

0640

BOX:

2

FOLDER:

28

DESCRIPTION:

McCall, George

DATE:

12/18/79



28

0641

**BOX:**

**2**

**FOLDER:**

**28**

**DESCRIPTION:**

**Evans, Jane**

**DATE:**

**12/18/79**



28



0642

**BOX:**

**2**

**FOLDER:**

**28**

**DESCRIPTION:**

**Evans, Michael**

**DATE:**

**12/18/79**



**28**

0643

Discharged on their own  
recognizance, at the request  
of Elbridge T. Gerry - Counsel  
for Society for prevention  
of cruelty to Children.

130

Day of Trial,

Counsel,

Filed

day of

1879

Pleads

THE PEOPLE

vs.

- 1 George M. Call  
George Baker  
George Bladen  
2 Michael Evans  
Menn Evans  
3 Jane Evans.

Abduction of the Infants

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. W. Cooper  
Dussey  
Foreman.  
Discharged.

0644

CITY AND COUNTY }  
OF NEW YORK, } =:

**THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,**  
*in and for the body of the City and County of New York, upon  
their Oath, present:*

**That** George McCall otherwise called George Baker otherwise called George Blake, and Michael Evans otherwise called Minor Evans, and Jane Evans, all late of the Seventh Ward of the City of New York, in the County of New York aforesaid, each well knowing and intending the premises hereinafter set forth, wilfully, unlawfully and feloniously, on the eighth day of December in the year of our Lord one thousand eight hundred and seventy nine, at the Ward, City and County aforesaid with force and arms did maliciously, forcibly and fraudulently lead, take and carry away a certain female child called and known by the name of Susie Evans, and otherwise called and known by the name of Annie Maria McCall, then and there being under the age of twelve years to wit of the age of eight years, with intent to detain and conceal such child from a corporation theretofore created by, and then and there existing under, the Laws of the State of New York aforesaid by the name of the Sisters of the Order of St Dominick, which then and there had the lawful charge of such child; **AGAINST** the form of the Statute in such cases made and provided and against the Peace of the People of the State of New York and their Dignity.

**SECOND COUNT — AND** the Jurors aforesaid, upon their oath aforesaid, do further present: **THAT** afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, the said George McCall otherwise called George Baker otherwise called George Blake, and the said Michael Evans otherwise called Minor Evans, and the said Jane Evans, with force and arms, unlawfully, wilfully and feloniously did maliciously, forcibly, and fraudulently decoy and entice away the child aforesaid, to wit a certain female child called and known by the name of Susie Evans and otherwise called

and known by the name of Annie Maria McCall then and there being under the age of twelve years to wit of the age of eight years, with intent to detain and conceal such child from the corporation aforesaid to wit, a corporation theretofore created by and then and there existing under the Laws of the State of New York aforesaid by the name of the Sisters of the order of St Dominick which then and there had the lawful charge of such child; 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 Jurors aforesaid, upon their oath aforesaid, do further present: THAT afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, the said George McCall otherwise called George Baker otherwise called George Blake, and the said Michael Evans otherwise called Minor Evans, and the said Jane Evans, with force and arms unlawfully, wilfully and feloniously did, without lawful authority, forcibly seize and confine a certain other person to wit a certain female child called and known by the name of Susie Evans and otherwise called and known by the name of Annie Maria McCall then and there being with intent to cause such other person to wit the said child called and known as aforesaid to be sent out of this State, to wit the State of New York aforesaid, against her will; 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.

FOURTH COUNT — AND the Jurors aforesaid, upon their oath aforesaid do further present: THAT afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, the said George McCall otherwise called George Baker, otherwise called George Blake, and the said Michael Evans otherwise called Minor Evans,

0646

and the said Jane Evans, with force and arms, unlawfully, wilfully and feloniously did, without lawful authority, kidnap a certain other person to wit a certain female child called and known by the name of Susie Evans and otherwise called and known by the name of Annie Maria McCall then and there being with intent to cause such other person to wit the said female child called and known as aforesaid to be sent out of this State, to wit the State of New York aforesaid, against her Will; 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.

*Benjamin K. Phelps,*  
*District Attorney*

0647

Discharged on their own  
recognizance, at the request  
of Elbridge T. Gerry - counsel  
for Society for Prevention  
of cruelty to Children.

130

Day of Trial,

Counsel,

Filed

day of

187

Pleads

THE PEOPLE

vs.

- 1 George M. Call  
George Barker  
George Bladen
- 2 Michael Evans  
Mum Evans
- 3 Jane Evans

Abduction v. M. D. D. D.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. H. Cooper  
Jury  
Foreman.  
Discharged

0648

**BOX:**

**2**

**FOLDER:**

**28**

**DESCRIPTION:**

**Martini, Antonio**

**DATE:**

**12/09/79**



**28**

0649

80  
Filed *9* day of *Dec* 18*79*  
Pleads *Not Guilty (1st)*

THE PEOPLE

vs.

*36*  
*Part 4-*

*P*

*Antonio Martini*

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*M. N. Cooper*  
Foreman.

*Part 2nd Dec 10. 1879*  
*Pleads 2nd Count*  
*S. P. Five years. &*



0650

COURT—FIRST DISTRICT.

New York Dec 6, 1879

I certify, that last night at about 6 o'clock I dressed the wound of an Italian, name unknown to me, who was suffering from an incised wound on the left side of the neck about  $2\frac{1}{2}$ <sup>or 3</sup> inches long, one half or three-fourths of an inch deep; involving the subcutaneous tissue and sterns cl. mast. muscle and other muscular tissue, but no important blood vessels. The dressing included 6 or 7 sutures, adhesive plaster &c. &c.

Briefly,

R. B. Wilson M.D.

28 E. 4th St.

0651

Form

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

POLICE COURT—FIRST DISTRICT.

*Vincenzo De Leo*  
of No. *Park* Street, being duly sworn, deposes and says,  
that on the *5* day of *December* 187*9*  
at the City of New York, in the County of New York, he was violently and feloniously assaulted and  
beaten by *Antonio Martini*

now present.

*who cut and stabbed deponent in  
deponent's neck with a knife in-  
flicting a very severe wound*

Deponent believes that said injury, as above set forth, was inflicted by said *Antonio*

with the felonious intent to take the life of deponent, or to do h 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 dealt with accord-  
ing to law.

*Vincenzo De Leo*

Sworn to, before me, this

day of

*December* 187*9*

*Police Justice*

0652

Police Court—First District.

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

*Antonio Martini* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

*Antonio Martini*

Question. How old are you?

Answer.

*36 years.*

Question. Where were you born?

Answer.

*Italy -*

Question. Where do you live?

Answer.

*97 Park St. N. Y.*

Question. What is your occupation?

Answer.

*Laborer -*

Question. Have you anything to say, and if so, what—relative to the charge

here preferred against you?

Answer.

*I am not guilty - I did it in self-defence*  
*Antonio Martini*  
*Mark*

Taken before me, this

*6th* day of *March* 187*9*-

POLICE JUSTICE

*A. L. Morgan*

0653

Police Court - First District.

AFIDAVIT—Felony Assault & Battery

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Vincent De Leo*  
House of Detention

*Antonio Martini*

2  
3  
4  
5  
6

Dated, *December 6 1879*

*Morgan* Magistrate.

*Moataen 14* Officer.

Clerk.

Witnesses, *Officer Martini*

*14 Precinct*

*Salvatore Paterni*

*354 Broadway, Universal Hotel*

*Romeo Ghezzi*

*107 Sullivan St*

*John Randall*

at General Sessions, *Dec 6*

Received at Dist. Atty's Office, *6* 1879

COUNSEL FOR COMPLAINANT.

Name, \_\_\_\_\_

Address, \_\_\_\_\_

COUNSEL FOR DEFENDANT.

Name, \_\_\_\_\_

Address, \_\_\_\_\_

BAILED:

No. 1, by *6*

Residence, *1*

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

Residence, \_\_\_\_\_

No. 3, by *1*

Residence, \_\_\_\_\_

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

Residence, \_\_\_\_\_

No. 5, by \_\_\_\_\_

Residence, \_\_\_\_\_

No. 6, by \_\_\_\_\_

Residence, \_\_\_\_\_

0654

CITY AND COUNTY  
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the City and County of New York,  
upon their Oath, present :

That *Antonio Martini*

late of the City of New York, in the County of New York, aforesaid, on the  
*fifth* day of *December* in the year of our Lord  
one thousand eight hundred and *seventy nine*, with force and arms, at the City and  
County aforesaid, in and upon the body of *Vincenzo De Leo*  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *Vincenzo de Leo*  
with a certain *Knife*  
which the said *Antonio Martini*

in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *Vincenzo de Leo*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *Antonio Martini Vincenzo de Leo*  
with force and arms, in and upon the body of the said  
then and there being, wilfully and feloniously did make an  
assault and *him* the said *Vincenzo de Leo*  
with a certain *Knife* which the said

*Antonio Martini* in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *him* the said *Vincenzo de Leo*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said

*Antonio Martini*  
with force and arms, in and upon the body of *Vincenzo de Leo*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *Vincenzo de Leo*  
with a certain *Knife*  
which the said *Antonio Martini*

in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *Vincenzo de Leo* with intent *him* the

0655

said *Vincenzo de Leo* 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said *Antonio Martini*

with force and arms, in and upon the body of the said *Vincenzo de Leo* then and there being, wilfully and feloniously, did make another assault and the said *Vincenzo de Leo* with a certain *Knife* which the said

*Antonio Martini* in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *him* the said *Vincenzo de Leo* 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.

BENJ. K. PHELPS, District Attorney.

Part pro Dec 10. 1899  
Placed 2nd count  
S.P. nine years.

A TRUE BILL.  
*M. W. Cooper*  
Foreman.

BENJ. K. PHELPS,  
District Attorney.

*Antonio Martini*  
36 W.  
P  
THE PEOPLE  
vs.  
Felonious Assault and Battery.

80  
Filed day of Dec 1899  
Placed *pro* *indictment*

0656

**BOX:**

**2**

**FOLDER:**

**28**

**DESCRIPTION:**

**Mack, Thomas**

**DATE:**

**12/09/79**



**28**

0657

I Rev. St. 6<sup>th</sup> 727.500.  
Haskins v. The People  
167 N.Y. 349.

Witnesses

Alexander Runge, 28<sup>th</sup> Feb  
identifies Maack as the man he  
saw on the boat.

John Gottleman  
N. Y. Co. 64<sup>th</sup> St. + Place  
was with Runge in the boat.

Wm Darling, City Island.  
owner of property. As to larceny  
very of property. sale of boat  
permitted to

Mary Maack, 420 Cherry St  
sold the sail boat to Maack in  
her right name Mrs. Aring.  
has identified it - now at City Island  
was taken up by her by Mr. Maack

Alex H. Woodhull,  
(Crown) City Island.

saw Maack ashore day before  
the burglary on City Island

(Henry Roberts, U.S. Sig. Off.  
(Capt. Davison) City Island.)

Talks with Maack the day  
before on City Is.

Edward Ransom,  
2424 2<sup>nd</sup> Ave. Harlem

saw Maack ashore on City Is. day before

Officer McNaught, N.Y. Co.  
identifies boat. took Maack to see  
it at City Island

Counsel,

Filed

day of

187

Pleads

Kutzing

Not Guilty Jan 9

THE PEOPLE

vs.

Thomas Maack  
alias

Thomas McCreney.

(Convicted of Burglary, 5<sup>th</sup> May 22 1877. Sentenced 2 1/2 yrs.  
State Prison. under name of  
Thomas Welch)

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. W. Cooper

Foreman.

Part Ind: Jan 9. 1880.

Indict 3 Enrolled Burg 3

S.P. 5 years

Larceny, and Receiving Stolen Goods.



0658

-----  
The People, &c.,

-v-

Thomas Mack, alias

Thomas Mc. Aviney.  
-----

A l e x a n d e r   R u n g e            28th Precinct.

On the 17th of October last, between the hours of 10 & 12 a. m., as I was on post at 71st St. and Ave. A, officer John Brene of the mounted squad, who was then in company with William Darling, and another person whose name I do not know, called me across the Street, when William Darling told me that there were three men coming down the river in a boat, who had robbed his store in City Island, Westchester County. He said they were then in the river about opposite where we were. I went to 54th Street and East River, where I got one Saunders to lend me a boat, and I procured the assistance of John Gottleman to row officer Brene and myself up the river to head off these burglars. When we reached the foot of 59th Street officer Brene (against my advice) went ashore. At this time I saw a yacht about opposite 59th Street in the middle of the river, towed by a row-boat containing two men, one of whom I afterwards ascertained was the prisoner. There was only one man on the yacht, whose name I do not know. We pulled out in that direction, and, when within about 100 yards of them, the companion of Mack said to me "What's the matter?" I said, "Nothing much, only I want to see what you

0659

you have in that boat." He said, "You can see." I said, "That is all I want to see." We kept pulling nearer to them, and the man on the yacht ran into the cabin and came out again with a revolver in his hand, and ran to the bow of the boat. The men in the row-boat backed water, and he got in. As soon as he got in he said to me, "You son of a bitch, you can have her (meaning the yacht) but you cannot have us, and as soon as you put your hand on this boat I will blow your brains out." I said, "Pull out Johnny," and he said, "No, I aint going to make a target of myself. Then Mack said, "If that aint enough, here is another right here." (pointing a revolver at me.) They shot down the river with the tide. They had a nice light row-boat, while mine was a heavy skiff. I saw it was impossible to catch them, so we took the yacht in tow to shore, where I met Darling and accompanied him to the station house. He identified the goods as being his-- some canvas, which I saw on the boat. I also saw there a set of harness, belonging to the Chief of Police of Tarrytown, A. Cannon or Lannon, and a jimmy and another revolver.

William Darling said that a negro residing at City Island told him that he had seen these three men around there for two or three days, and that he had seen them going down the river in a yacht that morning at day-light.

The People

Monrovia

Statement by

Off. Darling

Archie & The People

16 N.Y. 349

3 Res. S. 727 500

0660

wored Oct 18.

**BURGLARS UP THE SOUND.****BUSINESS AND PLEASURE COMBINED IN A YACHT CRUISE—ALMOST TWO NAVAL BATTLES.**

The straggling village on City Island, near the beginning of Long Island Sound, had a sensation all to itself yesterday. One of the best-known residents in the village is Mr. Darling, the sail-maker, whose shop is on the shore and whose house is close by. When his men stopped work Thursday night the shutters were put up and the doors of the shop fastened. No unusual sounds were heard during the night. Mr. Darling got up shortly after day-break and going down to his factory to see that everything was ready for his workmen he was surprised to find the doors of the place wide open. When he entered he found everything was upside down. There was not a single nook or corner of the building that had not been searched, and the thieves, disappointed at not finding a gold mine somewhere, had broken some tools, spoiled some machinery and done as much damage as they could. After making an examination of the interior and forming an estimate of his loss, Mr. Darling looked at the doors. He discovered indentations made probably by "jimmies," and came to the conclusion at once that the burglars were not inhabitants of City Island. He closed the doors and started to go around the island to look for the thieves. The first person he met was a negro fisherman who lives in the village, and to him Mr. Darling related what he had discovered.

"I'll be willing," said the fisherman, "to bet the last cent I have in the world that them three strangers did it."

"What strangers?" asked Darling.

"The three men who sailed out of the cove down there just before daybreak in a sloop yacht, and I guess they haven't got far away yet."

This was news to Mr. Darling, and he promptly climbed a neighboring hill from which there was a view of the Sound. Not far out the negro caught sight of the sloop yacht. It was sailing slowly down the Sound in the direction of this city. Mr. Darling then went down the hill accompanied by the fisherman, who had told him that the sloop had been seen first on Wednesday morning. It had a crew of three young men, who spent the greater part of the day sailing up and down the Sound and the remainder prowling about the village. They apparently slept but little. They pretended to be on a fishing cruise, and to be gentlemen's sons from New York. The New York police say they may be members of the "Gentlemen's Sons' Club." Their appearance and general conduct were such that the villagers treated them with respect and locked their doors with extra care at night. When in the morning chickens and eggs were missed the gentlemen's sons were suspected. On Thursday morning the three attacked a milkmaid and robbed her of a pail of milk. These little things did not attract much attention, however, and the three strangers were not interfered with. What money they had they spent in the village for liquor.

By the time Darling had learned all this everybody in the village knew of the burglary. An amateur detective squad was organized and a party started in a row-boat after the fast disappearing sloop. They caught up with the craft a few miles this side of the island and summoned the crew to surrender. The crew had no idea of doing anything of the sort, however, and drew their revolvers and threatened to sink their pursuers' boat if they approached nearer. The amateur detectives were unarmed and returned home. In the mean time word had been sent to Police Headquarters in this city and to Captain Schuit of the Police Boat Service. For some reason no action was taken by the New York police.

Wood son in law

About noon Officer Range, of the Fifty-ninth street police, was on duty at the foot of East Seventy-first street. Mr. Darling, who had come to the city to stir up the police to do something, met him and told him the story of the burglary, and that the burglars were then coming down the river. Soon afterwards the sloop was caught sight of. Officer Range called Officer Breen, of the Mounted Squad, to his aid, and the two went to the foot of East Fifty-fourth street, where they hired a boat from Samdars, the boatman. Breen was left from ashore to watch the burglars should they run their craft ashore and Range, accompanied by a man to row the boat, started up the river to intercept the yacht. The craft, then becalmed in mid-stream off Fifty-ninth street, was being towed by a row-boat in which were two of the burglars, the third being in the yacht. When Range was about one hundred yards from them he called upon them to surrender. The three burglars drew their hats over their eyes and refused point blank to do so.

