play with the other children.

Q. 2. Has she talked to you about boys or men at any time?

A. 2. No Sir, you think that was one or two days after Sunday?

Q. 2. Yes Sir, How long ago is it?

A. About three weeks

Q. 2. ago Did she say anything to you about Mr. Wyatt wanting her to go another place with him?

Q. Yes Sir, to Fort George

7

Q Did she tell you  
what time of the day  
it was?

Q A. No Sir,  
Have you been living  
there long?

Q A. About three  
years.  
Have you been  
playing with this little  
girl?

Q A. Yes Sir, for about  
a month or so.  
Has she been living  
there long?

Q A. Not very  
long.  
Cross Examination

Q Have you, to River  
Side Park with her  
No Sir,  
Have you been

7



8

Talking to her father?

A. Q. Do you remember what was said?

A. He said I had to go as a witness and the other little girl had to go; and he said Gerrie was not here and that was all he said about the case, he gave me a paper

Q. Did he promise you anything?

A. Q. No sir, Did he say for what purpose you were to appear as a witness?

A. To tell what Gerrie told me  
Q. You do not know how he knew that

0973

R.

P

Notar,

I have before me }  
this 21<sup>st</sup> day of July 1893 }

Police Justice

P

10

Allen Timock, aged  
18, living at 356 West  
124th being only  
worn deposes and  
says

Q. Are you the  
sister of this little girl

Q. A. Do you know where  
the camp was I ~~was~~

Q. A. Yes Sir,  
How did you know

Q. A. That I was question-  
ing her about other  
things and she told  
me about that

Q. A. What was it?

Q. A. She wanted to  
know where children  
came from I  
told her not to say

10

11

anything about it, she said I want to tell you something, then she told me about this case.

Q. Where was this?

A. As near as I can tell, I will tell, this was on Friday; she told me the other on Wednesday.

Q. It was not all part of the same conversation?

A. No sir, she began to inquire where children came from on Thursday and on Friday she told you this. What did she tell you?

A. She told me that he was going to take

11

12

her to Washington Park  
Bridge, she told me  
he took her to Grant  
Tomb, and sent the  
little girl off to pick  
flowers, while that was  
going on he laid  
her down, and the  
rest.

Q Did she say any  
thing about sitting  
down?

A No she, she  
said he laid her  
down.

Q Did she say what  
happened after that?

A She said there  
was a hole in her  
drawers and he opened  
that and the rest, that  
he asked did it hurt  
her and he said is  
12

13

it nice, she said so,  
I will tell Papa or  
you

Q. Did she say any  
thing further about  
another assault?

A. No Sir,  
She did not say any  
thing about his  
assaulting her again

Q. Did she say he  
put his hands under  
her clothes?

A. No, not  
that I can remember

Q. Did she tell you  
anything about call-  
ing out?

A. No, she told  
him to stop, that she  
would tell her father  
or him

(13)

14

Q Did she say anything about calling on any one?

A No, she did not say either way

Q Did she say how she came home

A No, only that she wanted her to go around the other way and come onto his house so she could not see her

Q Where were they going then?

A That they would go up to Fort George in the afternoon she said

Q Has this child been sick?

A No, I never noticed any sickness

14



14

but she laid down  
in the afternoon  
on Sunday; the little  
girl came in to ask  
her to go and Papa  
said no

Q.

A. She laid  
down that afternoon  
Q. Yes Sir, and she  
kept the whole after  
noon

Q.

Did she bring  
anything home with  
her

Q.

Not as I can  
remember

Q.

Did she bring  
candy or playmate?  
Q. She had some  
on Sunday, it was  
that Sunday she came  
home and did not  
eat anything

14



15

Q Did she lie down  
on the 18<sup>th</sup> of last  
month

A Yes sir, that  
was the first time  
she did that

Q Are you her  
sister

Q A Yes sir,  
Have you got a Bible  
in the house?

Q A Yes sir,  
Is the record of her  
birth in it?

Q A Yes sir,  
What does it say?  
Born on the 9<sup>th</sup>  
of July 1883

Q Are you  
positive that it was  
1883?

Q Yes sir,  
Confirmation

15

16

Q. Did you wash her clothes?

A. Yes Sir,  
Q. Did you notice any thing unusual on her clothes?

A. No Sir.  
Q. If there had been anything unusual you would have seen it

A. Yes Sir, I paid no attention to it.

Q. When did you have the 2<sup>nd</sup> conversation about Mr. Moffat?

A. Last Friday night

Q. What fixed your memory as to that date?

A. Because she laid down in the afternoon

16

14

Q. On this Sunday you did not make a memorandum?

Q. A. No Sir, Do you recollect when she came home?

A. (v) Two o'clock in the afternoon, I am sure, I was waiting dinner for her, I put hers away

Q. Mr. Hatter little girl came in on that Sunday?

Q. A. Yes Sir, What time was that?

Q. A. I cannot say Lottie was there at that time?

Q. A. Yes Sir, When she says the little girl did not go in to ask her to go out, she is mistaken

(H)

(18)

Q. Q. Yes Sir,  
Did she eat some  
dinner?

Q. Q. Yes Sir,  
Did you see any  
evidence of her crying  
that day?

A. No Sir,  
Mr. Moore, Did the children  
have some day in June  
for an Entertainment?

A. "Childrens Day" was  
the last Sunday in  
the month.

Q. Was "Childrens  
Day" on the 18th?

A. This was the  
Sunday before "Childrens  
Day" as well as I  
remember.

By Counsel for Defendant. Did

(18) You have any con-  
versation about

19

Q. This with your father  
No. I am not

Q. positive Did you have  
a conversation or  
not?

Q. He talked the  
thing over

Q. Do you remember  
-bar being in the room  
and saying "we had  
better drop the matter"  
No indeed

Q. not  
Q. Were any words  
like that said?

Q. No Sir,  
Q. Have you called for  
in your house?

Q. Q. Did you fix this  
day by the calendar?  
No Sir,

Q.

19

(20)

Q. Did your father look at the calendar?

A. Yes sir. Did your father tell you it was the 18<sup>th</sup>?

A. Yes sir, Court. Where did you reside before you moved up town?

A. Q. West 36<sup>th</sup>. Has this child been maynard?

A. Yes sir, she was not at Sunday school when we lived down town; we are there since May 1<sup>st</sup>, I never heard anything bad of her.

Q. Who took charge of her?

A. I have been in charge of her for 20

Q

Q. Two years next October  
she attending Sunday  
School and her teacher  
is the wife of Defendant

Q. For how long has  
she been in the Sunday  
School and in her class

A. I do not know, she  
told me Mrs. Matter  
was her teacher

Q. How long has she  
been attending there

Q. Half dozen times  
His daughter says that  
they arrived home  
sufficiently early for  
them to have their  
dinner, to call at  
your house and then  
to go to Sunday School

A. It was after (7)  
two o'clock when she

Q



(22)

Came in, Sunday School  
laste till four (4)  
o'clock

Q.

How do you  
remember it was (7)  
later than two  
o'clock?

A.

It was two  
when she came in the  
house

Q.

Do you know  
what time she left  
that morning?

A. Q.

I cannot tell  
Was it as late as  
11 or 12 o'clock

A.

It was not 12  
o'clock

Q.

Was it closer  
to 6 o'clock or earlier?

A.

No, I might  
say, I do not know  
I want to know  
yy



23

Q. Now you know it was  
two o'clock?

A. He said it was  
two o'clock

Q. Do you recollect all  
that happened five  
weeks ago?

A. Q. Yes Sir,  
Do you remember  
anything else happening  
that day?

A. I remained  
in the house all day,  
my father was not  
left, she slept all  
the afternoon

Q. What  
time did she get up  
that morning?

A. I do  
not know

Q. Do you  
recollect the time she

23

24

Q. girl came in for  
your sister?

A. It was after my  
sister had her dinner  
I do not remember the  
time.

Adjourned to Monday  
at 2 P.M.

0990

**POOR QUALITY  
ORIGINAL**

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 July 24 189 Chas L. Peitner Police Justice.

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

Dated New York July 24 189 3 Chas L. Peitner Police Justice.

There being no sufficient cause to believe the within-named

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

Dated 189 Police Justice.

099

W. R. 141 207-833  
Police Court, 5 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Thos. F. Moore  
297 vs. 4-002  
1 William D. Mattoy  
2  
3  
4  
Offense

BAILED,

No 1, by John C. Hoopman  
Residence S. S. 171<sup>st</sup> 150<sup>th</sup> E. 4<sup>th</sup> 11<sup>th</sup> Ave

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Dated July 17 1893

Heitner Magistrate.

John Murray Officer.  
30 Precinct.

Witnesses, Gertrude Pennock.

No. 356 West 124 Street,

No. 74 Street,

No. 1000 to answer G. S.

