

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 10th day of Dec 1879

Pleads

with four to withdraw

THE PEOPLE

vs.

- 1 George M. Call
 also
 George Baker
 also
 George Bladney
- 2 Michael Evans
 also
 Merrill Evans Jr.
- 3 Jane Evans.

Abduction vs. Druggery

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. W. Cooper
Joseph
Sub Discharged
Foreman.

0544

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 Albridge J. Geary - counsel
for Society for Prevention
of cruelty to Children.

130

Day of Trial,

Counsel,

Filed *11th* day of *Dec* 187*9*

Pleas *with fees & miltan*

THE PEOPLE

vs.

- 1 *George McCall*
alias
George Baker
- 2 *Michael Evans*
alias
Allen Evans
- 3 *Jane Evans*

Abduction v. M. Evans

BENJ. K. PHELPS,
District Attorney.

A True Bill.

M. W. Cooper
Dec 22/79
Foreman.
Got Discharged

0548

BOX:

2

FOLDER:

28

DESCRIPTION:

Martini, Antonio

DATE:

12/09/79



28

0649

80

Filed *9* day of *Sept* 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 $2\frac{1}{2}$ ^{or 3} 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.

Briefly,

R. B. Wilson M.D.

28 E. 41st 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*

Sworn to, before me, this

day of

September 187*9*

A. J. Murphy
Police Justice.

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

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 *Oct* 187*9*

A. L. Morgan
POLICE JUSTICE

0653

COUNSEL FOR COMPLAINANT.

Name,
Address,

COUNSEL FOR DEFENDANT.

Name,
Address,

Police Court - First District.

AFIDAVIT—Felonious Assault & Battery

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Vincent De Leo
House of Representatives

Antonio Martini

2
3
4
5
6

Dated, *December 6* 187*9*

Morgan Magistrate.

Martini Officer.

Clerk.

Witness, *Officer Martini*

14th Precinct

Salvatore Martini

357 Broadway, Universal Hotel

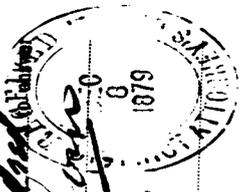
Romeo Shugzi

107 Sullivan St

Jim Kambach

at General Sessions, *6* 187*9*

Received at Dist. Atty's Office, 1879



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
fifths day of *December* in the year of our Lord
one thousand eight hundred and ~~seventy nine~~ *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 *hiss* 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 *hiss* 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 *hiss* 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 *hiss* 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 *hiss* 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 *hiss* the said *Vincenzo de Leo* with intent *hiss* 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 *Antonis 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 *his* the said *Vincenzo de Leo* with a certain *Knife* which the said *Antonis 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 *his* 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.

80 (11)

Filed day of *Dec* 1899
Placed *for* *rec'd*

THE PEOPLE

vs.

Antonis Martini

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A TRUE BILL.

M. W. Cooper
Foreman.

Part for Dec 10. 1899
Placed *2nd* *6* *month*
S. P. *three* *years*.

0656

BOX:

2

FOLDER:

28

DESCRIPTION:

Mack, Thomas

DATE:

12/09/79



28

0657

I Rev. St. 6th 727.550
Haskin v. The People
1674. 349.

Witnesses

Alexander Rung, 28th Feb
identifies Maek as the man he
saw on the boat.

John Gottleman, 1st Mar
N. W. Cor 64th + 1st Mar
was with Rung in the boat.

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

Henry Maese, 420 Cherry St
sold the sail boat to Maek un-
der his right name Dr. Ariny.
has identified it - now at Old Spring
way taken up by him by Mr. [unclear]

Alex H. Woodhall,
(Crown) City Island.

Saw Maek ashore day before
the burglary on City Island

Henry Roberts, U.S. Sig
(Al. Davite) City Island.

Talks with Maek the day
before on City Is.