"I'll fire at you," the officer shouted.

"Fire and be—," replied the man at the wheel, pointing his revolver at the officer's boat, while his companions grasped their revolvers.

"I command you to surrender," the officer cried out again as he approached them.

"If you come a foot nearer," the man at the wheel shouted back, "I'll put a bullet through your head."

"Why don't you fire?" the officer asked.

"I want you to fire first," the burglar answered.

Officer Range was in the bow of his boat with his revolver in his hand, but considering that he could not single-handedly arrest the three men, he did not fire. He called for assistance from the shore and two small boats put out, and the burglars thinking that they contained more policemen cast the yacht adrift. The man at the wheel jumped into the small boat and the three men rowed away towards the Long Island shore. The officer pursued them a short distance, but could not catch up with them and abandoned the chase. Officer Range towed the abandoned yacht to the city. It contained the proceeds of the Darling burglary and probably the proceeds of other depredations up the Sound. The cargo consisted of a large quantity of canvas and rigging, a set of angie harness, a dark lantern, a "jummy," a large Colt's revolver, loaded, all valued by the police at \$600. The cargo was taken to the Fifty-ninth street Station-House and the yacht was towed down to the foot of Sixteenth street and put in charge of Captain Schultz of the Seneca. Captain Schultz saw the yacht at the foot of Jackson street last week. It is supposed that it was hired by the burglars. Officer Range made a report of his adventure to Superintendent Walling and gave a description of two of the men. One was about 5 feet 4 inches tall, with a full round face, and the other was 5 feet 9 inches, with a long slim face. The Seneca made a trip up the river late yesterday to look for the burglars, but they were not seen.

0662

Meece has been to Cold Spring  
& there saw the boat, now  
owned by Capt Henry Stance  
bought by him of old Darling  
to him delivered by Capt James  
28<sup>th</sup>. the one of which the  
thieves were in possession  
when the Officer drove them  
off.

Meece identifies it as a  
boat he sold to Mr Henry  
McNaught. McGro. can  
identify the boat as the  
one delivered to Darling.  
He went with Meece to  
Cold Spring; Mr. McNaught told  
Runge showed to Mr. McNaught that it

0663

Thomas M<sup>c</sup>Enery

Officer Post 5<sup>th</sup> Reg

M<sup>c</sup>En was sent with  
to M<sup>c</sup>Carthy. Mostly in  
May. just below Canal  
two years to now.

Newman  
1876 or 1877

Hagan officer  
1<sup>st</sup> Reg now  
then 5<sup>th</sup> Reg

0664



December 9 - 1879

Capt Austin.  
Comdg 5th Precinct.  
Dear Sir.

Will you be so kind as to send officer  
John Budd, 5th Precinct, to this office  
with his memoranda of the arrest of  
McEweny & McCarthy arrested by  
him at 64, Wall St for a display  
of Peac Buttons. & Co.

Yours very old Sat.  
Mark T. Clark  
District Atty.

Thomas Webb  
George Carroll  
Ind. Jan 8-77

0665

DEPARTMENT OF  
Public Charities and Correction.

OFFICE OF CITY PRISON.

(Corner of Franklin and Centre Streets.)

New York.

Jan 8<sup>th</sup> 1880

Charles F. Clark Esq  
Chief Clerk Dist Attorney's Office

Sir

In the trial of  
Thomas Mack there is two  
Quinners named Nugent &  
LaFont<sup>who</sup> are going to testify  
that the Officer failed to  
Identify Mack when he was  
brought out for Identification  
You will please notify the  
Dist Dist Attorney who have  
charge of this case that I have  
two Keepers here that will  
explain that the Officer fully  
Identified Mack when he was  
here the Keeper names are Young  
& Downey Respectfully James ~~Young~~



0666

Thomas Mack

Car in Auto County

Chick C. P. 2 8727

Ownership - name unknown

to 8719

0667

City Prison  
(Dec 26<sup>th</sup> 1879)

Mr. Darling

My Dear Sir -

Pardon me for taking the liberty  
of penning you this note - I  
do so hoping that you may  
grant a poor and unfortunate  
prisoner the request I have  
to make - as I do so in the  
interest of justice - I am the  
person as it is alleged  
that broke into your place  
of business - but as God knows  
I am innocent of the charge  
and never participated in  
the crime and so I will  
prove on my trial where the  
cause is brought up for  
proper adjudication - My  
object in writing you is to

0668

ask you to forward me a specimen of a letter that was forwarded to you as I understood threatening to destroy your property and purporting to have emanated from me - I have never written any such letter or have I caused any such letter to be written - and am fully and wholly convinced that said letter was written by some one a personal enemy of mine to injure my case - therefore if I can see the writing which I hope to be able to identify I will inform you or the proper authorities who such person is if I am able to discover who the party is from the

writing - I would have written you long ago but I did not know of this until my attention was called to it from a piece published in one of the daily papers making reference to this threatening letter yesterday and as to the boat I sold the same to another party on or about the 1st or 2nd of October I have sent for this party and I believe he can tell you all about the party to whom he hired the boat for as I understand they told him the boat had been run into and sunk. If you wish I can write to you who this person is and if you desire you can see him yourself or he will be in Court when my trial takes

0669

place - and let me say here  
while I am writing in as  
much as you told the Officer  
that you were not certain  
that I was the man - but  
look a little like him - to  
think of sending an innocent  
man away from his home  
and family for I have  
a wife and a little babe  
only three months of age  
who must look to me for  
support - and God knows  
what will become of them  
if I should be sent away  
wrongfully - put yourself in  
my place and I know you  
will act honestly toward me  
In very sadness and grief I  
bear no malice against you  
and if you wish to write me  
must be below - Truly &c  
New York City { Thomas McAvoy  
31 Seannell St

0670

Mem relating to  
the Case of  
Thomas Mack  
alias M. McInerney  
alias M. Aveny  
alias Geo Carroll  
Convicted on this name  
Jan. 19, 1877. 24-6  
Indictment 87

Convicted on the other  
case Jan 9, 1880  
Sentenced to 5 y. L.  
by Court 1.

Mr (P)  
City of New York  
New York  
Black Hides

**HENRY MEESE,**  
DEALER IN  
**FISHING TACKLE AND BAIT,**  
No. 428 CHERRY STREET,  
Near Jackson Street, NEW YORK.

**SAND WORMS CONSTANTLY ON HAND.**  
And all other kinds of Bait in Season.

**HOOKS OF EVERY DESCRIPTION** on hand  
and Shelled to Order in an Improved Manner,  
and warranted not to slip off.  
Best Quality GUT at 50 per ct. cheaper than down-town prices.

0671

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

the Jurors of the People of the  
State of New York in and for the  
body of the City and County of  
New York, on their oath do  
present:

That Thomas, a black  
otherwise called Thomas, of Eneney  
late of the Seventh Ward, in the  
City of New York, on the Island  
called City Island, in the County of  
Westchester in the State of New York  
on the Seventeenth day of October, in  
the year of our Lord, one thousand  
Eight hundred and Seventy nine, with  
face and arms at the said City Island  
in the said County of Westchester aforesaid,  
the Manufactory and warehouse  
of William Darling, then and there  
situate, feloniously and Burglariously  
did break into and enter, the same being  
a building in which divers goods, Mer-  
chandise and valuable things were then  
and there kept for use sale and deposit

To wit: The goods, chattels and personal property of the said William Darling then and there being then and there feloniously and burglariously to steal, take and carry away and

two thousand yards of Canvas of the value of twenty five cents each yard, of the goods, chattels and personal property of the said William Darling, so kept as aforesaid in the said manufactory and storehouse then and there being, then and there feloniously did steal take and carry away, and then and there said two thousand yards of Canvas so burglariously stolen as aforesaid did bring within and into the <sup>City and</sup> County of New York, 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.

0673

~~GRANT AND GORHAM,~~  
OF NEW YORK.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
to and for the body of the City and County of New York,  
upon their Oath, present:

That

the Jurors aforesaid on their  
oath aforesaid do further present  
that the said Thomas Mack otherwise  
called Thomas McEnaney —

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the  
seventeenth day of October in the year of our Lord  
one thousand eight hundred and seventy-nine at the Ward, City and County aforesaid,  
with force and arms.

Two thousand yards of Canvas of the  
value of twenty five Cents Each  
yard.

One piece of Canvas of the value  
of five hundred dollars.

One hundred pieces of Canvas  
of the value of ten dollars Each  
piece.

of the goods, chattels, and personal property of one

William Darling

then and  
there being found, 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.



0674

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

Thomas Mack otherwise called Thomas McEnery. \_\_\_\_\_

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 Thousand yards of Canvas of the value of twenty five Cents each yard. —  
Ten pieces of Canvas of the value of ten dollars each piece. \_\_\_\_\_

of the goods, chattels, and personal property of the said

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

William Darling  
unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said Thomas Mack, otherwise called Thomas McEnery 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.

BENJAMIN K. PHELPS, District Attorney.

0675

3 Rev. St. 6<sup>th</sup> Ed. 727.850.  
Haskin v. The People  
16 N.Y. 349.

Witnesses

Alexander Runge, 28<sup>th</sup> Dec<sup>r</sup>  
identifies Mack as the man he  
saw on the boat.

John Gottleman  
N. W. Cor 64<sup>th</sup> St + 1<sup>st</sup> Ave  
was with Runge in the boat.

Wm Darling, City Island.  
owner of property. As to larceny  
recor of property. sale of boat &  
apprehended.

Henry Meese, 428 Cherry St  
sold the sail boat to Mack un-  
der his right name M. C. Conner.  
has identified it - now at City Island  
was taken up by suit by M. C. Conner.

Alfred K. Woodhall,  
(Grocer) City Island.

saw Mack ashore day before  
the burglary on City Island

Henry Roberts, A.S. Sig. Clk.  
(Mr. Baxter) City Island.

Talked with Mack the day  
before on City Is<sup>d</sup>.

Edward Ransom,  
2424 2<sup>nd</sup> Ave. Harlem.

saw Mack ashore on City Is. day before

Officer McNaught. Had  
identified boat - took Meese to sea  
it at old Spring Street  
Colored man

Counsel,

Filed

day of

187

Pleads

Not Guilty Jan 9

THE PEOPLE

vs.

Thomas Mack  
alias

Thomas M. C. Conner.

(Convicted of Burglary 3<sup>rd</sup> Dec<sup>r</sup>  
Jan 22 1877. Sentenced 2 y. 6 m.  
State Prison. under name of  
Thomas Welch)

BENJ. K. PHELPS,

District Attorney.

Sub of witnesses on back  
of other indictment

A True Bill.

M. W. Cooper

Foreman.

Part Ind: Jan 9. 1880.

Fried & convicted Burg 3

S.P. 5 years

Larceny, and Receiving Stolen Goods.

06 76

**BOX:**

**2**

**FOLDER:**

**28**

**DESCRIPTION:**

**Marsh, George**

**DATE:**

**12/23/79**



**28**

0677

180  
Counsel,

Filed 23 day of

1879

Pleads,

THE PEOPLE

vs.

George E. Maub

29  
J. J. Timmer  
x

Burglary - Third Degree,  
and Larceny.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. W. Cooper

Foreman.

Sam. C. H. H. H.

Plead G. L.

S. One year.

0678

Police Court, Second District.

City and County } ss.  
of New York, }

(781) Alexander R. Fordyce  
deposes and says, that the premises No. 425 Garden street Hoboken, being duly sworn,  
Street, 9 Ward, in the City and County aforesaid, the said being a Stable  
and which was occupied by deponent as a Stable

were **BURGLARIOUSLY**  
entered by means of forcibly removing the padlock  
and staple attached to the door on  
said stable

on the night of the 18 day of December 187 9  
and the following property feloniously taken, stolen, and carried away, viz.:

One Brown Mare of the value of  
One Hundred and Thirty dollars -  
and One Horse Blanket and Bridle  
together of the value of Five dollars in  
all of the value of One Hundred  
and Thirty Five dollars

the property of deponent and John Brown Carpenter  
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 George E. Marsh (now here)

for the reasons following, to wit: that on the night of  
the 18<sup>th</sup> day of December 1879 at the hour  
of 6 o'clock - the said stable door was  
properly locked and fastened. on the  
morning of the 19<sup>th</sup> instant the said

0679

stable door was <sup>found</sup> open, the said stable  
and padlock forced from said door  
and the said property stolen  
The said defendant admitted  
and confessed to deponent that  
he had committed said Burglary  
and stolen the said property

Alfred Lodge  
Sworn to before me this  
20<sup>th</sup> day of December 1879  
B. H. Wick Police Justice

0680

Police Court—Second District.

CITY AND COUNTY }  
OF NEW YORK }

*George E. Marsh*

being duly examined before the undersigned, according to law, on the annexed charge ; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz. :

Question.—What is your name ?

Answer.—

*George E. Marsh*

Question.—How old are you ?

Answer.—

*29 years of age*

Question.—Where were you born ?

Answer.—

*New York*

Question.—Where do you live ?

Answer.—

*Aine*

Question.—What is your occupation ?

Answer.—

*Laborer*

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

Answer.—

*I am guilty of the charge*

*Geo E. Marsh*

Taken before me, this

*20<sup>th</sup>*

day of *December* 1879

Police Justice.

*George E. Marsh*

0681

18  
**POLICE COURT—Second District.**

**THE PEOPLE, &c.,**

ON THE COMPLAINT OF

*Alexander R. Fordy*  
*And to*  
*Officer*  
*George A. Marsh*



OFFENSE—Burglary and Larceny.

Dated *December 20* 187*9*  
*Biffy* Magistrate.  
*O'Neil* Officer.  
*?* Clerk.

Witnesses,

(1000)  
Committed in default of *1000* bail.

Bailed by *W. H. Carr*

No.

Street.



0682

CITY AND COUNTY } ss.  
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That

*George E Marsh -*

late of the *Mush* Ward of the City of New York, in the County  
of New York, aforesaid, on the *Eighth* day of *December*  
in the year of our Lord one thousand eight hundred and seventy-*nine* with force  
and arms, at the Ward, City and County aforesaid, the *Stable* of  
*Alexander R Fordyce* there situate, feloniously and  
burglariously, did break into and enter, the same being a building in which divers  
goods, merchandise, and valuable things were then and there kept for use, sale and  
deposit, to wit: the goods, chattels, and personal property hereinafter described, with  
intent the said goods, chattels, and personal property of the said *Alexander*  
*R Fordyce* then and there therein being, then and there  
feloniously and burglariously to steal, take and carry away, and

*one living animal [of the kind commonly  
called a mare] of the value of one hun-  
dred and thirty dollars.*

*one Blanket of the value of one dollar*

*one Bridle of the value of one dollar*

of the goods, chattels, and personal property, of the said

*Alexander R Fordyce*

so kept as aforesaid in the said

*Stable*

then and there being, 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.

BENJ. K. PHELPS, District Attorney.

0683

BOX:

2

FOLDER:

28

DESCRIPTION:

McNally, Charles

DATE:

12/09/79



28

0684

St. Vincent's Hospital,

November 26, 1879.

This certifies that Michael  
Gerraghty will probably be  
able to appear in court --  
in one week --

John C. Schaffer  
Acting House Dr.

0685

St. Vincent's Hospital.  
Nov. 18. 1879.

This is to certify that  
Michael Greely - will  
not be able to appear  
in Court before a  
week from date.

He is doing well and  
out of danger but it  
would be unsafe to  
let him go out yet.

J. A. Burke, M. D.  
House Surgeon.

0686

St. Vincent & Hospital  
Nov. 12. 1879.

This is to certify that  
Munkare Gehiuf - will  
be unable to appear in  
Court before a week  
from date, He is out  
of danger and doing  
well.

Yours &c  
J. A. Burke M.D.  
Home Surgeon

0687

St. Vincent's Hospital.  
Oct. 27. 1879.

This is to certify that  
Michael Wright will  
not be able to appear  
in Court before a  
week. He is not yet  
out of danger.  
J. A. Bullock, M.D.  
House Surgeon.

0688

St. Vincent's Hospital  
Oct. 23. 1879

This is to certify that  
Michael Gertler  
who was brought here  
last evening suffering  
from two injured  
wounds of the thigh  
will not be able  
to appear in Court  
before Monday morn-  
ing. The wounds are  
in a dangerous place.

J. A. Burke, M.D.  
House Surgeon.

0689

FORM 10.

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

John Kierman  
of No. the 9th Precinct street, being duly sworn, deposes and says,  
that on the 23 day of October 1879 at the City of  
New York, in the County of New York,

deponent arrested  
Charles Mc Nally (now here) who  
was charged with having feloniously  
assaulted and cut Michael Gerrety  
with a knife - said Gerrety in the  
presence of deponent identified said  
Mc Nally as the person who com-  
mitted said assault in conse-  
quence of said injuries said Gerrety  
is now in St. Vincent Hospital and  
unable to make complaint

John Kierman.

Sworn before me, this

of

23

day

1879

Police Justice.



0690

Book 10

Police Court—Second District

THE PEOPLE, &c.

ON THE COMPLAINT OF

John Kiernan

vs.

Charles McNally

Dated, October 23 1879

73 D. 73 by Justice.

Kiernan 9 Officer.

Witness,

E

AFFIDAVIT

Subscribed & sworn to before me this 23rd day of October 1879

0691

## AFFIDAVIT—FELONIOUS ASSAULT, &amp;c.

Second District Police Court.