Bailed

0992

**PART I.**

THE COURT ROOM IS IN THE SECOND STORY

If this Subpoena is disobeyed, an attachment will immediately issue.  
 Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

In the Name of the People of the State of New York. *Sept-26-93*

To *J. F. Moore*  
 of No. *297. 4<sup>th</sup> Ave* Street

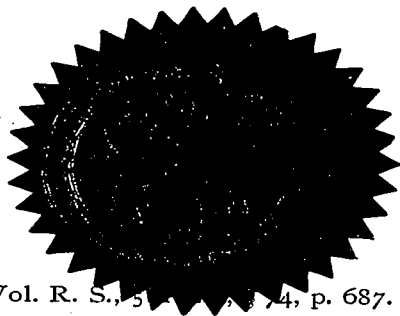
YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the New Criminal Court House on Centre Street, between Franklin and White Streets, in the City of New York, on the *27* day of **JANUARY**, 189*6*, at 10 o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

*William T. Mattox*Dated at the City of New York, the first Monday of **JANUARY**.in the year of our Lord 189 *6*JOHN R. FELLOWS, *District Attorney.*

I, JOHN F. CARROLL, Clerk of the Court of General Sessions of the Peace, and Clerk of the Court of Oyer and Terminer held in and for the City and County of New York (each being a Court of Record and having a Common Seal), do hereby certify that the annexed is a copy of *an*

*Undertaking to Answer*

now on file in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom and of the whole of such original.



3d Vol. R. S., 5th Ed., 1874, p. 687.

GIVEN UNDER my hand and attested by the seal  
of the said Court this *Twenty third* day  
of *January* in the year of our Lord one  
thousand eight hundred and ninety *six*.

*John F. Carroll*

0994

CITY AND COUNTY  
OF NEW YORK.

An order having been made on the 24 day of July 1893 by  
Thomas Feitner Police Justice of the City of New York, that  
Wm D. Mattos be held to answer upon a charge of

Rape

upon which he has been duly admitted to bail in the sum of Ten Hundred Dollars.

WE, William D. Mattos Defendant of No. 354  
West 124<sup>th</sup> Street, Occupation Carpenter; and  
John C. Koopman of No. S. Side 171<sup>st</sup> 180 ft East 7<sup>th</sup> Street,  
 Occupation Engineer Surety, hereby undertake jointly and severally  
 that the above-named William D. Mattos shall appear and answer the charge  
 above-mentioned, in whatever Court it may be prosecuted; and shall at all times render h self amenable  
 to the orders and process of the Court; and if convicted, shall appear for judgment, and render h self in  
 execution thereof: or if he fail to perform either of these conditions, that we will pay to the People of  
 the State of New York the sum of Ten Hundred Dollars.

Taken and acknowledged before me this 24  
 day of July 1893

William D. MattosJohn C. KoopmanThomas L. Feitner Police Justice.

0995

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

1769

*I, John C. Koopman* the surety mentioned in the annexed undertaking to answer, do hereby authorize and empower any Policeman of the City of New York, or \_\_\_\_\_ or either of them, in my name, place and stead, to take, seize and surrender the said *William D. Mattox* (in the said undertaking held as defendant) to the Court wherein he is bound to appear for trial, or deliver him to the custody of the authorities of said city and county, in my exoneration as surety therein.

Dated *January 23* 1896

*John C. Koopman*, Surety.





0996

THE PEOPLE &c.,  
ON THE COMPLAINT OF

vs

Wm D. Matter

Undertaking to Answer.

Taken the.....day of.....189

Justice.

Filed 7<sup>th</sup> day of Aug- 189 3

Police Justice.

189

o before me this

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.....  
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities  
and that his property consists of.....  
Hundred Dollars,

0997

Police Department of the City of New York.

Precinct No. ....

173 E 113

New York, July 17 1893

Judge Feitwe  
Dear Sir.

I have made a  
Physical Examination on little  
girl at request of Sergeant  
30 Precinct yesterday, and  
find no positive evidences  
of recent assault. There  
is however an unusual  
dilation of the parts, which  
might be abnormal from  
birth. In my opinion if  
any force had been used  
the child would have  
shown evidence of a  
laceration.

0998

Police Department of the City of New York.

Precinct No. ....

New York, ..... 189

Very Respectfully  
Daniel J. Moran  
Sergeant of Police

0999

New York July 22-1893

Hon. Eldridge T. Gerry

Dear Sir

I have this day examined the  
Person of Gertrude Pennock  
and find no evidence of  
Penetration.

Respectfully

R. J. LaFille M.D.

347 N. 14 St.

1000

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877.

*Gertrude Pennock*  
aged 10 years, occupation Shawl Girl of No.

35-6 W. 124 Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *John J. Moore*

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

Sworn to before me, this

day of

7 1899

*Gertrude Pennock*

*John J. Moore*  
*John J. Moore*

Police Justice.

Police Court, 5<sup>th</sup> District.

City and County } 88.  
of New York,

of No. 297 South Ave Street, aged 31 years,

occupation Officer S. P. C. C. being duly sworn, deposes and says,  
that on the 18<sup>th</sup> day of June 1893, at the City of New

York, in the County of New York,

At a certain Park called  
Riverside Park in said City of New York  
one William Mattot did unlawfully  
and wilfully perpetrate an act of  
sexual intercourse with a certain child  
called Gertrude Penrock said Gertrude  
being a female child actually and  
apparently under the age of  
sixteen years to wit of the  
age of ten years she not being  
the wife of defendant in violation  
of Section 278 of the Penal Code  
of the State of New York.

Subscribed & sworn to me }  
this 17<sup>th</sup> day of July 1893 } J. H. F. Finner  
J. H. F. Finner  
Police Justice

1002

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss:

*William D. Matter* 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 sees 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 D. Matter*

Question. How old are you?

Answer.

*35 years old*

Question. Where were you born?

Answer.

*New Jersey*

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

Answer.

*254 W. 124th St. New York*

Question. What is your business or profession?

Answer.

*Carpenter*

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

Answer.

*I am not guilty.**William D. Matter*

Taken before me this

day of

189

Police Justice.

1003

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

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

Dated, July 24 1893

Thomas F. Linn Police Justice.

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

Dated, New York July 24 1893

Thomas F. Linn Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_

Police Justice.



Ex parte 18/93 at 20th  
at 1000 line J

Ex parte 21/93  
at 20th J

Ex parte 15/93  
at 20th J

BAILED,

No. 1, by John C. Koopman  
Residence SS. 171 Street 150 ft E. 11<sup>th</sup> Ave Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

VV P 141 207 833  
Police Court, District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Mrs. F. Wood vs. 297-4 Ave  
Wm D. Mattay  
1  
2  
3  
4  
Offense.

Dated July 17 1893  
Gritter Magistrate.  
John Murray Officer.  
30 Precinct.

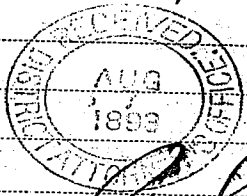
Witnesses Gertrude Pennock  
No. 356 W 124 Street.

No. Street.

No. Street.

\$ 1.000 to answer

ch 249 B  
Baileys



1005

No.



CABLE ADDRESS:  
"GERRY, NEW YORK"

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

No 297 FOURTH AVENUE. (CORNER EAST 23<sup>RD</sup> STREET.)

*New York* January 25, 1896. 18

N. Y. GENERAL SESSIONS

THE PEOPLE

V.

WILLIAM MATTOX

Hon. John R. Fellows,

District Attorney of the City & County of New York.

Dear Sir:

Your office notifies this Society that the above named defendant was surrendered by his bondsman January 24, and that on January 27 a motion will probably be made for his discharge. The case is one in which no indictment should have been found, an examination of the child by the physician of this Society failing to disclose any penetration whatever of her person, ~~and~~ the charge being one of rape in the first degree, the age of the child being ten years. Upon the complaint being made before Police Justice Feitner, that learned official said, "that it was his first case of rape and that he would hold the man in \$1,000. bail, although he did not think that there was any possibility of a conviction being had." He refused to commit the child to the Society pending the prosecution of the case, and the Society immediately withdrew from the further prosecution and notified the Magistrate that it would have nothing more to do with it.

Under these circumstances, the Society respectfully leaves the matter in your hands to be disposed of as you may think proper.

I have the honor to remain,

With great respect,

*Wm. L. Gerry.*

President etc.

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

2048

THE PEOPLE OF THE STATE OF NEW YORK,

against

*William D. Mattox*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse *William D. Mattox* of the CRIME OF RAPE IN THE SECOND DEGREE, committed as follows:

The said *William D. Mattox* late of the City of New York, in the County of New York aforesaid, on the *eighteenth* day of *June*, in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, in and upon a certain female not his wife, to wit: one *Agathe Bernada*, feloniously did make an assault, she the said *Agathe Bernada* being then and there a female under the age of sixteen years, to wit: of the age of *ten* years; and the said *William D. Mattox* then and there (under circumstances not amounting to rape in the first degree), feloniously did perpetrate an act of sexual intercourse with her the said *Agathe Bernada*, 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 *William D. Mattox* of the CRIME OF ABDUCTION, committed as follows:

The said *William D. Mattox*, 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 feloniously take, receive, harbor, employ and use her, the said *Agathe Bernada*, so being then and there a female under the age of sixteen years, to wit: of the age of *ten* years, as aforesaid, for the purpose of sexual intercourse, he, the said *William D. Mattox* not being then and there the husband of the said *Agathe Bernada*, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,  
District Attorney

1007

**BOX:**

533

**FOLDER:**

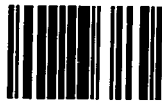
4860

**DESCRIPTION:**

McCaffery, Frank

**DATE:**

09/08/93



4860

Witnesses:

Off Farley  
Chick. Chesek  
H. Hornbreck

Part III October 19 1893  
Incorporate them a  
piece of 2 1/2 degree  
be accepted with

Case No. Macdonald  
Steel

When examination of  
believe left

Counsel,

Filed day of Sept 1893

Pleads, 11

THE PEOPLE

24 Ave. A  
175 Laborer

Frank McCaffery

Grand Larceny,  
(From the Person)  
Degree.  
[Sections 828, 829  
Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Part III

Oct 19

A TRUE BILL.