Edward Ransom,
2424 2nd Ave. Harlem

Saw Maek ashore on City Is. day before

Officer McNaught, Hdqrs
identifies boat, took Maek to
it at Old Spring Market

79
Counsel, *Kutzing*
Filed *10* day of *Jan* 187*9*
Pleads *Not Guilty Jan 9*

THE PEOPLE

vs.

25
31 *Scamell*
Thomas Maek
alias
Thomas McCreney.

(Convicted of Burglary, 3rd May
Jan 22 1877. Sentenced 2 1/2 yrs.
State Prison, under name of
Thomas Welch.)

Larceny, and Receiving Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. W. Cooper
Foreman.

Part Jrs: Jan 9, 1880.
Fined & Enrolled, Burg 3
S.P. 5 years

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 man 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 Light
Thompson*

*Statement of
Off. Thompson*

*Archie & The People
16 N.Y. 349
2 Res. S. 727 500*

0650

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 Schuitz of the Police Boat Sebaca. 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 single 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 Waling 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 river late yesterday to look for the burglars, but they were not seen.

0662

Messers 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
28th. The one of which the
thieves were in possession
when the Officer drove them
off.

Messers identified it as a
boat he sold to Mr Henry
McNaught. Adams, can
identify the boat as the
one delivered to Darling.
He went with Messers to
Cold Spring; Mr. Naught told
Runge showed to Mr. Naught that

0663

Thomas M^cEnery

Officer Post 5th Regt

M^cEnery was sent with
Co M. Coarty. Partly in
May. just below Canal
two years to mor.

Newman
1876 or 1877

Hagan officer
1st Regt now
Post 5th Regt

0664

City & County of New York
District Attorney's Office

December 9-1879

Capt Austin
Condy 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 conspiracy
of Paul Buttons. & Co.

Yours very obedt. Servt.
Mark C. Clark
District Attorney.

Thomas Welsh
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 8th 1880

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

Sir

In the trial of
Thomas Mack there is two
Quinners named Nugent &
LaFont^{who} 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 [unclear]

0666

Thomas Mack

Car in Ohio County

Chick C. P. 2 8727

Ownership - name unknown

to 8719

0567

City Prison
(Dec 26th 1879)

Mr. Watkins

My Dear Sir -

Pardon me for tating 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 alledged
that broke into your place
of business - but as God know
I am unno-cent of the charge
and never participated in
the crime and so I will
prove on my trial when the
cause is brought up for
proper adjudication - My
object in writing you is to

0558

ask you to forward me a specimen of a letter that was forwarded to you as I understand 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
New York City } Thomas McAvoy
31 Seannell St

0670

Mem relating to
The Case of
Thomas Mack
alias M. Tierney
alias M. Aveny
alias Geo Carroll
Conv under this name
Jan. 19, 1877. 24*6
Indebtedness 27

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

Black Walker
New York
City District
Mr (P. C.)

HENRY MEESE,
DEALER IN
FISHING TACKLE AND BAIT,
No. 428 CHERRY 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.

At the request of the People of the
State of New York in and for the
body of the City and County of
New York, in their own
presence:

That Thomas 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
force 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

0672

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 store-
house 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 ^{City and} 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 CONSENT,
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
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. 6th Ed. 727. 500.
Haskin v. The People
16 N.Y. 349.

Witnesses

Alexander Runge, 28th Dec^r
identifies Mack as the man he
saw on the boat.

John Gottleman
N. W. Cor 54th St + 1st Ave
was with Runge in the boat.

Wm Darling, City Island.
owner of property. As to larceny
recor^d of property, sale of boat.

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

Alfred N. Woodhall,
(Grocer) City Island.

saw Mack ashore day before
the burglary on City Island

Henry Roberts, U.S. Sig. Off.
(Mr. Baxter) City Island.

Talked with Mack the day
before on City Is^l.