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

*Michael Gerrity* of No. *85*  
*King* Street, being duly sworn, deposes and says  
 that on the *22* day of *October* in the year  
 187*9*, at the City of New York, he was violently and feloniously assaulted and beaten by

*Charles Mc Nally (now here)*  
*who feloniously cut and stabbed*  
*deponent in the groin with*  
*a knife at the time held in*  
*the hand of the said defend*  
*ant—that said assault was*

with the felonious intent to take the life of deponent, or to do him 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 dealt  
 with according to law.

Sworn to before me this *2* day }  
 of *December* 187*9* }

*John W. McNamee* Police Justice.

*Michael Gerrity*

0692

82  
POLICE COURT—Second District.

THE PEOPLE. &c..

ON THE COMPLAINT OF

*Michael Gerrity*  
85 King St.  
vs.

*Charles McNaally*

Dated *December 2* 1879

*Flannery* Magistrate.

*Kiernan* Officer.

*Jacob Burns*  
*James Sullivan* Clerk.

Witnesses. *J. A. Burke M.D.*  
*St Vincent Hospital*  
*Charles, Attorney*

*Com. without bail*

*to answer*

Committed in default of \$ *100* bail.

Bailed by

No.

Street.

OFFENCE Felonious Assault and Battery

0693

Police Court—Second District.

CITY AND COUNTY }  
OF NEW YORK. }

*Charles McNally* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz.:

Question.—What is your name?

Answer.—

*Charles McNally*

Question.—How old are you?

Answer.—

*Twenty two years*

Question.—Where were you born?

Answer.—

*New York*

Question.—Where do you live?

Answer.—

*36 South 5 Avenue*

Question.—What is your occupation?

Answer.—

*Frame Polisher*

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

Answer.—

*I am guilty of the charge — I did it in self defence*

*Charles McNally*

Taken before me, this

2

day of December, 1917

*William J. Brennan*

Police Justice

0694

CITY AND COUNTY }  
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present :

That

*Charles McNally*  
late of the City of New York, in the County of New York, aforesaid, on the  
*twenty second* day of *October* in the year of our Lord  
one thousand eight hundred and *seventy nine* with force and arms, at the City and  
County aforesaid, in and upon the body of *Michael Bereshty*  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *Michael Bereshty*  
with a certain *Knife*  
which the said *Charles McNally*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *Michael Bereshty*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *Charles McNally*  
with force and arms, in and upon the body of the said *Michael Bereshty*  
then and there being, wilfully and feloniously did make an  
assault and *him* the said *Michael Bereshty*  
with a certain *Knife* which the said *Charles McNally*

in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *him* the said *Michael Bereshty*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said *Charles McNally*

with force and arms, in and upon the body of *Michael Bereshty*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *Michael Bereshty*  
with a certain *Knife*

which the said *Charles McNally*  
in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *Michael Bereshty* with intent *him* the

0695

said *Michael Everetty* 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

*Charles Mc Nally* with force and arms, in and upon the body of the said *Michael Everetty* then and there being, wilfully and feloniously, did make another assault and *him* the said *Michael Everetty* with a certain *Knife* which the said *Charles Mc Nally* in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *him* the said *Michael Everetty* 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.

BENJ. K. PHELPS, District Attorney.

*Part no dec 6. 1870.  
Trick's acquisition 1911*

*W. W. Cooper*

A True Bill.

District Attorney.

BENJ. K. PHELPS

*Charles Mc Nally*

vs.

THE PEOPLE

*P*

Felony Assault and Battery.

*Find 4 day of Dec 1870  
Prison for 100 days (111)*

*J. P. Phillips*

0696

**BOX:**

2

**FOLDER:**

28

**DESCRIPTION:**

McKeon, John

**DATE:**

12/09/79



28

0697

72

Filed *9* day of *Dec*  
Pleads

187 *9*

*22* *1st*  
*43* THE PEOPLE,  
vs.

*John McKean*

*Burgess*  
*Dec 10*  
*1879*

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*M. W. Cooper*  
Foreman.

*Part two Dec 10. 1879*  
*Pleads Burg 3.*  
*S. P. Two years.*



0698

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

Police Court—Fourth District.

*Jane Connell*  
of No. *519 Second Ave*, being duly sworn, deposes and says,  
that on the *22* day of *December* 187*9*  
at the City of New York, in the County of New York. *deponeth*

*caught and detained*  
*John Matheson in the*  
*manner as set forth in*  
*the foregoing affidavit.*

*J Connell*

Subscribed and sworn to before me, this  
22 day of December 1879.  
J. J. Sullivan, Justice.

0699

Police Office, Fourth District.

City and County } ss.  
of New York, }

Thomas, F. Carman  
of No. 519 Second Avenue, being duly sworn,  
deposes and says, that the premises No. 519 Second Ave  
Street, 21. Ward, in the City and County aforesaid, the said being a Tenement  
apartment in which was occupied by deponent as a dwelling and  
place of abode, were **BURGLARIOUSLY**  
entered by means breaking a pane of  
glass in a window and by  
passing his hands through the  
opening and fastening the door  
on the 1st day of Decr 1879  
and the following property feloniously taken, stolen and carried away, viz.:

One Black cloth frock  
Coat of the value of  
twenty five dollars  
& other property

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 McKeon

(now here) That deponent  
for the reasons following, to wit: That deponent  
is informed by Jane Connel  
that she caught and  
detected the said McKeon  
on said day (attempting  
to escape) in the hallway  
of said premises with said  
property in his possession  
Thomas, F. Carman

Subscribed to before me  
this 8 day of Decr 1879  
Police Office

0700

Police Court, Fourth District.

CITY AND COUNTY  
OF NEW YORK,

ss.

*John McKeon*

being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was  
at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer.

*John McKeon*

Question. How old are you?

Answer.

*22 years*

Question. Where were you born?

Answer.

*New York*

Question. Where do you live?

Answer.

*481 First Ave.*

Question. What is your occupation?

Answer.

*Bottle dealer*

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

Answer.

*I am not guilty -*

*John McKeon*

*John McKeon*  
Taken before me this  
day of *March*  
1879  
Police Court

0701

BAILED:

No. 1, by .....

Residence, .....

No. 2, by .....

Residence, .....

No. 3, by .....

Residence, .....

No. 4, by .....

Residence, .....

No. 5, by .....

Residence, .....

No. 6, by .....

Residence, .....

72

Police Court—Fourth District.

THE PEOPLE &c.

ON THE COMPLAINT OF

Thomas H. Coomer  
519 2nd Ave

Solomon Green



Office, Bullseye

Dated December 3 1879

Smith, Magistrate.

Harris, Officer.

18. Pro Clerk.

Witnesses,

Jane Cunnell

519-21 Avenue

Lewis Greenwood

William Coomer

519-21 Avenue

\$1000 Dam & 51

Received in District Atty's Office

Coomer

0702

CITY AND COUNTY )  
OF NEW YORK, {

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present :

That *John McKeon*

late of the *twenty first* Ward of the City of New York, in the County of  
New York, aforesaid,

on the *Second* day of *December* in the year  
of our Lord one thousand eight hundred and seventy-*nine*  
with force and arms, about the hour of *three* o'clock in the *day* time  
of the same day, at the Ward, City and County aforesaid, the dwelling house of

*Thomas F Barman*

there situate, feloniously and burglariously did break into and enter by means of  
*forcibly breaking open an outer window of said dwelling*  
*house*

whilst there was then and there some human being to wit, one *Jane Bon-*

*well* within the said dwelling house he, the said

*John McKeon*

then and there intending to commit some crime therein, to wit: the goods, chattels, and  
personal property of *Thomas F Barman*

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.

And the jurors aforesaid, upon their oath aforesaid, do further present: That  
afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County  
aforesaid, about the hour of *three* o'clock in the *day* time of said day,  
the said *John McKeon*

late of the Ward, City, and County aforesaid,

*one coat of the value of twenty five dollars,*

of the goods, chattels, and personal property of *Thomas F Barman*

*Thomas F Barman* in the said dwelling house of one  
*Thomas F Barman*, then and there being found  
in 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.

been feloniously stolen), against the form of the Statute in such case made and pro-  
vided, and against the peace of the People of the State of New York, and their dignity.

BENJAMIN K. PHELPS, District Attorney.

0703

And the Jurors aforesaid, upon their oath aforesaid, do further present

That the said

*John McKeon*

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 coat of the value of twenty five dollars*

of the goods, chattels, and personal property of the said *Thomas F. Barman*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said *Thomas F. Barman*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said *John McKeon* 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.

BENJAMIN K. PHELPS, District Attorney.

0704

**BOX:**

**2**

**FOLDER:**

**28**

**DESCRIPTION:**

**May, Robert**

**DATE:**

**12/22/79**



**28**

0705

BOX:

2

FOLDER:

28

DESCRIPTION:

Ellis, James

DATE:

12/22/79



28



0706

24  
156  
Counsel,

Filed 22<sup>nd</sup> day of Dec<sup>r</sup> 1879

Pleads *Not Guilty* Jan<sup>y</sup> 5/80

*not made*  
THE PEOPLE

vs.

Robert May<sup>P</sup>

James Ellis<sup>I</sup>

*alias*  
James Townley

*James Townley*  
JAMES K. PHELPS,

*not*  
District Attorney.

*not*  
2 S.P. Five years.

A True Bill.

M. W. Cooper  
Dec 25. 1879 Foreman.

*W. H. L.*  
S. P. 5 years.

Larceny, and Receiving Stolen Goods.

228/78

The People  
vs  
James Ellis  
alias  
James Townley  
goods.

Court of General Sessions. Before Judge Gilderhusen  
January 22, 1880. Jointly indicted with Robert  
May for grand larceny and receiving stolen  
Catherine M. Jones, sworn and examined, testifies  
I reside at 707 Fifth Avenue, I do not know this  
prisoner; in the year 1879 I had a butler in my  
employ known to me as James Townley; he came  
to me with a recommendation from Mr. Richard  
Butler, I did not know the gentleman; he came  
to me showing a very excellent recommenda-  
tion, in fact, the word "faultless" was used in  
every respect; that recommendation recommended  
one James Townley and I took him into my em-  
ploy thinking his name was James Townley and  
that he was the person referred to in that certificate.  
I am certain this was the 29<sup>th</sup> of October; he  
remained in my employment a little over a  
month; he disappeared on the 5<sup>th</sup> of December,  
and then I missed fifteen pieces of silver, forks  
and spoons; they were worth from forty five to  
fifty dollars; "Townley" had just been paid by me  
for one month's wages; he disappeared without  
my knowledge that he intended to go; the silver  
was afterwards brought to me by one of the of-  
ficers and I identified it as my silver.  
Cross Examined. I do not remember the purpose  
of the recommendation of Mr. Richard Butler,  
except that it was a very excellent one. The Court

said that the following was given to the prisoner by Mr. Butler: "New York, Sept., 12, 1879. To whom it may concern: The bearer James Townley, has been in my employ since his arrival in this country from England and now leaves me to take service as a valet to a gentleman about returning to Europe. In my experience I have never had so perfect a servant, and can thoroughly recommend him as an honest, trustworthy, faithful, competent and industrious man, particularly neat in his person and the care of plate, and well up in the duties that pertain to his profession. Richard Butler." Witness: I do not think that that was the recommendation because I remember the word "faultless"; the wording was different from that. Timothy Golden sworn and examined. I am a detective attached to the police force of this city. I know the prisoner and assisted in arresting him on the morning of the 3<sup>d</sup> of January in Washington; he was alone at his lodging at 2 o'clock in the morning. He said he was engaged the night before as a servant at the house of Sir Edward Thornton; detective Quenbury and a Washington detective was with me; we arrested him at 205 Pennsylvania Avenue. We informed him of the cause of his arrest; he demanded that right, I showed him a warrant; we said we arrested him for forgery and grand larceny. I showed him the warrant issued by Judge Kirby.

On the way home from Washington we had a general conversation about the forgery and the larceny; he denied all knowledge of both. I told him what the property alleged to have been stolen was. I told him that "Red" May, who is now in State prison, told me that he (Journley) forged the check in the butter's pantry at Mrs. Jones, 407 Fifth Avenue. I also told him that May stole one of Mrs. Jones's visiting cards that Journley in his hurry had dated the 4th of Dec., when it should have been the 5th, that May erased the 4th and substituted the 5th, as that visiting card was enclosed in a pocket book with the forged check to be sent to the bank by the telegraphic messenger. He said it was not so, that he was not in Mrs. Jones's pantry that day but he was around to Mrs. Jones's between 10 and 11 o'clock that morning. I received information from May that he was in Mrs. Jones's house and while there committed the forgery; the prisoner said he was around to Mrs. Jones's house as far as the door, the morning May said he was in the pantry committing the forgery. While at the servants' door of Mrs. Jones's house, May, the butter asked him if he would not do him the favor and stop at the telegraph office and say to the man in charge that Mrs. Jones

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wanted a messenger. May, the butler, was to meet the messenger at the front door and hand him the package with instructions to go to the bank, then Turnley was to follow the messenger when he left. Mrs. Jones gave with the pocket book to the bank and see if the boy would be paid the money on a forged check. After he went and called the messenger at the office he was asked the question, why Mrs. Jones did not ring as she had an instrument in the house. The defendant said it was out of order. Then they sent a messenger to Mrs. Jones' house. May met him at the door and handed him the pocket book with the full name of her deceased husband on it in gilt letters. Then Turnley was to follow that boy to the bank and see if he would get the money and he was to report to May. May waited on the corner opposite Mrs. Jones' house for two hours and he was afraid the boy was arrested and he got frightened and he went away, consequently the boy went direct to Mrs. Jones' house, although if May had met the boy Turnley was to meet at the same time and have a duplicate pocket book to the one the boy had prepared, so that one would touch the boy on the shoulder for him.

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to turn around and they would substitute one book for the other, so that the boy would take to Mrs. Jones and a piece of old newspaper, and they would take the book with the \$16.75 in it. The boy was not intercepted and he went to Mrs. Jones' house and delivered the money there. The prisoner whom I told him all this that May had said denied it, except that he was at Mrs. Jones' house that morning and that he went to the Telegraph office. Previous to the apprehension we traced that on the afternoon of the forgery a man went to Elmer's stable on Sixth Avenue and hired a carriage there at 816 Sixth Avenue at 3 o'clock sharp. That man we did not identify, but on that afternoon a man named Ellis with his wife and two children left apartments at that number and were taken down to the foot of Desbrosses St. for the Washington train at four o'clock. I told the prisoner this, and he admitted that the carriage did go there and take his family down to the foot of Desbrosses St. That day, he lived there at Sixth Ave. under the name of Ellis. He explained it was a nickname that his associates gave him. May was known as Jordan in that same house. Jordan is

0712

in the State prison, He had a general conversation on the way home; we wanted to recover Mr. Jones silver; he said he did not know anything about it. that he had nothing to do with the forgery, that he was an innocent man and a man of good character. On Monday we brought him before the Police Justice and was directed to bring him to the office of the District Attorney as he was indicted and have him committed on a bench warrant and while in East Dist., Atty. Russell's office he told Dusenbury and myself that he could take us to where the silver was pledged, he did not know the street and did not know the name of the pawnbroker; he said it was pawned for eighteen dollars. We went over to Chatham St. and took a Third Avenue car. He said he passed the Cooper Union going south before he pledged the silver and west of the Bowery. When we got as far as Grand St. I told the prisoner and Dusenbury we had better get out. I told the prisoner and Dusenbury we had better get out as the first pawn shop was on Grand St. We got out at Grand St.; the prisoner examined the front and the outside and said, "This is the place where I pledged the silver." We asked the pawnbroker

0713

if he had a package of silver fifteen pieces  
pledged in the name of Jones a Brown on  
either the 28 or 29<sup>th</sup> of Nov. He handed us his  
to K; we looked it over and found it was  
pledged on the 29<sup>th</sup> of last Nov. 1879 for eighteen  
dollars, and the pawnbroker identified the  
prisoner as the man who pawned it in  
our presence. He said the ~~package~~<sup>silver</sup> was given  
him by May to pledge. Did you tell him what  
May had told you in regard to that silver?  
I told him several times previous to his  
admission that he knew where it was  
all the way from Washington. Every time  
I referred to it he denied it. He said he did  
not know how many pieces there were in the  
package that May gave him, that after he  
went to the pawnshop he could not tell the pawn  
broker how many pieces there were; he pawned  
it in the name of Jones. I took that silver  
paid the pawnbroker the advance, as I was  
instructed by Mrs. Jones to do so, and brought  
it to the Police Headquarters and got permission  
from the Superintendent of Police to deliver it  
to Mrs. Jones as it was identified by the family  
crest on the silver. Mr. Dusenbury delivered  
it. Mrs. Jones identified it as her property.  
Cross examined. I did not say to the prisoner  
that it would be the best thing under the cir-



0714

circumstances to tell the whole truth, I did not caution him that he should not speak either. Before I went to Washington to arrest the prisoner Col. T. B. Myers, 4 West 34<sup>th</sup> St. told me that from what he read in the papers of the attempted forgery of Mr. Jones that he had reason to believe that James Townley alias Ellis was a person who was instrumental in having his name forged to a check last Spring for \$384. Col. Myers stated that he had in his employ a faithful servant who was visited quite often by an English footman named Ellis. Col. Myers saw Townley when we brought him from Washington and he said he was not the man. I asked the prisoner how May obtained his recommendation that was given to him by Butler? He said that May must have stolen it from him. I then asked him if he had that recommendation now or had control of it? He said he had not. I said, "What has become of it?" He said, "I do not know, my papers are all stolen from me. Then I for the first time said, 'Townley, you be careful.' Did you not show those recommendations to the Hon. Geo. S. Newberry, member of Congress from Detroit Mich., which Mr. Butler gave you at the house 22 Lafayette square, Washington?" He said, "yes, I believe I did. The prisoner did not say that he and May went to Washington together, but he