Ed. Bloomington

Part 3. Oct. 19 1893 - Foreman.

Pleads 2. L. 2. 1/2 deg 2.5

with Pen one up at  
Oct 19

Part III - Sept 1893 490K

Part III - Oct 13 1893

Police Court

District.

Affidavit—Larceny.

City and County }  
of New York, } ss:of No. 526 E. 88th Street, aged 64 years,  
occupation none being duly sworn,deposes and says, that on the 22nd day of August 1893 at the City of NewYork, 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:

Good and lawful money  
of the United States to the  
amount and value of ten  
hundred and fifty 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 Frank M. Caffrey

(now here) from the fact that  
at about the hour of 11 o'clock  
A.M. said date. deponent had  
said sum of money in the inside  
pocket of his vest. when this defendant  
who had been in deponent's company,  
placed a neck tie in deponent's  
neck. and opened deponent's vest  
and shortly thereafter deponent  
discovered that said sum of money  
was missing. and this defendant  
thereafter admitted in the presence of  
deponent and officers Farley and  
Brumer. that he did take said

Sworn to before me this

189

Police Justice

Sum of money.  
 Dependent is informed by ~~Edward~~ Hendrick  
 Stembach that the defendant left  
 a ten dollar bill with him at about  
 the hour of 11 o'clock A.M. said date  
 and requested him to keep the bill  
 for him.

Wherefore dependent charges the  
 said defendant with feloniously  
 taking stealing and carrying  
 away said sum of money from  
 the person of dependent.

Sworn to before me } Nicholas Meser  
 this 24th day of Aug 1893 }

Wm. Volk

Police Justice

1011

1877.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Benedict Steimbach  
aged 33 years, occupation Saloon Keeper of No. 1749 Ave C Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of Nicholas Mesch  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 24 day of Aug 1893 } Henry Steimbach  
Wm. W. W. W.  
Police Justice.



10 12

Sec. 198-200.

S

District Police Court

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Frank Mc Caffrey*

Question. How old are you?

Answer. *24 years old*

Question. Where were you born?

Answer. *New York City*

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

Answer. *1751. Ave A. 3 years*

Question. What is your business or profession?

Answer. *Lubricator.*

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*

*Frank Mc Caffrey*

Taken before me this

day of

*April* 189*8*

Police Justice

10 13

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

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

Dated *Aug 24* 189*3* *W. H. Wells* Police Justice.

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

Dated.....189.....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.....189.....Police Justice.

10 14

Police Court--- 5 District. 9025

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Nicholas Mesch  
526 vs. \$88  
Frank McCaffrey

2  
3  
4

Larceny from person

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated Aug 24 1893

Welle Magistrate.  
Farley & Brunner Officer.  
27 Precinct.

Witnesses Henry Steinbach

No. 1749 Ave A Street.

Aug 1st 1893

No. Street.

No. Street.

\$ 2,500 to answer L.S.

No 79

**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 Mc Caffery*

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

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

The said

*Frank Mc Caffery*

late of the City of New York, in the County of New York aforesaid, on the *2nd* day of *August* in the year of our Lord one thousand eight hundred and ninety-*three*, in the day-time of the said day, at the City and County aforesaid, with force and arms,

*the sum of one thousand and fifty dollars in money, lawful money of the United States of America, and of the value of one thousand and fifty dollars.*

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

*Re Lancey Nicoll,*  
*District Attorney.*

10 16

**BOX:**

**533**

**FOLDER:**

**4860**

**DESCRIPTION:**

**McCann, James**

**DATE:**

**09/29/93**



4860

Witnesses:

*J. McLaughlin.*

Part 3 Oct 27 1893

*Innocentia has  
a plea of Gt & 1 degree  
be accepted in the  
case*

*W.O. Maddona  
Clerk*

Counsel,

Filed

1893

Pleas,

THE PEOPLE

Robbery, (Sections 224 and 229, Penal Code.)  
*Assault Degree.*

*James McCann*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Edw. Bloomfield*

Part 3 Oct 27 1893  
Foreman.

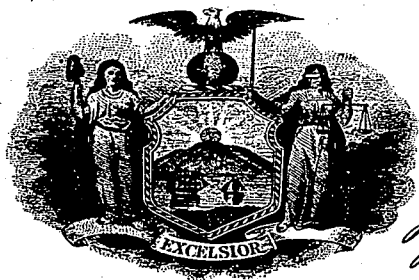
Pleas G. & 1 degree - 31 -

*3 3/4 2*

*Part III - Oct 26 - 5/04*

*Part 2 years Nov 1893*

1017



New York.  
No. 6 J. P. Lusk's Place. ~~Albany~~ Oct. 30<sup>th</sup> 1893.

Hon. Rufus B. Cowing  
My Dear Judge.

The bearer James  
McLann who is the father of James  
McLann Jr. who is to be sentenced  
by you to day for a crime of which  
he pleaded guilty. I have known him  
for many years and he has always been  
a hardworking and industrious man,  
and any leniency you can show  
his son will be greatly appreciated  
by yours Truly.

Wm A Walker.  
S.Dist.

10 10

First Judicial District Court,  
S.W. cor. Chambers & Centre Sts.,

WAUHOPE LYNN, JUSTICE.

LOUIS O. BRUNS, } CLERKS.  
JOHN PURCELL, }

New York, Oct 31 1893

Hon Judge B. Conning

My dear Judge

You are to  
return a man named James  
McCann this morning and his  
father is a decent old man in  
my neighborhood. I wish you would  
return a little of your own present  
misery to the man and if possible  
send him to the Island. Hoping  
you are well I am as ever

Yours sincerely  
Wauhope Lynn



Police Court-- 2 District.

CITY AND COUNTY } ss  
OF NEW YORK,

of No 35- Clarkson Street, Aged 28 Years  
Occupation Porter being duly sworn, deposes and says, that on the  
17 day of September 1893 at the 13 Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

One silver chain of the value  
of three dollars  
(\$3.00)

of the value of \_\_\_\_\_ DOLLARS,  
the property of deponent

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

James McEwen (workman) for  
the following reasons, to-wit:-  
at about 9 o'clock P.M.  
deponent while passing along  
Clarkson street- was accosted  
by the defendant who caught  
violent hold of deponent and  
then struck deponent a violent blow  
in the face, with his clenched hand  
knocking deponent down. That the  
defendant, then grabbed and stole  
the said property from a button  
hole of a vest that deponent.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 1893.

Police Justice

was then and there sworn upon  
your oath to be true me } James M. Laughlin  
this 1st day of Sept 1893  
D. H. [Signature]  
Police Justice

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

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

1. 2. 3. 4.

Offence—ROBBERY.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

1022

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer.

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.

Taken before me this  
day of

Police Justice.

1023

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

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

Dated, Sept 18, 1893 [Signature] Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

1007

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James M. Gauslin*  
*35 Clarkson*  
*James M. Gauslin*

2  
3  
4

Dated, *Sept 18 1893*

*Hoffman* Magistrate.  
*Hallenbeck* Officer.  
*Call officer* Precinct.

Witnesses *Call officer*  
No. Street.

No. Street.

No. Street.

to answer.

*Dr 334*

BAILED,

No. 1, by

Residence Street.

No. 2, by

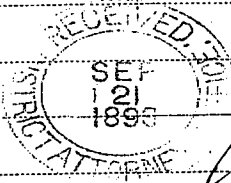
Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.



**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 McCann*

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

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

The said

*James McCann*

late of the City of New York, in the County of New York aforesaid, on the *seventeenth* day of *September* in the year of our Lord one thousand eight hundred and ninety-*three*, in the *right* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *James McLaughlin* in the peace of the said People then and there being, feloniously did make an assault; and

*one chain of the value of three dollars*

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

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

*De Lancey McCall*  
District Attorney

1026

**BOX:**

**533**

**FOLDER:**

**4860**

**DESCRIPTION:**

**McCarthy, John**

**DATE:**

**09/22/93**



4860

Witnesses:

off Lorn

Counsel, *W.D.*  
Filed *Oct 5* 1893  
Pleads, *W.D.*

24 THE PEOPLE  
*Edith Lawrence*  
vs.  
*Longhorn*

*John McCarthy*  
Grand Larceny,  
(From the Person.)  
Degree.  
[Sections 628, 629, Penal Code.]