Edward Ransom,
2424 2nd Ave. Harlem.

saw Mack ashore on City Is. day before

Officer McNaught, N.Y. Police
identifies boat - took Meese to sea
it at old Spring Garden
Colored man

79

Counsel, *Kutzing*
Filed *9* day of *Dec* 187*9*
Pleads *Not Guilty Jan 4*

²⁵ Scamell
³¹ THE PEOPLE
vs.
Thomas Mack
alias
Thomas McEnaney.
(Convicted of Burglary 3rd Div
Jan 22 1877. Sentenced 2 y. 6 m.
State Prison. under name of
Thomas Welch)

Larceny, and Receiving Stolen Goods.

BENJ. K. PHELPS,
District Attorney.

Sub of witnesses on bank
of other indictment

A True Bill.
M. W. Cooper
Foreman.

Part Jno: Jan 9. 1880.
Fried & convicted Burg 3
S.P. 5 years

0676

BOX:

2

FOLDER:

28

DESCRIPTION:

Marsh, George

DATE:

12/23/79



28

0677

180

Counsel,

Filed 23 day of Dec 1879

Pleads,

THE PEOPLE

vs.

George E. Mank

part of J. J. Timmons

Burglary - Third Degree,
and Larceny.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

M. W. Cooper

Foreman.

Sam. C. Wilson

Plead G. L.

S. One year.

0678

Police Court, Second District.

City and County } ss.
of New York, }

Alexander R. Fordyce

of No. 425 Garden street Hoboken, New Jersey, being duly sworn,
deposes and says, that the premises No. 78 Little 12th Street
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 1879
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 Carpenters
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 18th 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 19th instant the said

(78)

0679

Stable door was ^{found} 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
20th day of December 1879
B. W. Park Police Justice

0680

Police Court—Second District.

CITY AND COUNTY }
OF NEW YORK } ss

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.—*Ame*

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

20th

day of *December* 1879

ppp Marsh

Police Justice.

0581

18
POLICE COURT—Second District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Alexander R. Fordy
Sent to
officer



George A. Marsh

OFFICER—Harvey and Larsons.

Dated *December 20* 187*9*

Billy Magistrate.
O'Neil Officer.
? Clerk.

Witnesses,

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

Bailed by *Willam*

No.

Street.

0582

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

George E Marsh

late of the *Marsh* Ward of the City of New York, in the County
of New York, aforesaid, on the *Eighteenth* 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 Surgeon

0685

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

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

Yours
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. W. Baker, M.D.
House Surgeon.

0688

St. Vincent's Hospital
Oct. 23. 1879

This is to certify that
Michael Gorty
who was brought here
last evening suffering
from two lacerated
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 Kiernan
of No. *the 9th Precinct* street, being duly sworn, deposes and says,
that on the *23* day of *October* 187*9* 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 Gerrity
with a knife - said Gerrity in the
presence of deponent identified said
Mc Nally as the person who com-
mitted said assault in conse-
quence of said injuries said Gerrity
is now in St. Vincent Hospital and
unable to make complaint

John Kiernan.

Sworn before me, this

of

23

day

1879

Police Justice.

[Handwritten signature]

0690

Book 10

Police Court—Second District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

John Kierman

vs.
Charles McNally

Dated, October 23 1879

Wm. D. 73 N. 73 N. Justice.

Kierman 9 Officer.

£

AFFIDAVIT

Subscribed & sworn to in Michael Conroy

0691

AFFIDAVIT—FELONIOUS ASSAULT, &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 1879,

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 deponent and 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.

Michael Gerrity

Sworn to before me this 2 day
of December 1879

John W. [Signature] Police Justice.

0692

82

POLICE COURT—Second District.

THE PEOPLE. &c..

ON THE COMPLAINT OF

Michael Lavery
85 King St
vs.

Charles McNaally

Dated December 2 1879

Flanagan Magistrate.

Kiernan 95 Officer.

Jacob Burns
Gus Fuller Clerk.

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

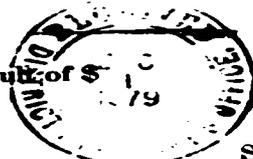
Com. without bail

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

Walter Thomas
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 *kill* 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 *kill* 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* *Michael Bereshty*
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 *kill* 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 *kill* 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 *kill* 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 *kill* the said *Michael Bereshty* with intent *kill* 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 of the dec. 6. 1870.
Fred's acquisition 1871*

W. W. Cooper

A TRUE BILL.