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did say that he had seen May in Washington, that they lodged at the same place for a short time; but I told the prisoner that May said he quarrelled with him (Townley) for two days after his arrival in Washington, charging him with getting the money at the District Telegraph Office, and the first time he (May) was convinced that Townley did not get the money was by seeing a copy of the New York Herald that had a straight story that Mrs. Jones got the money. I told the prisoner that; he said it was not so. We had spoken to him considerably about the recommendations on the train, but before we reached Philadelphia the defendant came to the conclusion that he would write his friend Pyles for the recommendations, to send them to us; he did so, and we read the letter. At one time he said he did not know where the recommendations were, at another time he was advised to burn them, and then that Pyles had them in safe keeping. We never got the recommendations from him. Richard Butler, sworn and examined. I knew the prisoner, he was in my employ about nine months, I knew him by the name of James Townley, I gave him a recommendation when he left me, and the next time I saw him was Christmas day at my house. I do not know when he left the city; he is the person to whom I gave

the recommendation. Cross Examined. He was about nine months in my employ, he was entirely faithful and honest. I never lost anything. On Christmas day he told me that his name had been used by Robert May. I saw him at Police Headquarters after his return from Washington. James Lowley, sworn and examined in his own behalf. I am called amongst my associates "Billy Ellis"; it is a nick-name, but I am not using it on my own account. I came to this country in 1878 and lived with Mr. Butler <sup>between</sup> ~~eight~~ nine and ten months. Previous to leaving my place I recommended him to Mr. Butler. I had known May some time; when I left Mr Butler he gave me a recommendation. I kept it in my pocket when I wanted it and when I did not want it I put it in the drawer of my portmanteau at home. I left it open. May had every opportunity of taking it if he chose; he was constantly going to the drawer and putting his own recommendations and clothes in it. I did not loan him my recommendation, I did not know he had it. He called at my lodging 816 Sixth Avenue, I do not remember the date, he brought me this place wrapped up in a paper parcel and asked me if I would be good enough to pawn it for his young gentleman and gave me 25-cents for my car fare. I did not know what was

0718

inside until the pawnbroker told me. May said the property was not stolen. He sent me to a pawnshop somewhere in Third Avenue, I could not find it; he told me to ask for thirty dollars. I could not find the shop, and eventually I went into this place and got eighteen dollars. I pawned it in Jones' name; he told me it was for his young gentleman, I knew that Jones was his name, the son of Mrs. Jones. I never saw him. I wrapped the eighteen dollars up in the pawn ticket and gave it to May. I went to Mrs. Jones' house with it. May was working for Mrs. Jones under my name, but I did not know it. That is all I knew about this larceny until I came from Washington. I sent for Mr. Butler and Mr. Jones to tell them about it. I went to Washington because I had two or three positions offered to me. I made an application to Sir Edward Thornton <sup>and Lady</sup> at the Clarendon hotel that I should have their place, but they had some one formerly engaged. In the mean time I had heard that the Butler was leaving Sir Edward Thornton and I was asked to go to Washington on that account, and another position that was offered to me too. I left for Washington it must have been a week or two after I pawned the silver. I saw May at the Philadelphia Railway station, I did not expect to meet him and made no

arrangement to meet him. I did not know which way he had gone. I was arrested in Washington I might have denied the carrying to the officers on the train I was so much upset. I told Mr. Jones and Mr. Butler here I denied it. I was afraid Jones implicating Mr. Jones, so I pawned it in his name. I told the officers I did not see the street where I saw the silver. I know I went past the (Mall) I came back from Washington before Christmas when I saw in the paper that May implicated me in the transaction. Cross examined. I did not go to the police about this matter when I came here; it was a matter of head & p. I did not take lodgings in Sixth Avenue in the name of Billy Ellis. I hired a carriage on that day I left for Washington but not in the name of Ellis. I had no recommendations in the name of Ellis. I left Mr. Butler some time in the fall but I do not remember when. After I left Mr. Butler I went to England, but I lost the situation; then I went into the employment of a gentleman in Madison Ave. for three or four days. Then I did work at public waiting, odd jobs. I asked Mr. Butler to give May a trial; he succeeded me. I did not miss the recommendation which Butler gave me till I got to Washington. The witness was cross examined at great length.

0720

! ,

The jury rendered a verdict of guilty  
of receiving stolen goods.  
He was sent to the State prison for  
five years.

0721

Testimony in the case.  
James Ellis alias  
James Turnley  
filed Dec. 1/78.





0723

Leily & Laundry of New York S.S.

Sydney Jones Colford of No 707 - Fifth Avenue being duly sworn says that Robert May now here was in the employ on the 5<sup>th</sup> day of December inst of Mrs Catharine M Jones at her residence No 707. Fifth Avenue in the capacity of a waiter or butler. That he was the only male servant then employed by Mrs Jones and is the only one that has for the last month been in her employ - That he left her service on the 5<sup>th</sup> inst without notice. That the signature Catharine M Jones to the annexed check dated December 5<sup>th</sup> 1879 is not the genuine signature of Catharine M Jones but is false forged & counterfeit. That this check is before it was filled up, was taken from Mrs Jones check book. A leaf containing three checks (blank) having been <sup>cut out &</sup> stolen from Mrs Jones check book. That the last check issued by Mrs Jones was numbered 724 & this check is numbered 725. That said check book is now placed in a secretary where it could be taken out by any one employed in the house.

Sydney J. Colford.

Exam to before me  
this 17<sup>th</sup> day of December  
1879.

Police Justice -

0724

## POLICE COURT—SECOND DISTRICT.

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, ss:

*Catharine M. Jones*  
 of *709 5th Avenue* Street, being duly sworn, deposes  
 and says that on the *5* day of *December* 187*9*  
 at the City of New York, in the County of New York,

*Robert May alias*  
*James Townley and James Ellis*  
*James Townley* did unlawfully  
 falsely and feloniously utter the cer-  
 tain false and forged instrument  
 hereto attached the same purporting  
 to be a check drawn on the Bank  
 of America in said City, dated Decem-  
 ber 5<sup>th</sup> 1879 signed by *Catharine M.*  
*Jones* payable to the order of *Bourer*  
 and endorsed *C. M. Jones* for the  
 sum of sixteen hundred and seventy  
 dollars with intent to defraud de-  
 ponent <sup>a widow</sup> of the said sum aforesaid  
 under the following circumstances  
 to wit; that on the said date at the  
 hour of about 2<sup>00</sup> P.M. *James C. Dunn*  
 an employee of the American Dis-  
 tract Telegraph Company - delivered  
 at deponent's residence a package  
 which contained National Bank Notes  
 of the amount and value of sixteen  
 hundred and seventy dollars -  
 said *Dunn* saying to deponent  
 that he had been summoned from  
 the Office of said Company No 1002  
 6<sup>th</sup> Avenue to call at deponent's  
 residence on arriving at said resi-  
 dence said *Dunn* met a man  
 who opened the hall door ~~and~~

0725

name ~~Witness~~ known to said Dunn but whom said Dunn recognized as the man who on former occasions said Dunn had met at said residence when delivering messages, at said residence - That said unknown man told said Dunn to take a package the contents of which were unknown to said Dunn to the address written on a note which was fastened on the outside of said package - said address purporting to be the address of the Bank of America - with instruction for said Dunn to wait for an answer - said Dunn delivered said package to said Bank - and saw the Paying Teller of said Bank count a sum of money unknown to said Dunn - place said money in a wallet, he it up in a paper. said paying teller then handed said package to said Dunn who delivered the same to a servant at the residence of deponent -

Catherine M. Jones

POLICE COURT - SECOND DISTRICT.

THE PEOPLE, &c.,  
OF THE COUNTY OF

Leathem H. Jones

Robert May

James Thornley

Offence

Dated Decem 13, 1877

Blannerhine

Witnesses,

Dorey Ben. Off.

James C. Dunn

243 E. 57<sup>th</sup> Street

Committed in default of \$ \_\_\_\_\_ surety.

Bailed by \_\_\_\_\_

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

0726

FORM 10.  
STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, ss.

of No. 243 East 57 Street, being duly sworn, deposes and says,  
that on the \_\_\_\_\_ day of \_\_\_\_\_ at the City of  
New York, in the County of New York.

deponent has heard  
the annexed affidavit read and  
that the portion of the same which  
purports to be information given  
by deponent is true of depon-  
ents own knowledge.

James C. Dunn  
City & County of New York ss.  
James C. Dunn being sworn  
says that Robert May now  
here is the person who gave  
him a package at Mrs Jones door.

Sworn before me, this

13<sup>th</sup>  
day  
of December  
1879

Police Justice.

0727

No 707-8 Avenue to take it  
to the Bank of America  
The Envelope is now shown to  
me & is addressed "Bank of America  
45 Wall St Cor<sup>r</sup> of William St"  
On presentation of this letter defendant  
Envelope with Enclom<sup>e</sup> defendant  
received some money which he took  
to Mr Jones home.

James B. Dunn

Police Court—Second District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

AFRIDA VIT.

Dated,

187

Justice.

Officer.

Witness,

Sworn to before me this

17th day of December 1879

W. A. Murphy  
Police Justice.

0728

## POLICE COURT—SECOND DISTRICT.

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

George William  
of No 239 West 32 Street, being duly sworn, deposes  
and says that on the 5 day of December 1879

at the City of New York, in the County of New York, deponent was  
in the employ of The American  
District Telegraph Company  
that on said date at the hour of  
12.20 P.M. a man who was un-  
known to deponent called at the  
Office of said company at No 1002  
6<sup>th</sup> Avenue and said that Mrs.  
Jones wanted a Messenger boy  
right away - deponent asked  
said unknown man why Mrs  
Jones did not use the instrument  
in her house - said unknown  
man replied Mrs. Jones had been  
signalling all the morning but  
received no response - and there  
upon deponent sent a messenger  
to Mrs. Jones address, said unknown  
man was of medium height, light complex-  
ion, high cheek bones - and thin faced  
Sworn to before me this

13<sup>th</sup> day of December 1879 } Geo. William

John A. Hume Police Justice

0729

## POLICE COURT—SECOND DISTRICT.

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

*Joseph M. Dorey*  
a member of the Municipal Police of said city,  
being duly sworn, deposes  
and says that on the \_\_\_\_\_ day of \_\_\_\_\_ 187

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

deponent was informed by one Mr. Hines whose first name is unknown to deponent and also by Edward Morgan of No 16 West 35th Street that a man named James Ellis alias Jounley was an intimate associate of Robert May named in the within complaint. Deponent was also informed by <sup>the foreman of</sup> Harry J. Elder of No 801-6th Avenue that on the 5th day of December 1879 at the hour of 3 o'clock said Elder sent a carriage to the residence of said Ellis - That Patrick Stevin, the Coachman conveyed said Ellis, and his family, and baggage to the 8th Street Ferry - Office of the Pennsylvania Rail Road Company. Deponent further says that the description given by the witness Killian agrees with that of the said Ellis - That the Baggage of said Ellis has been traced to Washington D. C.

Sworn to before me this } *Joseph M. Dorey*  
13th day of December 1879 }  
*Charles M. Munn* Police Justice



0730

Police Court—Second District.

CITY AND COUNTY }  
OF NEW YORK. }

*Robert May* being duly examined before the undersigned, according to law on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz.:

Question.—What is your name?

Answer.—*Robert May*

Question.—How old are you?

Answer.—*27*

Question.—Where were you born?

Answer.—*England*

Question.—Where do you live?

Answer.—*Washington D.C.*

Question.—What is your occupation?

Answer.—*waiter*

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

Answer.—*I refuse to answer until I have the advice of counsel*  
*Robert May*

Taken before me, this

*17*

*day of December 1879*

*Police Justice*

0731

**BAILED.**

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

Form 114.

**Police Court—Second District.**

THE PEOPLE, &c.,  
 OF THE COMPLAINANT OF

*Catharine H. Jones*  
*707 5th Ave*

1 *Robert May*  
 2 *James T. May*  
 3 *(Chuck attached*  
 4 *to couple.)*

Dated *December 13* 1879

*Flammer* Magistrate.

*Dusenbury Golden* Officer S  
*Off. Dorey* Clerk

*Central Office*  
*George H. H. H.*  
 Witness, *Sydney Jones Colford*

No. *707 5th Avenue* Street.

*James C. Dunn*  
 No. *243 E 59th* Street.

*Timothy Golden*

*Central Office* Street.

*to H. H. H. H. Bank of America*  
*2500* to answer Committed.

Received in Dist. Atty's Office.

*Offence, Forgery 854*

0732

-----  
The People, &c.,

-v-

James Townley, alias  
Ellis.  
-----

T i m o t h y   G o l d e n      Detective; Headquarters.

On the 8th of December, 1879, there was a forgery for \$1670 committed on Mrs. Catharine N. Jones, 707 8th Ave. Mr. Sidney Colford came to the detective office and reported the forgery upon his mother. Duzenbury and I went to work up the case. We got the District Telegraph office boy Dunn, 1016 8th Ave., who went to the Bank with the forged paper and got the money, to say to us that the butler May at Mrs. Jones house gave him the forged documents. May and Townley procured two long Russia leather pocket-books, facsimilies, having the name of this lady's husband, who was dead, printed outside on the back. The butler May handed that pocket-book to this boy Dunn and Dunn went down to the bank of America and handed this book containing the forged check to the Paying Teller. He opened the pocketbook, saw the check and letter in an envelope, and her visiting card. On the visiting card was written, "Please pay sixteen one hundreds, balance in fives and tens. C. N. Jones." The family told us that May disappeared that day from Mrs. Jones' employ. We traced May as a visitor to 816 8th Ave., visiting a Mr. James Ellis and family at that number. May was known as Mr. Jordan to the

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lady renting the rooms, and Ellis turned out to be Townley. On the day of the forgery, Townley went to Eldridge's stable on 6th Ave. near 46th St. and directed that a carriage must be sent to 816 6th Ave. at three o'clock that day. It was sent, and the driver drove Townley and family to Desbrosses St. ferry, which they crossed and took the 4 o'clock train for Washington, D.C. May afterwards told me that he got on that train at West Philadelphia and went on to Washington with Townley. Then Mr. Duzenbury and myself went to Washington. I there advertised for a butler, and May turned up, and the envelope he used in his application was one that was stolen out of Mr. Butler's house in Park Ave., where May had been a servant for a month and Townley had been for nine months. We arrested Bob May in Washington, brought him to New York and he was identified by Mrs. Jones and her son as James Townley, who was a butler in her employ. He pleaded guilty and was sent to State Prison for five years. He was really Robert May.

Then after awhile Col. T. Bailey Meyers of No. 4 W. 34th St. called on Supt. Walling and said that he wanted James Townley apprehended, that he believed him to be the person who committed a forgery upon him last Spring for \$397., from the fact that a man named Ellis, an English butler, visited his butler, who is now dead, and immediately after the death of his butler this forged check came in. He had reason to believe that this Townley was the man and insisted that he should be arrested. Then Meyers went to President Jenkins of the Bank of America and demanded that the Bank should pay

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the expenses to have this man brought from Washington. The Bank paid the expenses, and I and Duzenbury brought the fugitive on here. On the way from Washington, he denied all knowledge of the forgery or larceny of the silver. 15 pieces of silver had been stolen from Mrs. Jones's house while Bob May alias Townley was there under the name of Townley, with Townley's reference. May confessed that he gave the silver to Townley to pawn for Townley's benefit as well as his own, and Townley pawned it for \$18, and used the name of Jones—May said either Jones or Brown. He showed the pawn ticket to May and May saw it was either Jones or Brown, and that it was pawned on the 28th or 29th of Nov. After Townley was arraigned at the office of the District Attorney, he said that he would take the officers to where the silver was pawned, and he took Mr. Duzenbury and myself to a pawn shop on the corner of Elizabeth and Grand, and the property was found there pawned for \$18, as May gave us the information. The pawnbroker identified Townley as the man who pledged it, and Townley admitted that he did pledge it. May said that Townley committed the forgery. Then May's share of the work was this: To go to the District Telegraph office and tell them to send a boy to Mrs. Jones's house. Geo. Killeen identified him there as the man who called to have the messenger sent to Mrs. Jones, 707 5th Ave. Killeen asked him why Mrs. Jones didn't ring for a messenger, he said the instrument was out of order (but that was not the fact). May states that Townley was to follow the boy to the Bank, and Townley told May he did so and saw him get the money. May was to wait near

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the house to intercept the messenger, and get the money and give him the duplicate pocket-book on another pretended message for Mrs. Jones. Then he said Townley and he were to make two shares of the money-- he to go his way, and Townley his. May said that Townley forged the check and passed the silver.

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

Form 89½

POLICE COURT—SECOND DISTRICT.