*old days*  
DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.  
*W.D. Bloomington*  
*Oct 5 - Oct. 5, 1893*  
*Pleads Guilty.* Foreman.

*Oct 7/6*  
*5-22-93*  
*Edith*

*Benny 1/2*  
*Jan 77. Edith Wells*  
*S.D. 4 1/2 70 -*  
*Came out 87*



Police Court— 3 — District.

Affidavit—Larceny.

City and County {  
of New York, } ss.

Person

Otto Koltz  
of No. 50 East Houston Street, aged 48 years,  
occupation Manufacturer of ladies' cloaks being duly sworn,  
deposes and says, that on the 16 day of September 1893 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 watch of the value of Sixteen  
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 John McCarthy (now here) for

the reasons that at about nine  
o'clock P.M. deponent was walking  
along East Houston Street and had  
said watch attached to a chain  
in a pocket of the vest then  
worn on his person and the defendant  
suddenly came upon deponent and  
asked some question and before  
deponent could realize what the  
defendant wanted the defendant  
suddenly snatched said watch from  
deponent's person and ran away

Otto Koltz

Sworn to before me, this 17 day  
of September 1893

John H. Hagan  
Police Justice.

1029

Sec. 198—200.

1883

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. *27 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *East 10<sup>th</sup> Street; 1 week*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty*  
*John McCarthy*  
*man*

Taken before me this

day of *September* 1893

Police Justice.

1030

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

Dated, Sept 17 189 3 John Ryan Police Justice.

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

Dated,.....189..... Police Justice.

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

Dated,.....189..... Police Justice.

1031

Police Court---

977 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Otto Holtz  
30 E. Houston  
John W. Carthy

2  
3  
4

Grand Juror  
Offense

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, Sept 17 1893

Ryan Magistrate.

Zorn Officer.

Precinct.

Witnesses Paul officer

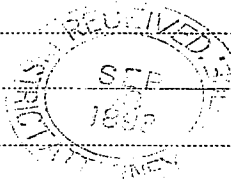
No. Street.

No. Street.

No. Street.

\$ 1000 to answer

Ch 266 9th person



**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 McCarthy*

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

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

The said

*John McCarthy*  
late of the City of New York, in the County of New York aforesaid, on the *sixteenth* day of *September* in the year of our Lord one thousand eight hundred and ninety-*three*, in the *night* time of the said day, at the City and County aforesaid, with force and arms,

*one watch of the  
value of sixteen dollars*

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

*De Lancey Nicoll*  
District Attorney

1033

**BOX:**

**533**

**FOLDER:**

**4860**

**DESCRIPTION:**

**McCray, Jacob**

**DATE:**

**09/26/93**



4860

1034

Witnesses:

May Jones  
May Jones  
Emma Reed

Counsel,

Filed

day of

1893

Pleads,

Not guilty

THE PEOPLE

vs.

Jacob McCray

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Geo. Cummings

Foreman.

Oct 19/93

By 794  
Fred J. Gougeon  
of Petaluma  
Gen. Wm. B. M.

Burglary in the Third Degree.  
[Section 108, U.S.C. 178, 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, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

The People  
 vs  
 Jacob McCray

Court of General Sessions. Part I  
 By Judge Martine. October 2. 1893.  
 Indictment for burglary, grand larceny &c.  
 Emma Reed, sworn and examined, testified:  
 I live 147 West Twenty fourth street and  
 occupy two rooms there two flights up in  
 the rear house. One gentleman, Mr. Chapman,  
 stopped with me. I was living at that place  
 on the 9th of September of this year. I left  
 my premises about nine o'clock in the  
 morning. I locked the door and put my  
 padlock on it. When I went out I left in  
 the room two coats and two vests worth  
 forty dollars the property of Mr. Chapman. I  
 came back to my home about half past  
 seven o'clock at night and I found the  
 lock was smashed and the door open;  
 the padlock and the staple was broke and  
 the lock was hanging on the door. When I  
 went into the room I missed the two  
 coats and two vests. I ran down and  
 asked the neighbors if they saw anybody.  
 I spoke to Mrs. Jones and Mary Syrell.  
 Mr. Chapman went to the station house. I  
 have not seen the property since. I first  
 saw the defendant about two weeks after  
 these things were taken; he came back  
 to my door at half past one o'clock



at night alone. Two weeks after I missed the property I saw the defendant at my door. I asked him where he was going and what he was doing at my door that hour of the night? He said he wanted to sleep. It was half past one o'clock at night. I told him there was no place there to sleep. He said he could go on the roof and sleep. I looked at him and said, "my door has been bursted open two weeks ago, and from what my witness says you are the same boy from the hat you have got on and the clothes that you wear." I said, "you come inside here; you come here till I go and get a lady who said she would know you wherever she saw you." They came and they identified him as the same boy they saw that evening - that was Mrs. Jones and Mrs. Byrd. He commenced to cry and I could not get anything out of him. After he sat down he says, "I think I know the boy that got them." I asked him if he was the boy who broke in the door? He

said, "no" he was not the one but he knew the boy that got them." I did not feel like talking to him. I turned him over to the officer and he was taken to the station house. Cross examined Mr. Jones and Mr. Syrell identified him as being the same one they saw in the house two weeks before. Mary Jones, sworn and examined, testified. I live at No. 147 West Twenty Fourth street on the first floor rear. On the 9<sup>th</sup> of Sept. of this year did you see the defendant in that house? I seen this boy come in about half past five o'clock in the afternoon. When he came in did he have any bundle or anything? He had nothing. When he came in which way did he go? I followed him in and he went directly towards Mr. Reed's. ~~He~~ lives in a different house from me. He did not go in my house. I did not see him any more. Did he have anything with him? No. You say at the time you saw him coming in, he had no bundle, he was carrying no clothing? No, nothing at all! When did you next see him? The night she had him

Cross

arrested she came about half past one and asked me if I knew the boy? I told her I knew him for ten years. The day I saw him I recognized him. I knew him by the name of Jacob McCoy examined. I knew him since he was a small boy. I used to live in 145 West Thirty Second street and he lived down stairs in the same building. I saw him as often as two or three times a week. From the time he was about ten years old up to now how often did you see him? About two months ago he was in my hall and the janitor asked me did I know that boy? I said I knew the boy, he belonged in Twenty Seventh street. Did you speak to him? No, I did not say anything to him. I remember the night I was brought to Mr. Reed's house about one or two o'clock in the morning. I saw the boy (the defendant) there then and recognized him. He did not tell me who he was before I knew him. He did not tell me his name was Jake before I recognized him. I would know him wherever I saw him. I was standing in the gate the night he

went into Mrs. Reed's house. I followed him in. I knew his face when I seen him; it was kind of dark. I did not know whether it was Jake or not. I knew it was the same boy that came in when I seen him up in Mrs. Reed's because I had seen him there before Mary Tyrell, sworn and examined. testified. I live 147 West Twenty Ninth St. On the afternoon or evening of the 9<sup>th</sup> of September did you see this defendant in those premises? I seen him pass about half past five o'clock. I was standing at the gate. Then he went in did he have anything with him, any clothes on his arm? No, he did not have anything. What time did you see him come out? About half past six o'clock, and then he had a large bundle under his arm and went toward Sixth Avenue; the bundle was wrapped up in a towel. I did not see what was in the bundle. I did not say anything to him. I never saw him before until that day he came in. The night that Mrs. Reed found him in the house again did she call you up? Yes, that is the second time I seen him. What

occurred then, what did you say to him or he to you? I did not say anything to him at all? Mrs. Reed asked me, did I know the young man? I told her, 'yes, he was the same man I saw pass me at half past five with a bundle under his arm. The bundle was done up in a towel I did not see anything hanging out of the bundle; it was a good sized bundle, he had it under his arm going towards Sixth Avenue, it was a round bundle.

Cross Examined. The towel looked to me as if it was a bathing towel. You never saw this young man before that night when you saw him going in without a bundle and coming out with one? I seen him ~~that~~ evening going into the house. I never seen him before. You have seen a great many colored boys like him? No. I know that he was the boy. How long did you look at him that night that he went in at half past five? I looked at him no longer than he was going into the house; he passed me and I was looking at

him when he was passing me.

There were you when he came out with the bundle? I was standing on the sidewalk. I was not doing anything. There was a woman standing out there, but I was not talking to her. Do you know the other lady that was with her, Mrs. Jones? Yes, I know her. I saw her there the night I saw him come in. I live in the same house with her; she was on the stoop; she followed the young man in. From the time that he went into the building up to the time that Mrs. Reed called you that night had you spoken to Mrs. Jones about the boy? No. I never said anything about him. I know he is the same man that passed me that evening at half past five. I knew him by his face and by his hat; he had on a kind of a brown hat the day that he went in pulled down over one side of his face. Adam Large sworn. I am attached to the 19<sup>th</sup> precinct on special detective duty. I know the premises 147 West Twenty Ninth street. I first learned of the burglary committed in Mrs. Reed's rooms on Sept. 9<sup>th</sup> about 9 1/2 o'clock in the evening.