BENJ. K. PHELPS
District Attorney.

Charles Mc Nally

Felony Assault and Battery.

THE PEOPLE

vs.

P

1870
Find day of *Dec* 1870
found *for guilty (11)*

J. P. Phillips

0696

BOX:

2

FOLDER:

28

DESCRIPTION:

McKeon, John

DATE:

12/09/79



28

0697

72

Filed 9 day of Dec 1879
Pleads

22
43
1st

THE PEOPLE,
vs.

John McKeon

Burgess
H. H. P.

BENJ. K PHELPS,
District Attorney.

A True Bill.

M. W. Cooper
Foreman.

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

0699

Police Office, Fourth District.

City and County }
of New York, } ss.

Thomas, F. Carman

of No. 519 Second Avenue, being duly sworn,
deposes and says, that the premises No. 519 Second Ave
Street, 2d Ward, in the City and County aforesaid, the said being a Tenement
apartment, which was occupied by deponent as a dwelling and

place of abode, were **BURGLARIOUSLY**
entered by means of breaking a pane of
glass in a window and by
passing his hands through the
opening and entering 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:

is informed by Jane Conwell
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 8th 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 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 McKeon

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

New York

Question. Where do you live?

Answer.

431 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
1879

0701

72

Police Court—Fourth District.

THE PEOPLE &c.
ON THE COMPLAINT OF

Thomas J. Cooney
519 2nd Ave

230

Henry Perry
Offence,

1
2
3
4
5
6

Solomon Koen



Dated *December 3* 187*9*
Smith Magistrate.
Harris Officer.
W. P. Mc Clerk.

Witnesses,

Jane Cunnell
519-24 avenue
Lewis Greenwood
William Cooney
519-24 avenue

\$1000 Dam & 51

Received in District Atty's Office

Cooney

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,

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 *twinty 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 dwellinghouse 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

Counsel,

Filed *22* day of *Dec* 187*9*

Pleads *Not Guilty*

Jan 5/80

not made

THE PEOPLE

vs.

Robert May

James Ellis

James Townley

JAMES K. PHELPS,

District Attorney.

2. S. P. Five years.

A True Bill.

M. W. Cooper
Dec 25 1879 Foreman.

S. P. 5 years.

Larceny, and Receiving Stolen Goods.

24
156

228/78

The People
vs
James Ellis
alias
James Townley
goods.

Court of General Sessions. Before Judge Gilderhusen
January 22, 1850. Jointly indicted with Robert
May for grand larceny and receiving stolen
Catherine M. Jones, sworn and examined, testified
I reside at 707 Fifth Avenue, I do not know this
prisoner; in the year 1849 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 29th of October; he
remained in my employment a little over a
month; he disappeared on the 5th 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

0708

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^d 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 Dusenbury 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 Bisby.

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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 "126" May, who is now in State prison, told me that he (Journley) forged the check in the butler's pantry at Mr. Jones, 407 Fifth Avenue. I also told him that May stole one of Mr. 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 Mr. Jones's pantry that day but he was around to Mr. Jones's between 10 and 11 o'clock that morning. I received information from May that he was in Mr. Jones's house and while there committed the forgery; the prisoner said he was around to Mr. 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 Mr. Jones's house, May, the butler asked him if he would not do him the favor and stop at the telegraph office and say to the man in charge that Mr. Jones

0710

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' house 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 for the other, so that the boy would
take to Mrs. Jones and a piece of old news-
paper, and they would take the boat with
the \$1670 in it. The boy was not intercepted
and he went to Mrs. Jones' house and del-
ivered 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 evening and that he went to the Tel-
e-graph office. Previous to the apprehension
we traced that on the afternoon of the ju-
rgery a man went to Elsted's stable on
Sixth Avenue and hired a carriage to be
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 num-
ber and were taken down to the foot of
Deerross 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
Deerross St. that day; he lived there at
Sixth Ave. under the name of Ellis. He ex-
plained it was a nickname that his as-
sociates 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 West 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 fifteen 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 ferryman 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