*Sydney James Wolford*  
of No. *707 Fifth Avenue* Street, being duly sworn, deposes  
and says, that on the *28* day of *November* 18 *79*

at the City of New York, in the County of New York, was feloniously taken, stolen and carried  
away, from the possession of deponent, *Catharine M. Jones*

the following property, to wit:

*Six Silver Spoons*  
*Six Silver Forks -*  
*Three Silver Spoons*

of the value of *fifty* Dollars,  
the property of *Catharine M. Jones*

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 *Robert May*  
*and James Ellis* from the  
fact that said *May* admits  
to Officer *Timothy Golden*  
that he took said property  
and gave it to *Ellis* who  
passed it as he <sup>may</sup> thinks at  
no 194. 8th Avenue.

*Sydney J. Wolford.*

*Deputy & Council of New York, Timothy Golden of*  
*the Central Office being duly sworn, says that*  
*Robert May* admits that he stole the afore-  
said property, & gave it to *James Ellis* to pass

*Timothy Golden*

*Sworn to*

*Subscribed to before me, this*

*17*

*day*

*of December 1879*

*Attest*

*Police Justice*

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Police Court—Second District.

CITY AND COUNTY }  
OF NEW YORK. }

*Robert May*

being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz.:

Question.—What is your name?

Answer.—

*Robert May*

Question.—How old are you?

Answer.—

*27 years old*

Question.—Where were you born?

Answer.—

*England*

Question.—Where do you live?

Answer.—

*Washington*

Question.—What is your occupation?

Answer.—

*Waiter*

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

Answer.—

*I have nothing to say now*

*Robert May*

Taken before me, this

*17*

day of

*Dec*

1879

Police Judge



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P 234

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FORM 804.

POLICE COURT—SECOND DISTRICT.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

Sydney Jones Colford  
No. 707 5<sup>th</sup> Ave

Robert May 54<sup>th</sup>  
James Ellis 8<sup>th</sup> St.

Affidavit—Larceny. *Shaul*

DATED Dec 17 1879

B. H. Bailey MAGISTRATE.

*and*  
Dusenberg Golden OFFICER.  
Head Quarters

WITNESS:  
Timothy Golden  
Central Office  
Catharine M. Jones  
707—Fifth Ave

No. 1500 U. S. Comm

BAILED BY *Geo. Wilson*  
No. STREET.

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Jan<sup>y</sup> 12

Honoured Sir

I have prayed to God  
that he <sup>may</sup> send ~~me~~ <sup>me</sup>  
some Friend to take me  
out of this at once I feel  
so Hurt & if Ball is  
is to be given I shall  
be truly thankful if you  
will do so to day

for there seems no chance  
of my being brought up  
I am stark Brooken &  
Been in this place  
I could burn a passion

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if I was ~~at liberty~~  
at liberty

I am sure if you had  
been at Court I should  
have not been here

but now they may keep me  
here for a long time  
the only favour I ask  
is if nothing is done today  
that you go to night  
& bail me out

Do this without fail  
for its the only & last

Favour I can ask you  
& if I can save you with  
my life I will <sup>your obediently</sup>  
James Townley

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Sunday Night

Honored Sir

I have written  
to my wife to tell her you have been  
so kind to come & see me again  
to day & bring me dear Anna  
for which I am ever grateful  
Also that you will see Mr. Russell  
in the Grove & if he cannot give  
me a riding to-morrow you will  
bail me out for she is in great  
distress about me from what  
I told her after I saw you  
on Thursday she fully expected  
I should be set at liberty Friday  
or Saturday

Therefore I earnestly  
pray when you see him you  
will arrange my release right  
away one way or the other

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So That I may Give  
them comfort for their trial  
I do Believe is Greater than my  
own

Yours obediently

James Townley  
With Thanks for All  
to Mrs Butler

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Bank of America  
45 Wall St  
Care of William St

Kind Sir  
I am informed  
by Mr Michael Butler  
you were to see Mr  
James Townley

~~Police Court, Second District~~

Corner of Sixth Avenue and Ninth Street.

Check - Care to  
Enclosed -

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

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That *Robert May and James Ellis otherwise called  
James Tonnally each*

late of the First Ward of the City of New York, in the County of New York, afore-  
said on the *Fifth* day of *December* in the year of our Lord  
one thousand eight hundred and seventy-*nine* with force and arms, at the Ward,  
City, and County aforesaid, feloniously did falsely make, forge, and counterfeit, and  
cause and procure to be falsely made, forged and counterfeited, and willingly act and  
assist in the false making, forging and counterfeiting a certain instrument and writing  
*to wit: an order for the payment of money of the kind  
commonly called a Bank check*

which said false, forged and counterfeited *Bank check*  
is as follows, that is to say:

*No. 725 New York December 5<sup>th</sup> 1879*  
*Bank of America*  
*Pay to the order of bearer*  
*Sixteen hundred and seventy dollars*  
*\$ 1670 <sup>00</sup>/<sub>100</sub> Catherine M. Jones*

with intent to injure and defraud *Catherine M. Jones*  
*the Bank of America*

and divers other persons; to the jurors aforesaid unknown  
against the form of the statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity

And the Jurors aforesaid, upon their Oath aforesaid, do further present:

THAT the said *Robert May and James Ellis otherwise called James Tonnley each*

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously and falsely did utter and publish as true, with intent to injure and defraud the said *Catherine M. Jones - The Bank of America*

and divers other persons, to the jurors aforesaid unknown, a certain false, forged, and counterfeited instrument and writing. *to wit an order for the payment of money of the said community called a Bank check*

which said last-mentioned false, forged and counterfeited *Bank check* is as follows, that is to say:

*No. 725 New York December 5<sup>th</sup> 1879*

*Bank of America*

*Pay to the order of Secret*

*Sixteen hundred and seventy dollars*

*\$1670 00/100*

*Catherine M. Jones*

*Catherine M. Jones*

the said *Robert May and James Ellis otherwise called James Tonnley each*

at the same time *they* so uttered and published the last-mentioned false, forged, and counterfeited *Bank check*

as aforesaid, then and there well knowing the same to be false, forged and counterfeited, 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.

**BENJ. K. PHELPS, District Attorney.**



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~~CITY AND COUNTY~~  
~~OF NEW YORK.~~

*aforesaid*  
And THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
~~in and for the body of the City and County of New York,~~  
upon their Oath, *aforesaid*, do further present:

That

Robert May and James Ellis otherwise called James  
Townley Each

late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the *Fifth* day of *December* in the year of our Lord  
one thousand eight hundred and seventy- *seven* — at the Ward, City, and County  
aforesaid, having in his custody and possession a certain instrument and writing  
*to wit an order for the pay ment of money, of the kind*  
*commonly called a Bank check —*

which said *Bank check* — is as follows, that is to say:

*No. 725 New York December 5<sup>th</sup> 1879 -*

*Bank of America —*

*Pay to the order of bearer —*

*Sixteen hundred and seventy dollars.*

*1670 <sup>00</sup>/<sub>100</sub>*

*Catherine M. Jones.*

the said *Robert May and James Ellis otherwise*  
*called James Townley*

afterwards, to wit, on the  
day and year last aforesaid, with force and arms, at the Ward, City, and County afore-  
said, feloniously did falsely make, forge, and counterfeit, and did cause and procure to  
be falsely made, forged, and counterfeited, and did willingly act and assist in the false  
making, forging and counterfeiting on the *back* of the  
said *Bank check* — a certain instrument and writing  
commonly called an *Endorsement* — which said false, forged, and  
counterfeited instrument and writing, commonly called an *Endorsement*  
is as follows: that is to say, *C. M. Jones*

to injure and defraud *Catherine M. Jones — the Bank*  
*of America* with intention  
and divers other persons, to the jurors aforesaid unknown, against the form of the  
Statute in such case made and provided, and against the peace of the People of the  
State of New York, and their dignity.

And the Jurors aforesaid, upon their Oath aforesaid, do further present:  
That the said

*Robert May and James Ellis otherwise  
called James Townley East-*

late of the Ward, City, and County aforesaid, afterwards, to wit: on the day and year last aforesaid, at the Ward, City, and County aforesaid, having in his custody and possession a certain instrument and writing *To wit an order for the payment of money of the kind commonly called a Bank check*

which said *Bank check*  
is as follows, that is to say:

*No. 725. New York December 5<sup>th</sup> 1879*  
*Bank of America*  
*Pay to the order of bearer*  
*Six hundred and seventy dollars*  
*\$ 1670 <sup>00</sup>/<sub>100</sub>*  
*Catherine M. Jones*

*Catherine M. Jones*

and on the *back* of which said *Bank check* was then and there written a certain false, forged, and counterfeited instrument and writing, commonly called an *Endorsement* of the said last mentioned *Bank check* which said false, forged, and counterfeited instrument and writing commonly called an *Endorsement* is as follows, that is to say:

*C. M. Jones.*

said

*Robert May and James Ellis otherwise  
called James Townley*

the

there well knowing the premises last aforesaid, and that the said *Endorsement* was false, forged, and counterfeited, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City, and County aforesaid, feloniously did utter and publish as true, the said false, forged, and counterfeited *Endorsement* of the said last mentioned *Bank check* with intention to injure

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and defraud *Catherine M. Jones, the Bank of  
America*

and divers other persons, to the jurors aforesaid unknown; by the said *Robert Kelley and  
James Ellis, otherwise called James Trimby* at the time he so  
uttered and published the said false, forged, and counterfeited *Endorsement*  
of the said last mentioned *Bank check*  
then and there well knowing the said *Endorsement*  
to be false, forged, and counterfeited, as aforesaid, 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.

**BENJAMIN K. PHELPS, District Attorney.**

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5/ 1-6  
Counsel,

Filed 22 day of Dec. 1879

Pleads

*Not Guilty*

THE PEOPLE

vs.

*P*  
Robert May  
*P*  
James Ellis  
alias  
James Jorruley  
accused of Forgery

INDICTMENT.

FORGERY in the Third Degree

BENJ. K. PHELPS,

*D. Atty. Gen. for the State*  
District Attorney.

A True Bill.

*M. W. Cooper*

Foreman.

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CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That Robert May and James Ellis otherwise called  
James Townley Each—

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the  
*Twenty Eighth* day of *November* — in the year of our Lord  
one thousand eight hundred and seventy- *nine* at the Ward, City and County aforesaid,  
with force and arms,

*Nine spoons of the value of four dollars each,*  
*Six Forks of the value of three dollars each,*

of the goods, chattels, and personal property of one

*Catherine M Jones* ————— then and  
there being found, 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.

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And the Jurors aforesaid, upon their oath aforesaid, do further present  
That the said

*Robert May and James Ellis other  
was called James Tounley Dash*

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,

*nine spoons of the value of four dollars each  
Six Forks of the value of three dollars each*

of the goods, chattels, and personal property of the said *Catherine M Jones*.

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously  
stolen of the said

*Catherine M Jones*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

*Robert May and James Ellis other was called James Tounley*  
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.

**BENJAMIN H. PHILIPS, District Attorney.**

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*And the Jurors aforesaid, upon their oath aforesaid, do further present*

**That** the said

*James Ellis otherwise called James Townley*

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,

*Nine spoons of the value of four dollars each  
Six Forks of the value of three dollars each,*

of the goods, chattels, and personal property of the said *Catherine M Jones*

by *Robert May*  
~~by a certain person or persons to the Jurors aforesaid unknown~~, then lately before feloniously stolen of the said

*Catherine M Jones*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

*James Ellis otherwise called James Townley* —  
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.

**BENJAMIN K. PHELPS, District Attorney.**

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**BOX:**

**2**

**FOLDER:**

**28**

**DESCRIPTION:**

**McCormick, Patrick**

**DATE:**

**12/23/79**



**28**



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BENJ. K. PHELPS, District Attorney.

183.  
*King*  
Filed *23* day of *Dec* 18 *79*  
Pleads *Not Guilty* *23*

THE PEOPLE

vs.

*P*  
*Patrick Mc Cormick*

Felony Assault and Battery.

BENJ. K. PHELPS,

*District Attorney.*  
*Ordered to Court of*  
*and Terminees for trial*  
*July 13. 1881*  
A True Bill.

*M. H. Cooper*  
Foreman.

0755

**TESTIMONY.**

the Saloon again - I told Patrick Hopkins who is  
also employed by my father to get him out - he  
said he did not want to go with him - and they ordered  
"Thomas" to go out but he put up  
not to hear me as I told him to go out again, he  
then said I'm not talking to you and I said well  
I am talking to you and as he would not go out  
I went inside and "backed" him, feeling him  
with my hand as soon as I did this he  
began stabbing me - as soon as I felt that I was  
stabbed I began running away, calling out that I was  
stabbed, as I called out Thomas Welsh a  
friend of mine who was present took hold  
of Thomas and he began stabbing  
him (Thomas Welsh) - I had no weapon in my  
hand - I did not see my weapon in his  
hand - I identify the man before  
me as the man who stabbed me

J. E. Lonnery

Sworn to before me  
this 5 day of Nov 1875 *Wm. H. Lonnery*  
CORONER.

0756

# MEMORANDUM.

| AGE.      |         |       | PLACE OF NATIVITY. | WHERE FOUND.      | DATE,<br>When Reported. |
|-----------|---------|-------|--------------------|-------------------|-------------------------|
| 17 Years. | Months. | Days. | New York           | Chambers St. N.Y. | November 5.<br>1879.    |

Prisoners  
 William Gardner H.S.  
 Cornelius Lynde " "  
 Patrick Hyatt " "  
 John E. Conway " "  
 Off. Quarry 4th Ind.  
 John H. Hudson Ill. S.  
 John Andrew State Hyatt  
 J. W. Mac. Thomas M. S.  
 Common Officer

E. 136  
 On the View  
 AN INQUIRY  
 into the  
 MORITZ ELLINGER, German  
 taken on the 5th of  
 November 1879  
 taken  
 taken on the 5th of  
 November 1879  
 taken

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Witnesses

Mary Gardner H.D.  
Cornelius Lynch " "  
Patrick Hopkins " "

John E. Conning m.d.  
184 North St  
off Derry 4<sup>th</sup> Prec  
Chas H. Wickens M.D.  
Chambers Street Hospital  
J. W. Mac Whinnie m.d.  
Coroner's Office

E. 136

Mr. 290 647  
J. E. Conning  
Anti Slavery 1879  
AN INQUISITION

On the VIEW

of the BODY of  
John Conning  
whereby it is found that he came to  
his Death by Injuries by

Stab wounds at the  
hands of Patrick  
Mc Cormick at  
184 North Street  
November 5. 1879

Inquest taken on the 5<sup>th</sup> day  
of November 1879  
before

MORITZ ELLINGER, Coroner.

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# STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN INQUISITION,

Taken at the *Ante Mortem*  
*Chambers Street Hospital*  
 No. 150 Chambers Street, in the 3rd Ward of the City of  
 New York, in the County of New York, this 5th day of November  
 in the year of our Lord one thousand eight hundred and 79.

MORITZ ELLINGER, Coroner,

of the City and County aforesaid, on view of the Body of *John E. Connerly*  
 now lying dead at

Said place

Upon the Oaths and Affirmations of  
 good and lawful men of the State of New York, duly chosen and  
 sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said

upon their Oaths and Affirmations, say: That the said *John E. Connerly*  
 came to his death by

*Injuries by stab wounds at the hands of Patrick  
 McConnick at 184 Worth Street Nov 5/79*

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

JURORS.

CORONER, E. S.

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TESTIMONY.

Anti-Masonic Statement  
of John Corning being  
falsely sworn at \$16.00  
Chlorides St on the 3rd day  
of November 1879

What is your name

John Corning

What is your age

17 years

Where were you born

New York and resided at 184 North St

What is your occupation

Bar tender

Do you believe you are about  
to die

Have you any hope of recovery  
yes

Are you willing to make a true  
statement as to how and under what  
manners you received your injuries  
yes.

My father Charles McCarthy keeps a saloon  
at 184 North St and I attend Bar for him -  
A man by the name of Thomas (I don't know  
his full name) came to the bar of corner to the  
saloon - last night somewhere about 12 o'clock  
he came to the saloon drunk as usual and  
my brother put him out - a scuffle taking  
place between my brother and him - About  
8 o'clock this morning Nov 5 - he came to

Sworn to before me

this

day of

18

CORONER.

0760

CITY AND COUNTY OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the City and County of New York,  
upon their Oath, present :

That

*Patrick Mc Cormick*  
late of the City of New York, in the County of New York, aforesaid, on the  
*fifth* day of *November* in the year of our Lord  
one thousand eight hundred and ~~eighty nine~~ *nine* with force and arms, at the City and  
County aforesaid, in and upon the body of *John E. Conners*  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *John E. Conners*  
with a certain *Knife*  
which the said *Patrick Mc Cormick*

in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *John E. Conners*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *Patrick Mc Cormick*  
with force and arms, in and upon the body of the said *John E. Conners*  
then and there being, wilfully and feloniously did make an  
assault and *him* the said *John E. Conners*  
with a certain *Knife* which the said

*Patrick Mc Cormick* in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *him* the said *John E. Conners*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said *Patrick Mc Cormick*

with force and arms, in and upon the body of *John E. Conners*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *John E. Conners*  
with a certain *Knife*  
which the said

*Patrick Mc Cormick* in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *John E. Conners* with intent *him* the

0761

said *John E. Connerly* 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said *Patrick McCormick*

with force and arms, in and upon the body of the said *John E. Connerly*, then and there being, wilfully and feloniously, did make another assault and *kill* the said *John E. Connerly* with a certain *Knife* which the said *Patrick McCormick* in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *kill* the said *John E. Connerly* 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.

~~BENJ. K. PHELPS, District Attorney.~~

A True Bill.

*Foreman.*

*District Attorney.*

BENJ. K. PHELPS,

vs.