There was a report sent to the station house that the place was burglarized. After that I made a search for ~~the~~<sup>a</sup> colored man. Did you know his name? I did not know his name at the time. You had a description of him? Yes. From whom did you get a description? From the man who lost the clothes, Mr. Chapman. Did you make any search for that colored man? I did. Did you find him? No. When did you find him, if at all? About a week afterwards at half past three o'clock in the morning. I was notified at the station house that this man was brought around by an officer. What conversation did you have with him? In the morning when I brought him over to Jefferson Market Court I says, "Why didn't you give up these clothes?" He says, "I have not got the clothes, but I know who has got them;" he told me a man named Buckley and he could be found in Twenty Seventh Street. I went around there and nobody seemed to know him. Did you have any conversation with the defendant? No, not at that time, but when I took

him back to prison I say. "Mr. Chapman is willing to let you out if you get his clothes." he said. "I will try and get them for him." That is all the conversation I had with him. You did not get the clothes? No.

Cross Examined. Did you look for Buckley? Yes. Is he here? No, I could not find such a person; nobody seems to know him. I have been in that precinct a long time. That number of the address of Buckley was given to you in your precinct? Yes. You could not find him? No; there is no such party living there.

The Case for the Defence  
Jacob McCray, sworn and examined.

Where do you live? No. 909 Sixth Ave. between 52<sup>nd</sup> and 53<sup>rd</sup> Sts. I live with my mother. Did you hear what those ladies said about you a few moments ago? Yes. They say you went in that house and came out of there with a bundle did you? No. Were you in that house the night they say you were put half past five o'clock? No. Did you steal anything out of Mr. Reed's room? No. You were found there the night



that you were held and arrested? Yes.  
What were you doing then? I came off  
the clam boat about one o'clock. I went  
up to go to sleep. I was tired. I did  
not want to go to Fifty Second street.  
She says to me, "Come up stairs, are  
you the boy who stole the clothing?"  
The man was there with a stick and  
was going to hit me, and I commenced  
to cry. He pushed me down on the  
couch. Then I walked right in the street.  
She said, "Did you steal the clothes?" I  
said, No. She put up my hat and  
turned it down like that (showing) that  
other lady the one in Black (Mr. Jones)  
says, "Shut up, he might not be the boy."  
So I said, "No, mam, I did not steal  
no clothes." I showed her my hands  
where I was working on a clam boat  
where I was dredging clams. She said,  
"I will have to get an officer." The man  
was going to hit me. I said, "Go and  
get an officer. I can prove what I  
say." They got an officer. I told him  
I did not steal the things. They locked  
me up. I went down some place to  
the new Court. I seen another fellow,  
his name was Andrew Bolden. He

said, "What did you get locked up for?" I said, I got locked up for stealing clothes. He said he knew the fellow who stole the clothes, "Monkey Lyons." He asked me if I had a nickname? I said, "no." He said, that he went up Seventh Avenue with a bundle. He was on his wagon and he got off his wagon and he walked down to speak to this fellow with the bundle and the policeman came up and picked up Andrew Bolder. I did not steal the clothes and know nothing about them. I was never ~~arrested~~. I was locked up for ten days for spilling dirt.

Cross Examined. You say you went up to the third floor in this rear house on the night that you were arrested just because you wanted a place to sleep? Yes I did. I was tired. I had thirty cents in my pocket but I wanted to keep it. I wanted to get my pants out of the hock shop. The boss gave me a quarter to come across the Greenpoint boat. I don't know what street I landed. It was not anywhere around Twenty Fourth street, it was away down town by the Market Bar did you get up to Twenty Fourth St?

I walked up all the way Sixth Avenue  
 I bought something to eat, some hot  
 buns in a baker's. I am living with  
 my mother. Why could not you have  
 gone and got something to eat home  
 to your mother's? She did not want me  
 to come home late. Did your mother  
 know you were working? She did not  
 know then. She did not allow me to  
 come in after nine or ten o'clock. She  
 let me in late when I am working, but  
 she would not when I was not working.  
 You walked up Sixth Avenue <sup>nearly</sup> ~~right~~ over  
 to Seventh Avenue before you concluded  
 that you would go up into this house  
 to sleep, is that right? No, I walked  
 right from Sixth Avenue. I went to  
 Twenty Ninth Street No. 147 is nearly over  
 to Seventh Avenue. I went up in that alley  
 because colored people live there. Do not  
 colored people live all along on the north  
 side of Twenty Ninth street? I do not know.  
 I am not around there. Who is this  
 man Buckley? I do not know. Did you  
 not tell the officer you knew where  
 the clothes were, you gave him the address  
 of some one named Buckley? No. I did  
 not give him any address.  
 The jury rendered a verdict of guilty of pretty  
 larceny.

1047

Testimony in the  
case of  
Jacob Mc Gray  
filed Sept.

1893

2309

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 22 years, occupation Mistress of No. 147 W 24

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Emma Reed

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

Sworn to before me, this

day of

Sept 19 1893 } Emma Reed  
Wm J. Brown  
Wm J. Brown  
Police Justice.

Police Court—2 District.

City and County } ss.:  
of New York,

of No. 147 West 54 Street, aged 25 years,

occupation Keep House being duly sworn

deposes and says, that the premises No 147 West 24 Street,

in the City and County aforesaid, the said being a third floor of

the rear house

and which was occupied by deponent as a dwelling

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

were **BURGLARIOUSLY** entered by means of forcibly breaking the  
staple removing the pad lock and  
then forcing the door leading from  
the hallway into deponent's apartment  
on the 9 day of September 1889 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

Two coats and two vests  
together of the value of  
forty dollars.

the property of

Robert Chapman

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

Joseph McBray (now known)

for the reasons following, to wit:

that at about 9.30  
o'clock A.M. said deponent  
secured lock and fastened the  
said premises that at 7.00  
P.M. same date deponent returned  
and discovered that the premises  
had been burglariously entered as  
aforesaid and the said property  
missing deponent so informed.

by Maria Kevanhoe that she saw  
 the defendant leave the said  
 apartment about 7.00 o'clock P.M.  
 with a quantity of mens. wearing  
 apparel. Wherefore defendant charges  
 the defendant with unlawfully  
 entering the said premises as  
 aforesaid and feloniously taking  
 stealing and carrying away the  
 said property and prays that  
 she be held to answer  
 same before me  
 this 7 day of Sept 1893

x Emma Reed

E. Hoffm

Police Justice

Police Court District.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

vs.

Burglary

Degree

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No.

Sited.

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

2 District Police Court.

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

Question. What is your name?

Answer. Jacob McCray

Question. How old are you?

Answer. 29 years

Question. Where were you born?

Answer. N.Y.

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

Answer. 909 South Ave.

Question. What is your business or profession?

Answer. Labourer

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

Answer. Saw no guilty  
Jacob McCray

Taken before me this  
day of Sept 1888

Police Justice.



1052

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 *Sept 19* 18 *73* *[Signature]* Police Justice.

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

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

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

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

16  
-  
dt

1053

1003

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Emma Reed*  
*147 W. 24th*  
*Jacob McBry*

*Magistrate*  
*Office*

2  
3  
4

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *Sept 14* 189*3*

*Magistrate*  
*Lauf & Sullivan*  
*19* Precinct.

Witnesses *Mary Syrell*

No. *147 W 24th* Street.

*Mary Jones*

No. *147 W 24th* Street.

No. *1000* Street.

\$ *1000* to answer

*W 24th*

*CEW*  
*SEP 21 1893*  
*STAT. CLERK*

**Court of General Sessions of the Peace**  
**OF THE CITY AND COUNTY OF NEW YORK.**

THE PEOPLE OF THE STATE OF NEW YORK

against

*Jacob Mc Cray*

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

*Jacob Mc Cray*

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

The said

*Jacob Mc Cray*

late of the *16th* Ward of the City of New York, in the County of New York aforesaid, on the  
*ninth* day of *September* in the year of our Lord one  
thousand eight hundred and ninety-*three*, with force and arms, in the *day*-time  
of the same day, at the Ward, City and County aforesaid, the dwelling house of one

*Emma Reed*

there situate, feloniously and burglariously did break into and enter, with intent to commit some  
crime therein, to wit: with intent the goods, chattels and personal property of the said *one*  
*Robert Chapman* 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.

## SECOND COUNT—

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

of the CRIME OF

The said

*James McCray*  
Grand LARCENY in the second degree committed as follows:

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

*two coats of the value of  
fifteen dollars each and  
two vests of the value of  
six dollars each*

of the goods, chattels and personal property of one

in the dwelling house of ~~the said~~ *one*

*Robert Chapman*  
*Emma Reed*

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

## THIRD COUNT:

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

*James Mc Cray*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

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

*two coats of the value of  
fifteen dollars each, and  
two vests of the value of  
six dollars each,*

of the goods, chattels and personal property of

*Robert Chapman*  
by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said

*Robert Chapman*  
unlawfully and unjustly did feloniously receive and have; (the said

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

DE LANCEY NICOLL,

*District Attorney.*

1057

**BOX:**

**533**

**FOLDER:**

**4860**

**DESCRIPTION:**

**McCorken, Francis**

**DATE:**

**09/18/93**



4860

Witnesses:

A. Thelma

*Spencer*

Compt.