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if he had a package of silver fifteen pieces
pledged in the name of Jones or Brown on
either the 28 or 29th of Nov. He handed us his
book, we looked it over and found it was
pledged on the 29th 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~~^{silver} 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. J. B. Myers, 4 West 34th 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 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. He 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 know 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

0717

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 ^{between} ~~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, ^{and Lady} at the Clarendon hotel that I should have their place, but they had some one formerly supplied. 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 currency 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 where the street where I saw the silver. I know I went past the () I came back from Washington tiller York at 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 no one entering head to 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 () but I lost the situation; then I went into the employment of a gentleman on Madison Ave. for three or four days. Then I did work at public writing, 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.

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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. 178.

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0722

City and County of
New York ss

Thomas Dusenbury of the Central office
police being duly sworn says that
on the 18th day of December 1879 in
the City and County of New York he
presented the annexed check purporting
to be signed by Catharine M. Jones
to the Paying Teller of the Bank of
America that said ~~James~~ ^{Donaldson} identified
said check as the one he paid the
sum of Sixteen hundred and seventy
dollars to a messenger boy attached
to the District Telegraph Company on
December 5th 1879

Thomas Dusenbury

Sworn to before me

this 18th day of December 1879

B. W. Kelly Police Justice

L 14, @ on 12/29/79

0723

City & County of New York ss.

Sydney Jones Colford of No 707 - Fifth Avenue being duly sworn says that Robert May now here was in the employ on the 5th 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 5th inst without notice. That the signature Catharine M Jones to the annexed check dated December 5th 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 ^{cut out &} 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.

Sworn to before me
 this 17th day of December
 1879.
 R. W. Finch
 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 1879
at the City of New York, in the County of New York,

alms

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 5th 1879 signed by Catharine M
Jones payable to the order of Beamer
and endorsed C. M. Jones for the
sum of fifteen hundred and seventy
dollars with intent to defraud de-
ponent ^{a witness} of the said sum aforesaid
under the following circumstances
to wit; that on the said date at the
hour of about 2⁰⁰ P.M. James C. Dunn
an employee of the American Dis-
trict Telegraph Company - delivered
at deponent's residence a package
which contained National Bank Notes
of the amount and value of fifteen
hundred and seventy dollars -
said Dunn saying to deponent
that he had been summoned from
the Office of said Company No 1002
6th 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

was not 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

Lawrence H. Jones

Robert May

James Thornley

Dated Decem^r 13th 1877

Blanner Hume
Witnesses, Dorey Ben. Off.

James C. Dunn
243 E. 57th Street

Committed in default of \$ _____ surety.

Bailed by _____

No. _____ Street.

Dunn to before me this
13th day of Decem^r 1877

Robert May - Police Justice

0726

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

James C. Dunn

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 deponent's 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 _____ day of _____ 1879

Charles M. ...
Police Justice.

0727

No 707 38 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^r of William St"
On presentation of this letter deponent
envelope with Enelson deponent
received some money which he took
to Mr Jones home.

James B. Dunn

Sworn to before me this
17th day of December 1879
J. M. Murphy
Police Justice

Filed in

Police Court—Second District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

AFRIDA VIT.

Dated,

187

Justice.

Officer.

Witness,

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
6th 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
13th day of December 1879 } Geo. William

John A. Kane Police Justice

0729

POLICE COURT—SECOND DISTRICT.

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

Joseph M. Dorey Police of said city
a member of the Municipal Court, 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. Hoines 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 Journey was an intimate associate of Robert May named in the within complaint. Deponent was also informed by ^{the foreman of} Henry J. Elder of No 801-6th Avenue that on the 5th day of December 1879 at the hour of 3 1/2 o'clock ^{P.M.} 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 advise of counsel*
Robert May

Taken before me, this

17

day of *December* 1919

R. W. [Signature]
Police Justice

0731

Form 114.