THE PEOPLE

Felony Assault and Battery.

Filed day of 18  
Pleads



~~CASE AND COUNTY~~  
~~OF NEW YORK~~

And <sup>aforesaid</sup> THE JURORS ~~OF THE PEOPLE OF THE STATE OF NEW YORK,~~  
~~in and for the body of the City and County of New York,~~  
upon their Oath, ~~aforesaid~~ do further present

That

*Patrick Mc Cormick*  
late of the City of New York, in the County of New York, aforesaid, on the  
*fifth* day of *November* in the year of our Lord  
one thousand eight hundred and *seventy nine* with force and arms, at the City and  
County aforesaid, in and upon the body of *John E. Connerly*  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *John E. Connerly*  
with a certain instrument and weapon, a description of which is to the jurors afore-  
said unknown and cannot now be given, which the said,  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *John E. Connerly*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present: That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *Patrick Mc Cormick*

with force and arms, in and upon the body of the said *John E. Connerly*  
then and there being, wilfully and feloniously did make an  
assault and *him* the said *John E. Connerly*  
with a certain instrument and weapon, a description of which is to the jurors afore  
said unknown and cannot now be given, which the said

*Patrick Mc Cormick* in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *him* the said *John E. Connerly*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present: That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said *Patrick Mc Cormick*

with force and arms, in and upon the body of *John E. Connerly*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *John E. Connerly*  
with a certain instrument and weapon, a description  
of which is to the jurors aforesaid unknown and cannot now be given, which the said  
*Patrick Mc Cormick* in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,

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and wound, the same being such means and force as was likely to produce the death of *him* the said *John E. Conners* with intent *him* the said *John E. Conners* 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

*Patrick McCormick* with force and arms, in and upon the body of the said *John E. Conners* then and there being, wilfully and feloniously, did make another assault and *him* the said *John E. Conners* with a certain instrument and weapon, a description of which is to the jurors unknown and cannot now be given, which the said

*Patrick McCormick* in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *him* the said *John E. Conners* 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.

BENJ. K. PHELPS, District Attorney.

183.  
Filed day of *Dec* 1879  
Pleads *Not Guilty* 23

THE PEOPLE

vs.

*Patrick McCormick*

*P*

Felonious Assault and Battery.

BENJ. K. PHELPS,

*Delivered to Court of Sessions  
and delivered for trial  
July 12, 1879*  
A TRUE BILL.

*Wm. H. Cooper*  
Foreman

0764

**BOX:**

**2**

**FOLDER:**

**28**

**DESCRIPTION:**

**McCormick, Patrick**

**DATE:**

**12/19/79**



**28**

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136  
W. F. King  
Counsel, J. H. Hobart  
Filed 19 day of Dec 187  
Pleads, Not Guilty

THE PEOPLE  
vs.  
Patrick M. Cornack

847  
Homicide of the Degree of Murder in the First Degree

BENJ. K. PHELPS,

District Attorney.  
Ordered to Court of Oyer and Terminer for trial  
Febry 13 1880

A True Bill.

M. W. Cooper

Foreman.  
Pleads Guilty of  
Manslaughter 2<sup>d</sup> deg  
Tried and  
the day of  
Febry 19 1880  
52 yrs

0766

# STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN INQUISITION,

Taken at the house of  
No.

Street, in the

Ward of the City of

New York, in the County of New York, this 8 day of Dec  
in the year of our Lord one thousand eight hundred and 79 before

Coroner,

of the City and County aforesaid, on view of the Body of

lying dead at

Thomas Welsh  
100 Chambers St -

Upon the Oaths and Affirmations of

good and lawful men of the State of New York, duly chosen and  
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said

came to his death, do,

upon their Oaths and Affirmations, say: That the said

came to his death by

man  
wounded  
by a knife in the hands  
of Patrick McCormack on 18th March  
in the morning of Nov 5th death  
followed at 100 Chambers St on the  
7th December 1879

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

### JURORS.

Charles <sup>Wm</sup> Edmunds Claus And inatt  
Jury  
Wilhelm Bochner  
Frederick Bullenhang  
Fr. J. T. Klein  
Carsten Droge

M. St. J. J. J.  
CORONER, N. Y.

Coroner's Office.

## TESTIMONY.

Mary Gardner Esq. & Reside  
 at Brooklyn - I saw the  
 deceased Thomas Welsh - on  
 the morning of the 5th November dead  
 8.30 I went into the Solvay  
 184 North St which a drink  
 when I went in there were  
 several present including  
 Lynch Pollock & Hopkins  
 Patrick McCormack being  
 among them - John McCarty  
 the proprietor's son came in  
 from the back room and said  
 to Patrick McCormack "wasn't  
 you put out this morning, what  
 brought you back again";  
 McCormack replied "is that  
 so?" I will go out" John  
 McCarty said "I'll make you  
 go" (Cunning is McCarty's proper  
 name) and Cunningham went  
 as well hold y McCormack  
 & put him out - when a scuffle  
 ensued between them (Thomas  
 Welsh came in when the  
 quarrel was going on between  
 McCormack and Cunningham)

Taken before me

this

day of

18

CORONER.

0768

2

Coroner's Office.

## TESTIMONY.

McCormack drew a knife and  
 stabbed Conmy - I called  
 out Oh his got a knife  
 but Conmy did not seem  
 to heed me - Walsh spoke  
 up and said if Conmy can't  
 put you out I can and  
 he went for McCormack  
 when a fearful fight took  
 place between McCormack  
 and Walsh, McCormack  
 striking Walsh several times  
 I became alarmed and went  
 out and McCormack ran  
 out passing me with the  
 knife in his hand -  
 McCormack had been drinking  
 but he did not seem to be  
 under the influence of  
 liquor - I said Wal-  
 sh take the knife out of  
 his own pocket - Walsh  
 had no knife that I saw -  
 My Witness

Taken before me  
 this 8 day of Dec 1899  
 J. Montpelier

CORONER.

13

Coroner's Office.

## TESTIMONY.

Cornelius Lynch Esqrs - Have  
 no home - on the morning of the  
 5th Nov at 8.30 am I was  
 in the Saloon 184 North St -  
 where the road took place and  
 coming as Welsh got stopped -  
~~John Cunningham~~ would not put  
 McCormick out but McCormick  
 said I don't want you I have  
 nothing against you but send  
 me for my address if he will  
 put me out - John Cunningham  
 jumped from behind the bar  
 and tried to put McCormick  
 out a couple of passes were  
 made, when all of a sudden  
 John said oh my God die  
 blotted and then ran up stairs  
 then Welsh who was present  
 went for McCormick to put  
 him out - and they became  
 entangled with me another  
 as Welsh - I saw McCormick  
 place the knife into Welsh  
 twice and I ran out -

Cornelius<sup>his</sup> Lynch  
 Mort

Taken before me  
 this 8 day of Dec 1879  
 Mort J. H. Miller

CORONER.



0770

4

Coroner's Office.

TESTIMONY.

John E. Conner says  
The statement I made as  
an auto-mechanic deposition  
is correct and is all that  
I am to say in the matter.

J. E. Conner

Taken before me  
this 8 day of Dec

1894  
Moritz Zelinger  
CORONER.

0771

5

Coroner's Office.

TESTIMONY.

Thomas Jimmy Suez An  
 an officer collected with 4th  
 Precinct - On the morning of  
 the 3th Nov I arrested the  
 prisoner Patrick McCormack  
 at Henry's Liquor Store in  
 Pearl St near Chatham  
 and found a knife here presented  
 upon him - I told what  
 which I questioned him for and  
 asked him what he had  
 with the man for and he  
 said he did it in self  
 defense

Thomas Jimmy

Taken before me  
 this 8 day of Dec 1879  
 Wm. J. S. S. S.  
 CORONER.

0772

## TESTIMONY.

Dr. J. M. Williams and Dr. J. M. Swann says  
 He made a post mortem examination  
 of the body of Thomas Walsh lying  
 at the Chambers St Hospital on Saturday  
 May 8<sup>th</sup> Upon inspection found twenty-  
 three wounds situated upon the body  
 hips arms & neck - some of which were  
 of a superficial character - the autopsy  
 showed two penetrating wounds of abdomen  
 on the right & left side and a little lower  
 than the Umbilicus - the wound on the  
 left side penetrated the abdominal cavity  
 and the gut was also wounded the wounds  
 having been drawn together by stitches  
 preventing the escape of the contents into the  
 free cavity of the abdomen - the wounded  
 stomach had originally protruded from the  
 opening - the wound upon the right  
 side penetrated the abdomen and the stomach  
 wounded - 2 1/2 inches below the nipple  
 on the left side I found a wound which pene-  
 trated the chest and wounding the pericardium  
 and heart slightly - below the clavicle  
 was another wound which penetrated the  
 thorax and wounding the apex of the lung  
 while a deep wound was upon the side  
 of the neck and another lung gash upon  
 the left chest - Half an inch above  
 the nipple on right side there was  
 a penetrating wound gashing the thorax  
 and wounding the lung - On the left  
 side and towards the back I found a  
 wound which penetrated the cavity of  
 the abdomen wounding the left

Sworn to before me  
 this            day of

18

CORONER

0773

**STATE OF NEW YORK.**

CITY AND COUNTY OF NEW YORK, SS.

**AN INQUISITION,**

*Taken at the  
No.*

*Street, in the*

*Ward of the City of*

*New York, in the County of New York, this      day of  
in the year of our Lord one thousand eight hundred and      before*

**MORITZ ELLINGER, Coroner,**

*of the City and County aforesaid, on view of the Body of*

*now lying dead at*

*Upon the Oaths and Affirmations of*

*good and lawful men of the State of New York, duly chosen and  
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said  
came to h death, do,*

*upon their Oaths and Affirmations, say: That the said  
came to h death by*

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

**JURORS.**

||

**CORONER, E. S.**

0774

**TESTIMONY.**

Kidney and the spleen - Found a quantity of blood in the abdominal cavity - Both pleural cavities and within the pericardial sac - Pneumonia with first stage - Peritonitis - The wounds not specifically described were situated upon the chest arms and hips and although numerous were not serious. The cause of death was Pneumonia Peritonitis & haustem the result of shot wounds described.

J. Wallace MacWhinney

Sworn to before me  
this 8 day of Nov 1874 J. W. Ellinger  
CORONER.

0775

# MEMORANDUM.

| AGE.   |         |       | PLACE OF NATIVITY. | WHERE FOUND. | DATE,<br>When Reported. |
|--------|---------|-------|--------------------|--------------|-------------------------|
| Years. | Months. | Days. |                    |              |                         |
| 40     |         |       | Beland             | 160 Chambers | Nov 3                   |

14 yrs  
Single  
Lobster  
aid Mrs 5-  
New Mrs 7

E.

CPA \_\_\_\_\_

Sum.

18.

## AN INQUESTION

On the VIEW of the BODY of

*William Welch*

whereby it is found that he came to  
a Death by

Obquest taken on the

of

18

day

before

MORITZ ELLINGER, Coroner.

0776

Coroner's Office.

TESTIMONY.

I Charles H. Wilkie being duly sworn  
 do depose & say that I am  
 House Surgeon at the Chamberlain  
 Hospital. That the ~~deceased~~ deceased  
 was admitted to my charge  
 Nov 5<sup>th</sup> 1878 at 10 P.M. suffering  
 from two penetrating w. in abdomen  
 & two other penetrating being 2  
 superficial wounds in left abdomen  
 arm, neck & face. He developed  
 symptoms of  
 peritonitis & congestion of lungs &  
 died Nov 15<sup>th</sup> 1878 P.M.

Charles H. Wilkie M.D.  
 House Surgeon.

Taken before me  
 this 8 day of Dec

1879. Morris J. Ellinger  
 CORONER.

0777

Coroner's Office,

CITY AND COUNTY } ss.  
OF NEW YORK.

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

Question.—What is your name?

Answer.—

*Patrick McCormack*

Question.—How old are you?

Answer.—

*35 years*

Question.—Where were you born?

Answer.—

*Ireland*

Question.—Where do you live?

Answer.—

*25 Murray St*

Question.—What is your occupation?

Answer.—

*News Reader*

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

*In which I did I acted  
in self defence*

*Patrick McCormack*  
*Witness*

Taken before me, this

8 day of

Nov. 1879

*Morris J. H. H.*

CORONER



0778

MEMORANDUM.

| AGE. |        |         | PLACE OF NATIVITY. | WHERE FOUND. | DATE,<br>When Reported. |
|------|--------|---------|--------------------|--------------|-------------------------|
| 40   | Years. | Months. | Days.              | Island       | 160 Chamber St          |

Witness

Harry Gardner N.Y.

Correllus & good do

Salvator Hopkins do

John E. Conway N.Y. 1844 North St

Off Jersey 4 Street.

Chas. H. Williams N.Y. 1812 127

Chambers St N.Y. 1812 127

J. H. MacArthur N.Y. 1812 127

Correllus & good

1511

1879. 1879.  
HOMICIDE. C.

AN INQUISITION OF

On the body of the body of

1879. 1879.

whereby it is found that he came to

his death by the hands of

Edw. M. M. M. M.

at the hands

of Robert M. M. M.

Robert M. M. M.

1879. 1879.

1879. 1879.

1879. 1879.

1879. 1879.

1879. 1879.

1879. 1879.

1879. 1879.

0779

| AGE. | PLACE OF NATIVITY. | WHERE FOUND. | DATE When Reported. |
|------|--------------------|--------------|---------------------|
|------|--------------------|--------------|---------------------|

|    |       |                     |       |
|----|-------|---------------------|-------|
| 40 | Wales | 160th Street, N. Y. | Nov 8 |
|----|-------|---------------------|-------|

MEMORANDUM.

Witnesses

Mary Gardner N.Y.  
Cornelius Lynch do  
Saline Hopkins do  
John E. Conway no charge  
184th Street N.Y.  
Off Timney 4th St.  
Chas. H. Williams N.Y.  
Chambers St Hospital  
J. H. MacArthur N.Y.  
Coroner's Office  
Pat. H. Grover do  
151st St.

Wed 13th Dec. 1879.  
HOMICIDE.

AN INQUIRY



On the VIEW of the BODY of  
J. P. McNeill  
whereby it is found that he came to  
his Death by the hands of  
J. P. McNeill

J. P. McNeill  
as the hands  
of J. P. McNeill  
Robert M. Cornell

Inquest taken on the 8 day  
of Dec 1879  
before

Mary Callahan  
Coroner.

Committed

Bailed

Discharged

Date of death  
Nov 7-1879

0780

CITY AND COUNTY }  
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That

*Patrick McCormack*

late of the *sixth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *Fifth* day of *November*  
in the year of our Lord one thousand eight hundred and seventy-*nine* at the Ward,  
City and County aforesaid, with force and arms, in and upon one

*Thomas Welsh*

in the peace of the People of the State then and there being, wilfully, feloniously, and  
with ~~deliberate and premeditated design~~ to effect the death of *him* the said  
*Thomas Welsh* did make an assault.

And that he the said

*Patrick McCormack*

*him*

the said *Thomas Welsh*

with a certain *knife*

which he the said *Patrick McCormack*

in his right hand then and there had and held *him*  
the said *Thomas Welsh* in and upon the *body*

of *him* the said *Thomas Welsh*  
then and there wilfully, feloniously, and with ~~deliberate and premeditated design~~ to  
effect the death of *him* the said *Thomas Welsh*  
did strike, stab, cut and wound, giving unto *him* the said *Thomas*  
*Welsh* then and there with the *knife*

aforesaid, in and upon *the body*

of *him* the said *Thomas Welsh* one mortal wound of  
the breadth of *three* inches and of the depth of *four* inches of which  
said mortal wound *he* the said *Thomas Welsh*  
at the Ward, City, and County aforesaid, from the day first aforesaid, in the year  
aforesaid, until the *Seventh* day of *November*  
in the same year aforesaid, did languish, and languishing did live, and on which  
*Seventh* day of *November*  
in the year aforesaid, *he* the said *Thomas Welsh* at the Ward,  
City and County aforesaid, of the said mortal wound did die.

And so the Jurors aforesaid, upon their oath aforesaid, do say that *he* the said

*Patrick McCormack*

*him*

the said *Thomas Welsh* in the manner and form, and by  
the means aforesaid, at the Ward, City, and County aforesaid, on the day and in the  
year aforesaid, wilfully, feloniously, and with ~~deliberate and premeditated design~~ to  
affect the death of *him* the said *Thomas Welsh*  
did kill and murder against the form of the Statute in such case made and provided,  
and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

*aforesaid*  
 THE JURORS ~~OF THE PEOPLE OF THE STATE OF NEW YORK,~~  
~~in and for the body of the City and County of New York,~~  
 upon their Oath, ~~aforesaid~~ do further present

That

*Patrick Mc Cormack*

late of the *sixth* Ward of the City of New York, in the County of New York, aforesaid, on the *fifth* day of *November* in the year of our Lord one thousand eight hundred and seventy *nine* at the Ward, City and County aforesaid, with force and arms, in and upon one

*Thomas Welsh*

in the peace of the People of the State then and there being, wilfully, feloniously, and with ~~a deliberate and premeditated design~~ to effect the death of *him* the said *Thomas Welsh* did make an assault.