Filed *18* day of *Sept* 189*3*

Pleads, *Magically*

THE PEOPLE

vs.

*B*

*Francis J. Crank.*

Assault in the Third Degree.  
(Section 219, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

*Wm. 24<sup>th</sup> St. N.Y.C. 100*  
*affidavit taken*

A TRUE BILL.

*Edw. Loomingdale*  
Foreman.

*Chas. W. 1*

Complaint sent to the Court  
of Special Sessions.

Part III, ... *Dec. 8* ... 189*3*.

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

*Francis Mc Crocker*

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

*Francis Mc Crocker*

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

The said *Francis Mc Crocker*

late of the City of New York, in the County of New York aforesaid, on the 15<sup>th</sup>  
day of July in the year of our Lord one thousand eight hundred and  
ninety-three, at the City and County aforesaid, in and upon the body of one  
*Samuel Thalman* in the peace of the said People then and there being, with force  
and arms, unlawfully did make an assault, and *him* the said *Samuel Thalman*  
did then and there unlawfully beat, wound and illtreat, against the form of the statute in such case  
made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*



1060

**BOX:**

**533**

**FOLDER:**

**4860**

**DESCRIPTION:**

**McDonald, John**

**DATE:**

**09/29/93**



4860

106 1

**BOX:**

**533**

**FOLDER:**

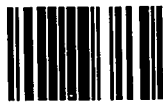
**4860**

**DESCRIPTION:**

**Gilhooly, Owen**

**DATE:**

**09/29/93**



4860



Hon. Judge Coving.

---

Hon. Judge Cowan  
Addressed

Thursday  
19<sup>th</sup> October

The Honourable Judge Caring

I  
appeal for mercy to you for  
my husband Owen Gilhooly,  
he is all the support I  
have myself and my baby.  
I don't know what will become  
of me, I will be without either  
house or home. I'm not  
able to go out to work myself  
for a living, I therefore put  
my trust in God and you,  
knowing to it's being his

first offence and committing  
himself through drink  
that I ask you to please  
lighten his sentence and  
give him a chance to  
reform.

I am,  
Daggie Gilhooley.

N.Y. Oct. 18. 1893

Hon. Judge

I the undersigned  
know the defendant Owen  
Gillhooly for the last 4 years  
and in that time I have al-  
ways found him upright honest  
and true in his dealings with  
me.

Respectfully Yours  
John W. H. Wrough

Brooklyn  
419 E. 19<sup>th</sup> St  
City

N.Y. Oct 18 / 1893

This is to certify that ~~Tom~~  
 Gilhooly is a hard working  
 honest & trustworthy man  
 and a man that has always  
 looked after his family

Respect yours  
 John W. Givney  
 Real Estate  
 418 E 19<sup>th</sup>  
 City



## Court of General Sessions

People  
 vs  
 Owen Gilhooly

City &amp; County of New York ss

John Butler  
 being duly sworn deposes & says that he  
 resides at No 346 E 18th Street in the City  
 of New York and has been a salesman and  
 collector for the Jas. Everard Brewing  
 Company Cor W 10th & Washington Streets for  
 the last 10 years. That he has known Owen  
 Gilhooly the defendant above named for  
 6 years, knows other people who know  
 him and knows his family well. That said  
 defendant Gilhooly is a married man with a  
 family dependent upon him for support. That  
 said Gilhooly worked under deponent for 9  
 months and was always a sober industrious &  
 hard working man and has heretofore borne an  
 excellent reputation. That said Gilhooly has  
 never been arrested before nor charged with  
 any crime. That defendant's wife is a cripple.  
 Sworn to before me this } John Butler  
 18th day of October 1893 }

Henry Perrine

Notary Public New York County

1  
Court of General Sessions

People  
vs  
Owen Gilhooly }

City & County of New York ss:

John Carlisle  
being duly sworn deposes & says that he  
resides at 311 E 21<sup>st</sup> New York City & that  
he is a laborer. That ~~he~~ has known Owen  
Gilhooly the defendant above named for the  
last 5 years, knows other people who know him  
and knows his family well. That said defendant  
Gilhooly is a married man with a family de-  
pendent upon him for support. That he has  
always been a sober industrious and hard-  
working man, and has heretofore borne an  
excellent reputation. That he has never  
been arrested or charged with a crime  
before to his knowledge. That he lived next  
door to said defendant for three years & was  
well acquainted with him.

Sworn to before me this } Oaten Carlisle  
18<sup>th</sup> day of October 1893 }

Harry F. Fennell

Notary Public

New York County

1070

People of the State  
of New York  
vs  
John Mac Donald

City & County of New York ss: John A Hamilton  
being duly sworn deposes & says that he  
resides at 725 East 9th St in the City of New  
York and that he is engaged in the business  
of selling machinery oils &c. representing the  
Firm of Haley Doubleday & Co of 229 & 231  
Broad Street New York City - That he has  
known John Mac Donald the defendant  
above named for the last 25 years, knows  
other people who know him and knows his  
family well. And that the general repu-  
tation of the said John Mac Donald has  
heretofore been excellent, and that no  
criminal charge was ever made against  
him before.

Sworn to before me this  
18th day of October 1893

Henry C. Cullen

Notary Public  
New York

People of the State  
of New York  
vs  
John MacDonald

City and County of New York ss:

Isaac Metzger being duly sworn says that he is engaged in the business of cigar manufacturing at No 2197, 7th Avenue in the City of New York. That he has known John MacDonald since 1879, knows other people who know him and knows his family well and that the general reputation of the said John MacDonald has heretofore been good. And this deponent further says that if the said John MacDonald should get out of prison, he will get him work at his trade, gas and steam-fitting.

Sworn to before me this

10th day of October 1893

Isaac Metzger  
- Hugh Coleman  
Stacey Public

General Sessions

People

vs  
John Mac Donald and  
Owen Gilhooly

Affidavits

Police Court—3 District.

City and County } ss.:  
of New York,

David L. Youngs  
of No. 153 Rodney Street, Brooklyn 26 years,  
occupation lumber dealer being duly sworn

deposes and says, that the premises No 434 East 107 Street,  
in the City and County aforesaid, the said being a four story brick  
building, the third floor of  
and which was occupied by deponent as an office  
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking open  
a door leading from the third floor  
into said office

on the 24 day of September 1893, in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

A quantity of clothing and a hand-  
satchel, the whole of the value of  
One hundred and twenty-five Dollars.

\$125.00

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 M. Donald and Owen Gilbrook  
(both now here) acting in concert,

for the reasons following, to wit: Deponent left said door securely  
locked and fastened at 4 P.M. on September  
23, 1893, said property being then and there  
in said office. Deponent is informed by  
Officer Kienreich of the 14th Precinct of the  
Police that about 2 A.M. on the night of the  
said date he found the aforesaid defendants  
at 12<sup>th</sup> Street and arrests them, having in their  
possession property, which deponent has since

identified as his missing property. Wherefore  
 defendant prays that defendants may  
 be dealt with according to law.

Shown before me this }  
 25<sup>th</sup> day of September 1893 } David L. Youngs  
 John K. Woodh's

Police Justice

Police Court District.

THE PEOPLE, & c.,  
 ON THE COMPLAINT OF

vs.

Burglary

Degree.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ Bail.

Bailed by

No. Street.

1075

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

*Godfrey Heidemannreich*  
aged \_\_\_\_\_ years, occupation *Police officer* of No. *141*  
*Precinct Police* Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of *David L. Young*  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this *25* day *Godfrey Heidemannreich*  
of *September* 189*3*

*John R. Woodhull* Police Justice.



Sec. 198-200.

3

District Police Court.

CITY AND COUNTY } ss  
OF NEW YORK,*John McDonald*

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

Question. What is your name?

Answer. *John McDonald*

Question. How old are you?

Answer. *40 years*

Question. Where were you born?

Answer. *W.D.*

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

Answer. *735 East 9' St. - 30 years*

Question. What is your business or profession?

Answer. *Gasfitter*

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*  
*J. M. McDonald*

Taken before me this  
day of *Sept* 189*5*

*25**John McDonald*

Police Justice.

1077

Sec. 193-200.

3

District Police Court

CITY AND COUNTY  
OF NEW YORK, ss.*Owen Gilhooley*

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

Question. What is your name?

Answer.

*Owen Gilhooley*

Question. How old are you?

Answer.

*27 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*427.6.19 St.**4 years*

Question. What is your business or profession?

Answer.

*Laborer*

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

Answer.

*I am not guilty-**Owen Gilhooley*

Taken before me this

day of

189

*John M. McLaughlin*

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 Defendant

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

Dated, September 24 1893

John P. McLaughlin Police Justice.

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

Dated, \_\_\_\_\_ 189

\_\_\_\_\_  
Police Justice.

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

Dated, \_\_\_\_\_ 189

\_\_\_\_\_  
Police Justice.