Police Court—Second District.

THE PEOPLE, &c.,
OF THE COUNTY OF

Catharine M. Jones
707 5th Ave

- 1 Robert May
- 2 ~~James T. ...~~
- 3 (Check attached to Complaint.)
- 4

Offence, Forgery 854

Dated December 13 1879

Flammer Magistrate.

Dusenbury Golden Officer S
Off. Dorey
Central Office Clerk

George Kiteau
Witness, Sydney James Colford

No. 707 5th Avenue Street.

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

Timothy Golden
Central Office Street.

to H. Donaldson - Bank of America
2500 to answer Committed.

Received in Dist. Atty's Office.

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

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 5th 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 6th 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 6th Ave., visiting a Mr. James Ellis and family at that number. May was known as Mr. Jordan to the

0733

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

0734

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

0735

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.

0736

FORM 89 1/2

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

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 1879

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:

One Silver Spoon
One Silver Fork -
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 ^{may} thinks at
no 194. 8th Avenue

Sydney J. Wolford.

Timothy Golden of New York, 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

before me, this

17

day

of December 1879

Pringle

Police Justice

0737

Police Court—Second District.

CITY AND COUNTY }
OF NEW YORK. } ss.

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

June 1879

Police Judge

Robert May

0738

P 234

854

FORM 894.

POLICE COURT—SECOND DISTRICT.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

Sydney Jones Colford
No. 707 5th Ave

Robert May 544th
S. P.

James Ellis

Affidavit—Larceny. *Shred*

DATED Dec 17 1879

B. H. Truby MAGISTRATE.

Timothy 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.

0739

Jan^y 12

Honoured Sir

I have prayed to God
that he only raise ^{me}
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 Half Broken &
Been in this place
I could obtain a possession

0740

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 ^{your obediently}
James Downley

0741

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 your kind
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
send 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

0742

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

0743



Bank of America
45 Wall St
Care of William St

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



~~Police Court, Second District~~

Corner of Sixth Avenue and Third Street.

Check - Card to
Enclosed -

0744

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 5th 1879
Bank of America
Pay to the order of bearer
Sixteen hundred and seventy dollars
\$ 1670 ⁰⁰/₁₀₀ 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 company 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 5th 1879
Bank of America
Pay to the order of Recd
Twenty hundred and seventy dollars
\$1670 00
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.

0746

~~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-*one* — 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 5th 1879 -
Bank of America -
Pay to the order of bearer _____
Sixteen hundred and seventy dollars.
1670^{00/100} Catherina 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 *Catherina 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.

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

Robert May and James Ellis otherwise
called James Townley Esq.

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 5th 1879
Catherine M. Jones
Bank of America
Pay to the order of bearer
Six hundred and seventy Dollars
\$ 1670 ⁰⁰/₁₀₀ 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 coun-
terfeited 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

0748

and defraud *Catharine 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 Tronby* 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.

0749

5/ 15

Counsel,

Filed *22* day of *Dec.* 187*9*
Pleads *Not Guilty*

vs

THE PEOPLE

vs.

P
Robert May
James Ellis *det.*
alias *P*
James Joruley
accused

INDICTMENT.
FORGERY in the Third Degree

D. ...
BENJ. K. PHELPS,
District Attorney.

A True Bill.

W. W. Cooper
Foreman.

0750

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.

0751

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 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.

0752

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*

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.

0753

BOX:

2

FOLDER:

28

DESCRIPTION:

McCormick, Patrick

DATE:

12/23/79



28

0754

BENJ. K. PHELPS, District Attorney.

183.
Keitzing
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 Terminals for trial
July 13, 1881
A True Bill.

M. W. 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 come by they had with him -
and they ordered "Thomas" to go out but he put
not to hear me and 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 the man 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. ...
CORONER.

0756

MEMORANDUM.