And that he the said

*Patrick Mc Cormack*

*him*

the said *Thomas Welsh*

with a certain ~~instrument~~ and weapon a description of which ~~is to these jurors unknown and which cannot now be given~~, which he the said *Patrick Mc Cormack*

in his right hand then and there had and held *him*

the said *Thomas Welsh* in and upon the *body*

of *him* the said *Thomas Welsh* then and there wilfully, feloniously, and with ~~a deliberate and premeditated design~~ to effect the death of *him* the said *Thomas Welsh*

did strike, stab, cut and wound, giving unto *him* the said *Thomas Welsh* then and there with the ~~instrument and weapon a description of which is to these jurors unknown and which cannot now be given~~ in and upon *the body*

of *him* the said *Thomas Welsh* one mortal wound of the breadth of *three* inches and of the depth of *two* inches of which said mortal wound *he* the said *Thomas Welsh* at the Ward, City, and County aforesaid, from the day first aforesaid, in the year aforesaid, until the *seventh* day of *November* in the same year aforesaid, did languish, and languishing did live, and on which *seventh* day of *November* in the year aforesaid, *he* the said *Thomas Welsh* at the Ward, City and County aforesaid, of the said mortal wound did die.

And so the Jurors aforesaid, upon their oath aforesaid, do say that *he* the said

*Patrick Mc Cormack*

*him*

the said *Thomas Welsh* in the manner and form, and by the means aforesaid, at the Ward, City, and County aforesaid, on the day and in the year aforesaid, wilfully, feloniously, and with ~~a deliberate and premeditated design~~ to effect the death of *him* the said *Thomas Welsh* did kill and murder against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

0782

**BOX:**

**2**

**FOLDER:**

**28**

**DESCRIPTION:**

**Madill, John**

**DATE:**

**12/08/79**



**28**

0783

64  
Day of Trial,

Counsel,

Filed

day of

1879

Pleads,

*Not Guilty (9)*

THE PEOPLE

vs.

*P*  
John Madill

*Murder*

*Feb 12 1880*

Homicide of the degree of Murder,  
First Degree.

BENJ. K. PHELPS,

District Attorney.

*Ordered to Court of Appeal and  
Termine for trial*

True Bill.

*Feb 13 1880*

*M. W. Cropper*

Foreman.

*Pleads Guilty of*

Tried and  
the

Murder

2<sup>d</sup> Degree

day of

*Feb 16 1880.*

*5<sup>th</sup> Natural life*

*7. 1880*

*Mary Jane Riley - came by Court  
as witness for People -  
Dec 8/79*

*Mary Jane Riley for witness -  
find 14. 1880*

0784

City & County of New York  
District Attorney's Office

May 5/80

Office of Mr. B. Barrett

Have a great  
pleasure in  
case of People at  
John & McDell (whom  
you saw conversing  
with McDell just  
before the killing.

Have you  
attended here as soon  
as possible

Wm. S.  
26th May

D. Heron to be a  
subpoena which  
you can fill out

Can't be found - So office reports

0785

And serve upon the  
12th July 1791



Scrap  
 copy  
 John Modile

11/11/11

Charles M. Hanna lives at No 11 Broadway  
 and work for the Cohen No 11 Market St.  
 near East Broadway. Hanna knew, was saw  
 Modile creep in, before this trouble. I  
 knew her info. the doc about 17 mos before  
 the trouble. I was in the habit of selling her  
 wood and coal when she lived in Thimrae  
 St. I believe had her board lived with her then.  
 about two weeks before the operation her, I  
 was passing where she lived in Oliver St going  
 home and I met her coming out of the alley  
 leading to house in the rear where she  
 lived & she asked me why I didn't  
 call to see her. I called on her two or  
 3 nights after that. I remained there  
 1/2 hour. I called again in about 4 or  
 5 days after this. Mr Modile and  
 Mary Jane Kelly was there. Remained  
 about 1 hour. ~~I have been~~ there  
 were 3 children there. of Mr. Modile.  
 I think she was somewhat under influence  
 influence of liquor. I went out for fruit  
 of her and drank it between us. I called  
 again 2 or 3 nights after this. Laura

persons were there. I called again the  
 next afternoon about 8 1/2  
 o'clock & Mary Jane Riley and the Odell  
 were there. The children weren't there.  
 We had a pint of beer amongst us.  
 When women were sober and I was  
 sober. That was all they had drunk  
 while I was there. About 20 minutes  
 before I left came in, Mrs. Odell went  
 into the bedroom and closed the door  
 and I was sitting on the sofa and  
 Mary Riley was standing on the floor  
 near the table. This was the 2<sup>nd</sup>  
 floor of her house. There two rooms  
 were only one on that floor and the house  
 was on the right hand side of almost  
 going toward the Brewery. The Kitchen  
 or front room was toward the yard between  
 the rear and the front house and the  
 bedroom back of this with a door in  
 it opening into the Kitchen. When  
 we were in this position, Odell came  
 in quickly having a pistol in his hand  
 & I ran out and was close to the stairs  
 and to the corner of Cherry and Olive Street.  
 I saw no more of the trouble. I didn't  
 hear him say anything nor see him

0788

enter the bedroom. He had his hat in  
one hand and looked excited. He looked  
at the door twice the room a moment  
and span past there. He had seemed  
standing up and he looked <sup>very</sup> ~~very~~. His face  
was flushed. I don't hear any report of  
pistol.

0789

|                   |                            |
|-------------------|----------------------------|
| -----             |                            |
| The People's Co., | Homicide--Catharine Madill |
| -----             |                            |
| John Madill       | Assault--Nov. 5, 1870.     |
| -----             |                            |
|                   | Died-- Nov. 9, 1870.       |
| -----             |                            |

Mary Jane Reilly 63 James St.

I boarded with Catharine Madill for two and a half months before this homicide. I knew her husband only by sight. The deceased lived at 64 Oliver St. Her husband was not living with her then, but he would call upon her two or three times a week; would come about 7 o'clock at night and sometimes remain until 2 or 3 in the morning. I never heard him make any threats against the deceased, or have any trouble with her. A week before the assault he was there. The next day a boy came up stairs and said that her husband was down stairs, and wanted to see her; she went down stairs; she returned, got the three children and dressed them; she was crying; she brought the children down stairs, and she told me that her husband was there with a carriage to take the children. She did not return until between two and three o'clock the next morning. I did not see the prisoner again until the night of this occurrence. There were about seven young men who used to call upon the deceased for about six weeks prior to the assault. She usually slept with us, except when her husband was there. When these young men were there I would go to bed as usual and she sometimes would follow, but sometimes she would remain up with them. I did see one young man

in the bed with her, but he was drunk. She did sewing and washing, and she received \$3 a week from her husband, and I gave her \$3 a week for my board.

On the 5th of Nov. I was home at half past 5 p.m. The prisoner came in between 9 & 10. The deceased drank a part of two pints of beer about 8 o'clock this night; and a young man named Charles Mc Kenna and myself drank the rest. About 9 o'clock, she said she felt bad, and lay down on the bed dressed; shortly afterwards the door opened suddenly and the prisoner came in and looked around wildly and not seeing her, rushed into the bedroom -- he had his hat in his left hand and a dark handled pistol in his right. It was bright in the room. He rushed into the bedroom and said to her, "You God damn bitch, I will kill you any how." Mc Kenna rushed right out, and then I heard the report of the pistol and I ran out. These apartments were on the third floor in the rear building I ran out across the hall, through the hall-way, and on to the other side of Oliver St. I looked down and saw the deceased coming through the hall-way screaming, and run towards Oak St. on the same side as her residence, followed by the prisoner with his hat in his hand and his revolver pointed at the deceased in his other hand. There were 25 or 30 feet between them. He fired. I saw the flash and heard the report, and she fell on her hands and feet. It was a dark night. She fell near the corner of Oak St. I think there were four houses between the corner and the hall-way mentioned. One of them is a drug store from which the light proceeded. I saw them

0791

**CORRECTION**

0792

|                   |   |                            |
|-------------------|---|----------------------------|
| -----             | ) |                            |
| The People, Inc., | ) | Homicide--Catharine McGill |
|                   | ) |                            |
|                   | ) | Assault--Nov. 5, 1878.     |
|                   | ) |                            |
| John McGill       | ) | Died-- Nov. 6, 1878.       |
| -----             | ) |                            |

I am Mary Jane Reilly 63 James St.

I boarded with Catharine McGill for two and a half months before this homicide. I knew her husband only by sight. The deceased lived at 64 Oliver St. Her husband was not living with her then, but he would call upon her two or three times a week; would come about 10 o'clock at night and sometimes remain until 2 or 3 in the morning. I never heard him make any threats against the deceased, or have any trouble with her. A week before the assault he was there. The next day a boy came up stairs and said that her husband was down stairs, and wanted to see her; she went down stairs; she returned, got the three children and dressed them; she was crying; she brought the children down stairs, and she told me that her husband was there with a carriage to take the children. She did not return until between two and three o'clock the next morning. I did not see the prisoner again until the night of this occurrence. There were about seven young men who used to call upon the deceased for about six weeks prior to the assault. She usually slept with me, except when her husband was there. When these young men were there I would go to bed as usual and she sometimes would follow, but sometimes she would remain up with them. I did see one young man

in the bed with her, but he was drunk. She did sewing and washing, and she received \$3 a week from her husband, and I gave her \$3 a week for my board.

On the 5th of Nov. I was home at half past 8 p.m. The prisoner came in between 9 & 10. The deceased drank a part of two pints of beer about 8 o'clock this night; and a young man named Charles Mc Kenna and myself drank the rest. About 9 o'clock, she said she felt bad, and lay down on the bed dressed; shortly afterwards the door opened suddenly and the prisoner came in and looked around wildly and not seeing her, rushed into the bedroom -- he had his hat in his left hand and a dark handled pistol in his right. It was bright in the room. He rushed into the bedroom and said to her, "You God damn bitch, I will kill you any how." Mc Kenna rushed right out, and then I heard the report of the pistol and I ran out. These apartments were on the third floor in the rear building I ran out across the hall, through the hall-way, and on to the other side of Oliver St. I looked down and saw the deceased coming through the hall-way screaming, and run towards Oak St, on the same side as her residence, followed by the prisoner with his hat in his hand and his revolver pointed at the deceased in his other hand. There were 25 or 30 feet between them. He fired. I saw the flash and heard the report, and she fell on her hands and feet. It was a dark night. She fell near the corner of Oak St. I think there were four houses between the corner and the hall-way mentioned. One of them is a drug store from which the light proceeded. I saw them



0794

distinctly. After she dropped, he passed her, turned the corner of Oak St. to his right and ran towards Catharine St. I didn't see him again until I saw him in the station house. The deceased was carried to the station house on a stretcher; I went with her. From there she was sent to the Chambers St hospital. I went to see her there every day until she died. I saw her dead. I am married, but have not lived with my husband for five years; he is living in Brooklyn. I had trouble with the prisoner one night when he said to the children "Don't you mind that thing there, you see too much badness." I called upon him for an explanation, and he got a hold of me and pulled me one side and got out. I bear him no ill-will. Richard and Thomas Supple, and Mackenna are some of the young men whose names I know that were in the habit of visiting the deceased.

Thomas Barrett 4th prec.

About 10 p. m. of the 5th of November last I was in Oliver St. bet. Oak and Madison on patrol, when I heard the report of a pistol and I ran in the direction of it— it came from the direction of Oak, and I got within about 20 yards of the N. E. corner of Oak & Oliver St. I saw a woman running towards me on the North side of Oliver and screaming. It was a very dark night. I then saw the blaze of a pistol about ten feet behind the woman and heard another report, and the woman fell on her hands and feet within about ten feet of the S. E. corner of Oliver and Oak. I was then within about

0795

20 or 30 yards of the woman who fell. Then I saw a man run around the corner of Oak toward Catherine St.— and within 10 or 12 yards from the corner of Oak and Oliver I arrested the prisoner John Madill. He still had the revolver in his hand. I took it from him, and found three chambers of it empty and the remaining two charged. I said "Johnny, for God's sake what did you do that for?" He said, "Tommy, if you knew as much as I do, you would do the very same thing yourself. That is all he said about it. I took the prisoner to the station house and returned for the deceased and helped to bring her to the station house. She died on the 5th of November. I saw her dead. The deceased identified the prisoner as the man who shot her. At the station house Sergt. Fitzgerald asked the deceased, "Is this the man who shot you?" She replied "yes." When I arrested the prisoner, he was drunk and was excited—he took off his hat and rubbed his hands and scratched his head in an excited manner. In the station house he was excited and tried to get at his wife and also tried to get at Mary Reilly. About ten minutes before this occurrence I saw the prisoner talking with John Rowe in Oliver Street near Cherry—they had just come out of Thomas Wild's, corner of Cherry and Oliver. I passed them—Rowe had a hold of the prisoner by the collar trying to get him away. I didn't hear their conversation.

0796

June

Witnesses.

Mary Jane Reilly 1.

Thomas J. Barrett 3

0797

# STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN ANTE-MORTEM INQUISITION,

Taken at *Chambers Street Hospital*

No.

Street, in the

Ward of the City of

New York, in the County of New York, this *6th* day of *November*

in the year of our Lord one thousand eight hundred and seventy *9* before

*Moritz Ellinger* Coroner,

of the City and County aforesaid, on view of the Body of *Caroline Madell*

*Chambers Street Hospital*

at  
Upon the Oaths and Affirmations of

good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said

*Caroline Madell* was injured, do, upon their Oaths and Affirmations, say: That the said *Caroline*

*Madell* suffers from a fatal shot wound inflicted at the hand of her husband John Madell fired on the evening of Nov. 5th

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

JURORS.

*Moritz Ellinger*

CORONER, E. S.

0798

City and County of New York, ss.

Statement of Catherine Madell  
dangerously wounded at the Chamber Street Hospital in the  
of said City and County, on the 6 day of November 1879 now lying  
Ward

Question.—What is your name?

Answer.—Catherine Madell

Question.—Where do you live?

Answer.—64 Oliver St

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

Answer.—I fear I will die

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

Answer.—No

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

Answer.—Last night at about 10 o'clock,  
I was in my bed room, I sent a girl by  
the name of Mary Jane Ruddy, who is  
staying with me down stairs, I had my  
back turned towards the door, when I  
divined round I saw my husband John  
Medell, he fired a pistol at me,  
I ran out of the door, he fired at  
other shot and I ran to back street  
and fell. I had not seen my  
husband in two weeks. We separated  
two weeks ago, I would not live  
with him, he is not a support,  
I care him the children, he threatened  
to take my life before, when we lived  
on Hamilton Street, he threatened to  
cut my throat. He is of jealous disposition.  
Catherine Madell  
sign

Mary J. Ruddy

0799

64 297. 1879  
4th Div  
AN ANTE-MORTEM INQUISITION

On the VIEW of the BODY of  
Catherine Madill  
whereby it is found that she was  
injured by a pistol shot wound  
inflicted at the hands  
of her husband John  
Madill. November 5  
1879. at 64 Oliver St.

Taken on the 6th day  
of November 1879  
before

Moritz E. Elinor, Coroner.

Committed

Bailed

Discharged



0800

## STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN INQUISITION,

Taken at the house of  
No.

Street, in the

Ward of the City of

New York, in the County of New York, this 14 day of  
in the year of our Lord one thousand eight hundred and 49 before

Coroner,

of the City and County aforesaid, on view of the Body of

lying dead at

Upon the Oaths and Affirmations of  
good and lawful men of the State of New York, duly chosen and  
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said  
came to his death, do,

upon their Oaths and Affirmations, say: That the said

came to his death by

Revol shot word at the  
house of John Mowice  
in the City of New York  
at the death of John Mowice  
at the Chamber  
at the Chamber in the 9th Ward

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

## JURORS.

Lewis Mahan  
W. R. Davidson  
James Keith  
J. B. Hutterberg  
Thos. J. Lester  
Saml. R. Shum

James Corgan  
Wm. M. Mowice  
Jerman. Chman

Wm. J. Mowice  
CORONER, S. S.

The People of the State of New York, on the  
Complaint of

vs.

List of Witnesses.

*John Madill*  
*Gardner*

NAMES.

RESIDENCE.

*Chas. W. Wilkins M.D.*  
*W. MacWhinnie M.D.*  
*Chas. McKeena with Cr.*  
*Mary Jane Reilly H. of Wch*  
*Off Barnett*

*House Surgeon Chambers St. Hospital*  
*Coroner's Office 131 E 117 St*  
*H. Bennett*  
*245 East Broadway*  
*H. Preet.*  
*Send to Officer*



Coroner's Office.

## TESTIMONY.

Henry Barrett  
 An on Officer advised w  
 the 4th December - on  
 the evening of the 5th near  
 about 10 P.M. I was in  
 duty on Oliver near Oak  
 St - and while walking up  
 Oliver St I heard a pistol  
 shot and ran back towards  
 the place where I saw  
 came from and as I  
 ran back I saw the  
 flash and report of a pistol  
 and then I saw a man  
 fall at the street and so  
 I saw a man over him  
 the corner and where he  
 saw one go towards him  
 he stood still and going  
 up which I saw a pistol  
 in his hand where he  
 handed some, there  
 were three empty chambers,  
 I arrested the man he  
 gave his name as John  
 Madice - the woman  
 was removed to the station

Taken before me

this

day of

1879.

CORONER.

2

Garner's Office.

TESTIMONY.

I have and there she is  
 identified John Madill  
 as the man who had  
 shot her — she was  
 removed to the Hospital —  
 when I arrived there  
 he was under the influence  
 of liquor and was very  
 much excited —

Thomas Smith

Taken before me  
 this 14 day of Nov. 1879.  
 Wm. H. Fullinwider  
 CORONER

3

Coroner's Office.