1079

Police Court---

1030  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Davis L. Young*  
*153 Rodney St. Bldg*  
*John W. Donald*  
*Owen Gilhooly*

3  
4

Offense. *Dwelling*

BAILED,

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

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

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

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

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

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

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

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

Dated *Sept 25* 189 *3*

*Worth* Magistrate.

*Strawson & Heidemann* Officer.

*14* Precinct.

Witnesses *Call the office*

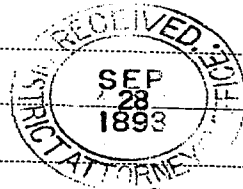
No. \_\_\_\_\_ Street.

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

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

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

*Ch 355*



**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 McDonald*  
*and*  
*Owen Gilhooly*

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

*John McDonald and Owen Gilhooly*

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

The said *John McDonald and Owen Gilhooly, both*

late of the 17<sup>th</sup> Ward of the City of New York, in the County of New York, aforesaid, on the  
*twenty-fourth* day of *September* in the year of our Lord one  
thousand eight hundred and ninety-*three* in the *night* time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the *office* of  
one

*David L. Youngs*

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

*David L. Youngs* in the said *office*  
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.

1081

SECOND COUNT—

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

*John McDonald and Owen Gilhooly*  
of the CRIME OF *Grand LARCENY* in the second degree, committed as follows:

The said

*John McDonald and Owen Gilhooly, both*

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

*one hand-statched of the value of  
ten dollars, and divers articles of  
clothing and wearing apparel  
of a number and description  
to the Grand Jury aforesaid  
unknown, of the value of  
one hundred and twenty-five  
dollars,*

of the goods, chattels and personal property of one

*David L. Youngs*

in the

*office*

of the said

*David L. Youngs*

there situate, then and there being found, in the

*office*

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.

## THIRD COUNT:

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

*John McDonald and Owen Gilhooly*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

*John McDonald and Owen Gilhooly, both*

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

*one hand-satchel of the value of  
ten dollars, and divers articles  
of clothing and wearing apparel,  
of a number and description to  
the Grand Jury aforesaid unknown,  
of the value of one hundred and  
twenty-five dollars*

of the goods, chattels and personal property of

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

*David L. Youngs*  
unlawfully and unjustly did feloniously receive and have: (the said

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

DE LANCEY NICOLL,

*District Attorney.*

1083

**BOX:**

533

**FOLDER:**

4860

**DESCRIPTION:**

McGonigle, John

**DATE:**

09/27/93



4860



1084

**BOX:**

**533**

**FOLDER:**

**4860**

**DESCRIPTION:**

**Reilly, Thomas**

**DATE:**

**09/27/93**



4860

I appear in the  
following examination.

Witnesses:

Off. Clerk of Court  
Dec. 18-93 District Attorney

This case has been given to me for examination and from the inquiry in the matter I have made in trustworthy quarters I learn that the two defendants were never before arrested and were both industrious & hard working boys & have actually continued in employment so great has been the confidence of their employers in them, since the making of this charge.

The Complainant on the day on which his property was claimed to have been taken was admittedly very drunk. He knew the theft & in broad daylight under air circumstances of open & notorious publicity, in the presence of many people, he handed to them the property claimed for safekeeping.

This fact will be established if necessary, by reliable witnesses. I believe it is not only impossible to obtain a conviction but that justice requires the discharge of the defendants. I therefore recommend their discharge upon their own recognizance.

Dec. 18, 1893 Stephen J. O'Hara  
District Attorney

Judge Lynn

Counsel,

Filed

day of

1893

Pleas,

THE PEOPLE

vs.

John McFongle  
and  
Thomas Reilly

Robbery, Degree.  
(Sections 224 and 228 Penal Code.)

DE LANCEY NICOLL,

District Attorney.

Case No. 10,000-93-18,000.

Part 3, Oct 31, 93

A TRUE BILL.

Geo. Bloomington  
Foreman.

Dec 18, 93  
J. B. B. B.  
Paul Dickerson

POLICE COURT—2 DISTRICT.  
CITY AND COUNTY } ss.  
OF NEW YORK,

RECOGNIZANCE TO TESTIFY.

BE IT REMEMBERED, That on  
the 18 day of September in the year of our Lord 1893  
of No. Malabar New Jersey Street, in the City of New York,  
and Albert Fluckiger  
of No. 17 Martin Street, in the said City,  
personally came before the undersigned, one of the Police Justices in and for the City of New York, and  
acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say: the said

George Sherman  
the sum of \_\_\_\_\_  
and the said Albert Fluckiger me Hundred Dollars,  
the sum of \_\_\_\_\_ Hundred Dollars.  
separately, of good and lawful money of the State of New York, to be levied and made of their respective  
goods and chattels, lands and tenements, to the use of said People, if default shall be made in the con-  
dition following, viz:

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

John McGrath and  
Thomas Kelly

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

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

Geo Sherman  
Albert Fluckiger  
[Signature]  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

over and above the amount of all his debts and liabilities; and that his property consists of <sup>real estate in</sup> stock fixtures and other chattels on the lot 203 Bleeker Street and worth five hundred dollars free and clear.

Albert Fluckiger

New York

## Sessions.

THE PEOPLE, &c.

## Recognition to Testify.

**Magistrate**

**Filed**

day. of

831

1088

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT.....DISTRICT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

of the..... Precinct Police, being duly sworn, deposes  
and says that.....

(now here) is a material witness for the people against  
..... charged  
with..... As deponent has  
cause to fear that the said.....

will not appear in court to testify when wanted, deponent prays  
that the said..... be  
committed to the House of Detention in default of bail for his  
appearance.

Daniel O'Connor

Sworn to before me this  
day of..... 1893

Police Justice.

## New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUSJohn Mc Gonigal  
Thomas Reilly

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. but I am only controlled with a desire to do no injustice to these defendants as I now feel since I made the complaint that what appeared to me the facts were but impressions. On the day in question I had been drinking and in the company of the defendants I lost my watch which I now believe was taken from me or that I gave it to some one of the defendants under circumstances other than robbery. From all that I now know concerning both of the defendants I am convinced that they are both young men of good character and most respectable parents and incapable of doing what I alleged against them in my complaint. The property was of little value and has been recovered. I therefore respectfully petition the Honorable Court to dismiss the case against these defendants.

Signed in presence of  
 Harbison Green } Geo H Sherman

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

of No. Matteawan New Jersey Street, aged 22 years,  
occupation Farmer being duly sworn,

deposes and says, that on the 17 day of September 1893 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:

Three dollars in gold and lawful  
money, one gold plated watch and  
one gold plated chain all together of  
the value of four hundred  
(\$400)

the property of deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was felon-  
ously taken, stolen and carried away by John McSingle and Thomas  
Reilly (both now here) for the following  
reasons. To wit: That at about  
2 o'clock P.M. deponent was accosted by  
the defendants as he was passing  
along Downing Street that the defendants  
caught hold of deponent and brought  
him into the hallway of the house 64  
Downing Street, and then threw  
deponent on the floor that the defendant  
Reilly held deponent down while  
the defendant McSingle inserted his hands in  
the several pockets of the clothes and  
deponent was then and there wearing  
upon his person and feloniously.

Subscribed before me this

1893

Police Justice

took stole and carried away  
the said property.

Wherefore complaint charges the  
defendants with acting in concert  
with each other in feloniously taking  
stealing and carrying away the  
said property and prays that they  
be held to answer.

Done & before me

the 18 day of Sept 1893

x Geo H Sherman

*[Signature]*

Police Justice

*[Signature]*



1092

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

*John McGoyle* 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 McGoyle*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *147 W. Houston St.*

Question. What is your business or profession?

Answer. *Plate printer*

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

Answer. *I am not guilty*  
*John McGoyle*

Taken before me this  
day of *Sept* 188*8*

Police Justice

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Thomas Reilly* 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.

*Thomas Reilly*

Taken before me this  
day of *1889*  
188

1094

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

Defendant  
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Ten Hundred Dollars, Each 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 17 1893 [Signature] Police Justice.

Defendant, Reilly, Anna Sept 19 1893 [Signature] Bailed  
I have admitted the above-named Defendant  
to bail to answer by the undertaking hereto annexed.

Dated, Sept 19 1893 [Signature] Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

1095

24 Sept 1905  
9:30 P.M.

*[Signature]*

BAIL

No. 1

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

43 & 44

Police Court---

1005

District.

THE PEOPLE &c.,  
ON THE COMPLAINT OF

*George Herman*  
*John W. Kelly*  
*Thomas Kelly*

3

4

Dated,

Sept 18 189

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

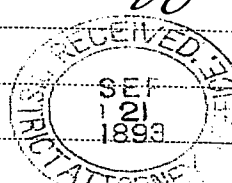
\$ 1000

to answer

*no 2 Bailed*

*no 1 Bailed*

*Oct 309*



# 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 Gougle  
and  
Thomas Reilly

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

John Mc Gougle and Thomas Reilly  
of the CRIME OF ROBBERY in the first degree, committed as follows:

The said

John Mc Gougle and Thomas Reilly, both  
late of the City of New York, in the County of New York aforesaid, on the seventeenth  
day of September in the year of our Lord one thousand eight hundred and  
ninety-three, in the day time of the said day, at the City and County aforesaid,  
with force and arms, in and upon one George W. Sherman  
in the peace of the said People then and there being, feloniously did make an assault; and

one watch of the value of eight  
dollars, one chain of the value  
of three dollars, and the sum of  
three dollars in money, lawful  
money of the United States of  
America, and of the value  
of three dollars;

of the goods, chattels and personal property of the said George W. Sherman  
from the person of the said George W. Sherman against the will  
and by violence to the person of the said George W. Sherman  
then and there violently and feloniously did rob, steal, take and carry away,

the said John Mc Gougle and Thomas Reilly  
and each of them being then and there  
aided by an accomplice actually  
present, to wit: each by the other;

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

De Laurey Mcoll,  
District Attorney

1097

**BOX:**

533

**FOLDER:**

4860

**DESCRIPTION:**

McInerney, Daniel J.

**DATE:**

09/26/93



4860

**POOR QUALITY  
ORIGINAL**

Witnesses:

Peter Smith

Counsel,

Filed,

day of

1893

Pleads,

THE PEOPLE

vs.

Daniel J. McInerney

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

Part II. 22<sup>nd</sup> Nov. '93

DE LANCEY NICOLL,

District Attorney.

Part 2 March 10, 1896  
On motion of District Attorney  
Indictment dismissed.

A TRUE BILL.

Old Bonney doc  
No 288

Foreman.

I cannot find from  
an examination made  
in this case that  
the Defendant who was  
a police officer did other  
than his duty, and  
that there is no proof in  
the case that the occasion  
of their interference there  
certainly cannot be shown  
and I believe in fact on  
the part of the Defendant.  
The Defendant should  
be dismissed.

Not a true bill.

and entry.

March 10<sup>th</sup> '96

p. 121

1099

Police Court. District.

1903

CITY AND COUNTY  
OF NEW YORK.

*4* District. *Peter Smith*  
 of No. *565-1st Ave* Street, aged *26* years,  
 occupation *pushman* being duly sworn, deposes and says, that  
 on the *18th* day of *June* 189*3*, at the City of New York,  
 in the County of New York,

he was violently ASSAULTED and BEATEN by *Daniel J. McInerney*  
*who struck deponent several*  
*times on the head*  
*with a club which he then*  
*held in his hand*

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, etc., and be dealt with according to law.

Sworn to before me, this

day of *June* 189*3**Peter Smith**W. M. M. M.* Police Justice.



1100

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY } ss:  
OF NEW YORK, }

Samuel M. Jurney being duly examined before the under-  
signed according to law, on the annexed charge, and being informed that it is h's right to  
make a statement in relation to the charge against h; that the statement is designed to  
enable h if he sees fit, to answer the charge and explain the facts alleged against h  
that he is at liberty to waive making a statement, and that h waiver cannot be used  
against h 1 on the trial.

Question. What is your name?

Answer. Samuel M. Jurney

Question. How old are you?

Answer. 46 years

Question. Where were you born?

Answer. Ireland

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

Answer. 351 E - 38th, 5 years

Question. What is your business or profession?

Answer. None

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 I demand a trial by jury  
Samuel, S. M. Jurney

Taken before me this

day of June 1893

Police Justice.

1 10 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, June 14 1893. W. M. M. M. Police Justice.

I have admitted the above-named

Defendant  
to bail to answer by the undertaking hereto annexed.

Dated, June 26 1893. \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named

\_\_\_\_\_ guilty of the offense within mentioned, I order h to be discharged.

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

716  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Edward Smith*  
*Annie Thompson*  
2  
3  
4  
Dated, *June 24* 189  
*McMahon* Magistrate.  
*Smith* Officer.  
*Donner* Precinct.

BAILED,

No. 1, by *Annie Boylston*  
Residence *213 East 23rd* Street.  
*83rd*

No. 2, by *213 E. 38th St*  
Residence \_\_\_\_\_ Street.

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

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

Witnesses *A. Baren*  
*559 1 Ave*  
No. *Mrs. Baren* Street.  
*559 1 Ave*  
*set Baren*  
No. *Mrs. Baren* Street.  
*496 1 Ave*  
*Mrs. Jennie Baren*  
No. *559 1 Ave* Street.  
*B. W.* to answer *A. B.*

*500 W. 4th June 26. 2 P.M.*  
*P. Edward Smith*  
*No 280565 1st Ave*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Daniel J. McInerney

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

Daniel J. McInerney

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

The said

Daniel J. McInerney

late of the City and County of New York, on the eighteenth day of June in the year of our Lord one thousand eight hundred and ninety-three, at the City and County aforesaid, in and upon one

Peter Smith in the peace of the said People then and there being, feloniously, did wilfully and wrongfully did make an assault; and the said Daniel J. McInerney

with a certain club which he the said Daniel J. McInerney in his right hand then and there had and held, the same being then and there a weapon and an instrument likely to produce grievous bodily harm, him, the said Peter Smith then and there feloniously did wilfully and wrongfully strike, beat bruise and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Lancey Nicoll,  
District Attorney

1104

**BOX:**

**533**

**FOLDER:**

**4860**

**DESCRIPTION:**

**McKay, John**

**DATE:**

**09/18/93**



4860

*JMM*

Witnesses:

*Max Ramon*

Counsel,

Filed

day of

189

Pleas,

THE PEOPLE

vs.

*John Mc Kay*

*Part 2 - Oct. 20, 1893.*

*On motion of District Attorney*  
*Indictment dismissed*  
DE LANCEY NICOLL,

District Attorney.

*even days*

*even days in October*  
*E. Q. D.*

A TRUE BILL.

*E. J. Bloomington*

Foreman.

*P-2*  
*Oct 7/23*

*Ch 218*

*Part II - Oct 20/93 SJH*

*Upon the within statement &*  
*withdrawal I recommend*  
*the dismissal of the in-*  
*dictment & the rights dis-*  
*Oct 20/93 Stephen J. Hare*  
*Dist. Attorney*

*Irish Degree.*  
*(From the Person.)*  
*[Sections 528, 529, Penal Code.]*

Police Court—

District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

Mary Claman

of No. 106 Bayard

Street, aged 20 years.

occupation Furniture dealer

being duly sworn,

deposes and says, that on the

11

day of

September

1893

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 night time, the following property, viz:A Gold Watch of the Value  
of Fifty 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 John McKay (now here)

acting in concert with a number of others not  
arrested — for the following reasons — on said  
date about 10 o'clock P.M. — Deponent was standing  
on the stoop of his residence No 106 Bayard Street  
and he had said watch was in the upper  
pocket on the left side of the Vest that he then  
wore and said watch was attached to said Vest  
by a chain — The defendant with a number  
of others went on said stoop and the defendant  
snatched said chain and broke it and he  
took said watch from the pocket and  
deponent seized him  
and held him — the other person not  
arrested struck deponent and rescued the

Sworn to before me this

189

day

Police Justice.

the defendant - the defendant - then ran away and deponent pursued him and caused his arrest -

Deponent fully identifies the defendant as the person who snatched his watch as aforesaid at Chicago

Sworn to before me

This 12 day of September 1893

Chas. McLean  
Police Justice



1108

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, ss.

*John McKay*

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

Question. What is your name?

Answer.

*John McKay*

Question. How old are you?

Answer.

*24 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*10 Willitt St. 3 months*

Question. What is your business or profession?

Answer.

*Lammy man*

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

Answer.

*I am not guilty*

*John McKay.*

Taken before me this

day of

1893

Police Justice.

*[Signature]*

## New York General Sessions.

PEOPLE ON MY COMPLAINT,  
VERSUS

John McKay

Dated Oct. 20. 1893.

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.

I desire to withdraw the complaint and ask for the defendants discharge. There was a very great crowd around the step and on the street, as a band of music & members of some association were passing in the street & am not sufficiently well satisfied even in regard to his identity and could not positively swear he is the man who stole my watch. I have ascertained that he is a man of good character and he has been employed by the Savings Bank & Greenwich St for the past ten months & the bank is willing to take him back.

W. H. Thorne

Phil WaldheimerJ. B. C. C.  
C. B. C. C.

1110

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

Defendant

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

Dated, Sept 12 1893 James J. [Signature] Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

122

968

Police Court---

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*May Clavan*  
*vs. John McKay*

*Larceny*  
*from the person*

BAILED,

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

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

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

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

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

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

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

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

Dated, *Sept 12* 189*3*

*Meade* Magistrate.

*Barry* Officer.

*6* Precinct.

Witnesses \_\_\_\_\_

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

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

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

\$ *15.00* to answer *G.S.*

*Committed*

*Chas 218*

1112

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 Kay

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

John Mc Kay  
of the CRIME OF GRAND LARCENY in the first degree, committed as follows:  
The said John Mc Kay

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

one watch of the  
value of fifty dollars

of the goods, chattels and personal property of one Max Claman  
on the person of the said Max Claman  
then and there being found, from the person of the said Max Claman  
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.

Max Claman  
De Laurey Nicoll,  
District Attorney.

1113

**END OF  
BOX**