## TESTIMONY.

My name Reilly and I  
 reside at 34 E. Broadway  
 I have known deceased  
 Catharine Modine and did  
 found with her at 64  
 Oliver St. at the time she  
 was shot - I knew her  
 husband John Modine - they  
 did not live together  
 on the evening of Nov 5<sup>th</sup>  
 between 9 and 10 o'clock -  
 Mrs Modine Charles McKenna  
 and myself were in the  
 rooms of Mrs Modine when  
 John Modine came in suddenly  
 into the room. Mrs Modine  
 was lying in the bed but  
 not undressed McKenna  
 was sitting in the lounge and  
 I was standing in the  
 middle of the floor - as  
 Modine came in he went  
 immediately with his arms  
 and said you f - d - d - a  
~~you~~ bitch I am going  
 to kill you any how  
 as with that I heard

Taken before me

this

day of

1879.

CORONER.

4

Coroner's Office.

TESTIMONY.

the report of a pistol and  
 a faint light and across  
 the street — When Modine  
 first came in, Modine he  
 had his hat in one hand  
 and a pistol in the other —  
 McKenna ran out as  
 soon as he saw Modine  
 with the pistol — Mrs  
 Modine followed me  
 down the street calling  
 to me helpfully an officer and  
 then ran towards both  
 of them — he had his  
 hand extended with  
 a Revolver in his hand  
 I saw the flash of the  
 pistol and Mrs Modine  
 fell upon the street upon  
 her hands and face —  
 Mrs Modine had been  
 separated from her  
 husband just about 3 months —  
 she had some company  
 coming with him to see  
 her — her husband

Taken before me

this day of

1879.

CORONER.

Coroner's Office.

## TESTIMONY.

5- also came to the house  
 about twice a week and  
 at times would stay  
 until 3 o'clock in the  
 morning — her and her  
 husband constantly quarrelled  
 she was in the habit of  
 drinking — about 28  
 nights previous to the  
 shooting Mr Madie had  
 taken to the children —  
 I do not know of anything  
 wrong occurring between  
 Mr Madie and any of the  
 men who came to  
 the house —

Mr Madie did not en-  
 ter into the tragedy and  
 his wife was home with  
 him — I am acquainted  
 with a man by the name  
 of Richard Safford also  
 known as Safford — known  
 known Mrs Madie since  
 childhood — Since the  
 separation I stopped with  
 Mr Madie for 2 1/2 months

Taken before me

this

day of

1879.

CORONER.

6

Coroner's Office.

## TESTIMONY.

Thomas Supple was with  
 Robert J. Cunningham with house  
 at that time he is a widower  
 he and at times stop until  
 10 or 11 o'clock in the morning -  
 on the night when Mr Madril  
 took the children away Mrs  
 Madril accompanied her  
 husband and did not return  
 until 2 or 3 o'clock in the  
 morning and she told me  
 that she had been ever  
 at a hotel on Main and  
 sent for Dr. Brown with  
 her husband - the day  
 before she had received  
 money from her husband  
 but not more than 40 cents -  
 on the night of the tragedy  
 Mr Madril seemed pleased  
 with free admission very  
 much excited -

Mary Jane Kelly

Taken before me  
 this 14 day of March 1870.

Montgomery

CORONER.

0000

Coroner's Office.

## TESTIMONY.

7  
 Charles McKenna <sup>Sworn</sup>  
 Reside at 11 ~~Bowling~~  
 Albion Soda Water  
 I knew the deceased  
 Catherine Modice - I often  
 visited her, she worked me  
 to come and see her - I did  
 not know her husband  
 only saw him once - on  
 thought of the 5th Nov I  
 went to two Modices at about  
 8.45 - Mr Modice was  
 lying down - Mrs sitting  
 in the sofa at Mary  
 Jane Kelly was standing  
 in the floor - about 9.30  
 Mr Modice came in  
 and seeing a pistol in his  
 hand I ran out &  
 need not hear or see  
 anything of the shooting at  
 all

Charles <sup>his</sup> McKenna  
 Mark

Taken before me  
 this 14 day of Decr 1879.

Montgomery

CORONER.

0809

Coroner's Office.

TESTIMONY.

I Charles H. Wilkin being duly sworn do depose & say that I am House Surgeon at the Chambers St Hospital. That Catherine Madill was admitted Nov 5<sup>th</sup> 10.45 P.M.

brought from 4<sup>th</sup> Prec. suffering from pistol shot wound of the back situated 2 in below & 3 in & left of 7<sup>th</sup> cervical vertebra.

The full course of the ball could not be traced but it passed down to the vertebra - She was completely paralyzed below line of shoulders. She sank & died Nov 9<sup>th</sup> 7.02 P.M.

Charles H. Wilkin M.D.

Taken before me  
this 10 day of Dec 1879. *Witzlinger*  
CORONER.



08 10

## TESTIMONY.

I, J. M. Hammond, do hereby make a post  
 mortem examination of the  
 body of Catherine Thodice  
 Gray at 160 Chambers St on  
 the 10th Nov 1879. Upon in-  
 spection found a lacerated and  
 irregularly circular 2 in below  
 as 3 in to left of Cervical  
 Vertebrae - Appear as if Autopsy  
 found that this wound had been  
 made by a pistol ball passing  
 upwards, upwards and with right  
 fracturing the laminae of vertebrae  
 and lodging in the 5th Cervical  
 and resting upon the cord. I  
 am of opinion the cause of  
 death was the fact that when  
 fracturing spine as wound as  
 pressed upon cord.

J. M. Hammond

Sworn to before me  
 this 10 day of Nov 1879

1879

J. M. Hammond  
 CORONER.

0811

# MEMORANDUM.

| AGE.   |         |       | PLACE OF NATIVITY. | WHERE FOUND. | DATE,<br>When Reported. |
|--------|---------|-------|--------------------|--------------|-------------------------|
| Years. | Months. | Days. |                    |              |                         |
| 26     |         |       | CVS                | 160 Chamber  | 11-1-11                 |

E.

MR. ....

Spec. 18

## AN INQUESTION

On the VIEW of the BODY of

*William Madie*

whereby it is found that he came to  
a Death by

Ofquest taken on the  
of 18 day  
before

MORITZ ELLINGER, Coroner.

08 12

E.

No. ....

Quas. 18

# AN INQUISITION

On the VIEW of the BODY of

*Catharine Madell*

whereby it is found that he came to  
his Death by

Inquest taken on the day  
of 18  
before

MORITZ ELLINGER, Coroner.

## MEMORANDUM.

|                      |                    |                     |               |
|----------------------|--------------------|---------------------|---------------|
| AGE.                 | PLACE OF NATIVITY. | WHERE FOUND.        | DATE          |
| Years. Months. Days. | <i>Mo</i>          | <i>160th Street</i> | <i>May 10</i> |

08 13

Coroner's Office,

CITY AND COUNTY }  
OF NEW YORK. } AS.

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

Question.—What is your name?

Answer.—*John Madill*

Question.—How old are you?

Answer.—*35 years*

Question.—Where were you born?

Answer.—*New York City*

Question.—Where do you live?

Answer.—*30 Catharine Slip*

Question.—What is your occupation?

Answer.—*Clark*

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

*I reserve what I have  
to say until the trial by  
jury of course*

*John Madill*

Taken before me, this *14* day of *Novr* 1879  
*Montgomery*  
CORONER.

08 14

MEMORANDUM.

| AGE.   |         |       | PLACE OF NATIVITY. | WHERE FOUND.    | DATE.<br>When Reported. |
|--------|---------|-------|--------------------|-----------------|-------------------------|
| Years. | Months. | Days. |                    |                 |                         |
| 26     |         |       | W.P.               | 160 Chambers St | Nov 18                  |

4214 3524 1879  
HOMICIDE. 8

AN INQUISTION

On the VIEW of the BODY of

Catherine Mervie

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

Robert Paul  
born at the

House of the  
Mervie



Ofquest taken on the 14 day  
of Nov 1879

Wm. J. Sullivan  
CORONER.

Commenced November 14, 1879

Witnessed

Discharged

Date of death Nov 9, 1879.



CITY AND COUNTY {  
OF NEW YORK.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their oath, present:

That John Madill -

late of the *Fourth* ——— Ward of the City of New York, in the County of New York, aforesaid, on the *Fifth* — day of *November* — in the year of our Lord one thousand eight hundred and seventy-*nine* at the City and County aforesaid, with force and arms, in and upon one *Catherine Madill* ——— in the peace of the People of the State, then and there being, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of *her* the said *Catherine Madill* ——— did make an assault, and that the said *John Madill* ———, a certain *pistol* then and there charged and loaded with gunpowder and one leaden bullet, which said *pistol* —, the said *John Madill* in his right hand then and there had and held to, at, against, and upon the said *Catherine Madill* then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said *Catherine Madill* — did shoot off and discharge, and that the said *John Madill* — with the leaden bullet aforesaid, out of the *pistol* — aforesaid, then and there, by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, the said *Catherine Madill* in and upon the *body* —, of the said *Catherine Madill* then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of *her*, the said *Catherine Madill* did strike, penetrate, and wound, giving to *her* the said *Catherine Madill* then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the *pistol* — aforesaid, by the said *John Madill* — in and upon the *body* — of *her* the said *Catherine Madill* one mortal wound of the breadth of *one* inches, and of the depth of *Five* inches, of which said mortal wound *she* the said *Catherine Madill* — at the Ward, City and County aforesaid, from the day first aforesaid and in the year aforesaid, until the *ninth day of November* — in the same year aforesaid, did languish, and languishing did live, and on which *ninth* — day of *November* — in the year aforesaid, the said *Catherine Madill* — at the Ward, City and County aforesaid, of the said mortal wound did die.

And so the Jurors aforesaid, upon their oath aforesaid, do say that *her* the said *John Madill* — *her* the said *Catherine Madill* — in the manner and form, and by the means aforesaid, at the Ward, City, and County aforesaid, on the day aforesaid, and in the year aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of *her* the said *Catherine Madill* — the said did kill, and murder, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

And the Jurors aforesaid, upon their oath aforesaid, do further present:

That the said John Madill  
late of the Fourth Ward of the City of New York in the County  
of New York, aforesaid, afterwards, to wit: on the Fifth day of November  
in the year of our Lord one thousand eight hundred and seventy-nine—  
at the City and County aforesaid, with force and arms, in and upon one  
Catherine Madill  
in the peace of the People of the State then and there being, wilfully, feloniously and of  
his malice aforethought, did make an assault, and that the said  
John Madill a certain pistol  
then and there charged and loaded with gunpowder and one leaden bullet, which said  
pistol the said John Madill  
in his right hand then and there had and held to, at, against, and upon the  
said Catherine Madill then and there feloniously, wilfully, and of  
his malice aforethought, did shoot off and discharge, and that the said  
John Madill with the leaden bullet aforesaid, out of the pistol  
aforesaid, then and there, by force of the gunpowder aforesaid, shot off, sent forth, and  
discharged, as aforesaid, the said Catherine Madill in and upon the  
body of her the said Catherine  
Madill then and there feloniously, wilfully, and of his malice  
aforethought, did strike, penetrate, and wound, giving to her the said Cather-  
ine Madill then and there, with the leaden bullet aforesaid, so as aforesaid  
discharged, sent forth, and shot out of the pistol aforesaid, by the said  
John Madill in and upon the body of her the said  
Catherine Madill one mortal wound of the breadth of one inches,  
and of the depth of five inches, of which said mortal wound she the  
said Catherine Madill at the Ward, City, and County  
aforesaid, from the day first aforesaid

and in the year aforesaid, until the ninth day of November

in the same year aforesaid, did languish, and languishing did live, and on which  
ninth day of November  
in the year aforesaid, the said Catherine Madill at the Ward,  
City and County aforesaid, of the said mortal wound did die.

And so the Jurors aforesaid, upon their oath aforesaid, do say that he the said  
John Madill her  
the said Catherine Madill in the manner and form, and by  
the means aforesaid, at the Ward, City, and County aforesaid, on the day aforesaid, and  
in the year aforesaid, wilfully, feloniously and of his malice aforethought,  
did kill, and murder against the form of the Statute in such  
case made and provided, and against the peace of the People of the State of  
New York and their dignity.

BENJ. K. PHELPS, District Attorney.



08 18

**BOX:**

**2**

**FOLDER:**

**28**

**DESCRIPTION:**

**McDermott, Edward**

**DATE:**

**12/02/79**



**28**

08 19

16.

*Hunny Mills*  
Filed 2 day of *Dec* 189  
Pleads *Not Guilty (3)*

THE PEOPLE

vs.

*17 Black*  
*291*

*Edward McDermott*

*Felonious Assault and Battery.*

BENJ. K. PHELPS,

*District Attorney.*

A True Bill.

*M. W. Coffey*  
Foreman.

*Part two dec 8, 1899*  
*Trind convicted art 3.*  
*Pen: Two months.*

0820

16.

*Henry Wells*

Filed 2 day of Dec 189  
Pleads Not Guilty (3)

THE PEOPLE

vs.

17 Bleeker  
29

*Edward McDermott*

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*M. W. Cropper*  
Foreman.

Part pro dec 8, 1899  
Indicted art 3.  
Pen: Two months.



0822

Police Court—Second District.

CITY AND COUNTY }  
OF NEW YORK, ss.

*Edward McDermott* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him states as follows, viz.:

Question.—What is your name?

Answer.—

*Edward McDermott*

Question.—How old are you?

Answer.—

*Sixteen years*

Question.—Where were you born?

Answer.—

*New York City*

Question.—Where do you live?

Answer.—

*291 Bleeker*

Question.—What is your occupation?

Answer.—

*Express business*

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

Answer.—

*I am guilty of the charge. I did it because Police said that my ~~brother~~ sister went out nights to make money to support the home I done it in a temper*

*Edward <sup>his</sup> McDermott*  
*maile*

Taken before me, this

25<sup>th</sup>

day of

1891

0823

16

POLICE COURT—Second District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Christ Bolian*

*501 Wisconsin St*

*Edward H. Gernert*

Dated *November 25* 18*79*

*Bixby*

Magistrate.

*Flanagan*

Officer.

*9*  
Clerk.

Witnesses.



Committed in default of \$ *500*— bail.

Bailed by

No.

Street.

OFFICE—Felonious Assault and Battery

0824

HENRY C. SHERBURNE,  
*Pres.*

EDWARD A. TAFT,  
*Gen'l Manager.*

NEW YORK & BOSTON DESPATCH EXPRESS CO.

INCORPORATED JUNE 16th, 1873.

C. C. CHICKERING, Agent,  
304 and 306 Canal Street.

New York, Dec 8 1879

My dear Mr. [unclear]

our agent is  
opposed to giving a character  
in writing to any of his Employees.  
and therefore refuses to give a  
written recommendation to your  
brother. but this I will say for  
myself that in all the time your  
brother was employed here I  
always found him to be a  
Manly. Industrious. Obliging  
Boy and never thought him  
capable of doing what he is  
charged with doing. and I

0825

Sincerely hope that he may  
get through his trouble with  
an unscathed name.

Respectfully yours  
Eugene M. Cawston  
M & O Ex Co  
308 Canal St  
NY



CITY AND COUNTY }  
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the City and County of New York,  
upon their Oath, present:

That *Edward Mc Dermott*

late of the City of New York, in the County of New York, aforesaid, on the *twenty fourth* day of *November* in the year of our Lord one thousand eight hundred and *seventy nine* with force and arms, at the City and County aforesaid, in and upon the body of *Christ. Bolian* in the peace of the said people then and there being, feloniously did make an assault and *him* the said *Christ. Bolian* with a certain *Knife* which the said *Edward Mc Dermott*

in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound with intent *him* the said *Christ. Bolian* 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 Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said *Edward Mc Dermott* with force and arms, in and upon the body of the said *Christ. Bolian* then and there being, wilfully and feloniously did make an assault and *him* the said *Christ. Bolian* with a certain *Knife* which the said

*Edward Mc Dermott* in *his* right hand, then and there had and held, the same being then and there a sharp, dangerous weapon, wilfully and feloniously, and without justifiable and excusable cause, did then and there beat, strike, stab, cut, and wound, with intent to then and there wilfully and feloniously do bodily harm unto *him* the said *Christ. Bolian* 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 Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

*Edward Mc Dermott* with force and arms, in and upon the body of *Christ. Bolian* in the peace of the said people then and there being, feloniously, did make another assault and *him* the said *Christ. Bolian* with a certain *Knife* which the said

*Edward Mc Dermott* in *his* right hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut, and wound, the same being such means and force as was likely to produce the death of *him* the said *Christ. Bolian* with intent *him* the

said *Christ. Bellin* then and there feloniously and willfully 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said *Edward Mc Dermott* with force and arms, in and upon the body of the said *Christ. Bellin* then and there being, willfully and feloniously, did make another assault and with the said *Christ. Bellin* with a certain *Knife* which the said *Christ. Bellin* in his *right hand* then and there held and held, the same being then and there a deadly weapon, willfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there willfully and feloniously main *in Christ. Bellin* 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.

BENJ. K. PHELPS, District Attorney.

7280

16.

*Henry Mills*  
Filed 2 day of *Dec* 189  
Pleads *Not Guilty* (3)

THE PEOPLE  
vs.  
*Edward Mc Dermott*  
Felonious Assault and Battery.

BENJ. K. PHELPS,  
District Attorney.

A True Bill.

*M. W. Coffey*  
Foreman.

*Part Dec 8, 1899*  
*indicted art. 3.*  
*Pen: Two months.*