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

Witnesses
 Mary Gardner H.S.
 Cornelius Lynde " " "
 Patrick Hyblino " " "
 John P. Conroy sworn
 off Quorum 4th Prec.
 John N. Watkins U.S.
 Johnathan Stear Hyblino
 J. N. Mac. Williams M.D.
 Coroner Officer

E. 136
 On the view
 of the above
 AN IMPOSITION
 taken at
 the residence
 of
 Mrs. 298 St. N.Y.
 1879
 which it is found that to come to
 his credit by deposit of
 \$2500
 to the credit of
 the Comptroller at
 184 North Street
 November 5, 1879
 signed taken on the 5th day
 of November 1879
 MORITZ ELLINGER, Coroner.

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Witnesses

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

John E. Conroy m.d.
^{184 North St}
off Derry 4th Prec
Chas H. Wickham M.D.
Chamber Street Hospital
J. W. Mac Whinnin m.d.
Coroner's Office

E. 136

Vol. 290 647
Anti Mortem 1879
AN INQUISITION

On the VIEW

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

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

Inquest taken on the 5th day
of November 1879
before

MORITZ ELLINGER, Coroner.

0758

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Ante Mortem
Taken at the *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
Saint 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
McConick 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.

0759

TESTIMONY.

Anti-Masonic Statement
of John Corning being
deposited in the
Clerk's Office on the 5th day
of November 1879

What is your name

John Corning

What is your age

17 years

Where were you born

New York and raised 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) appeared at the bar of my
saloon - last night somewhere about 10 o'clock
he came with 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 Mrs - 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 seventy 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 kill 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 kill 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 kill 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 kill 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 aforesaid, 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 kill 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 kill the said John E. Conners with intent kill the

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said *John E. Convery* 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 Mc Cormick
with force and arms, in and upon the body of the said *John E. Convery*, then and there being, wilfully and feloniously, did make another assault and *kill* the said *John E. Convery* 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 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. Convery* 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.~~

Filed _____ day of _____ 18____
Pleads _____

THE PEOPLE

vs.

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A TRUE BILL.

Foreman.

0762

~~CITY AND COUNTY~~
~~OF NEW YORK,~~

And ^{aforsaid} 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, ^{aforsaid} do further present

That Patrick Mc Cormick

late of the City of New York, in the County of New York, aforsaid, 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 aforsaid, 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 ^{hui} 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} Patrick Mc Cormick
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 ^{hui} 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 aforsaid, upon their Oath aforsaid, do further present: That
afterwards, to wit, on the day and in the year aforsaid, at the City and County
aforsaid, 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 ^{hui} 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 ^{hui} 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 aforsaid, upon their Oath aforsaid, do further present: That
afterwards, to wit, on the day and in the year aforsaid, 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 ^{hui} the said John E. Connerly
with a certain instrument and weapon, a description
of which is to the jurors aforsaid 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.
Keppel
Filed *23* day of *Dec* 18 *79*
Pleads *not Guilty* 23

THE PEOPLE

vs.

Patrick McCormick

P

Felonious Assault and Battery.

BENJ. K. PHELPS,

*Delivered to Court of Sessions
and Terminals for Trial
July 13, 1879*
District Attorney
A TRUE BILL.

W. 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

247

THE PEOPLE
vs.
Patrick W. Cornack

Horrible of the Degree of Murder in the First Degree

BENJ. K. PHELPS,

District Attorney.

Ordered to Court of Oyer and Terminer for trial
Feb 13 1880

A True Bill.

M. W. Cooper

Foreman.

Tried and
the day of
Pleads Guilty of
Manslaughter 2^d deg
Feb 19 1880
52 7 yrs

0766

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the house of
No.

Cumms Office

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

Mark Cluysen

Coroner,

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

Thomas Welsh
100 Chambers St -

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

man
struck wounded
by a knife in the hands
of Patrick McCormack on 18th Street
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 W. Edmunds
with
Just Justice
Wilhelm Boehmer
Friedrich Bullenkamp
F. J. Klein
Carsten Droge

W. J. Fellingner
CORONER, S. S.

0767

Coroner's Office.

TESTIMONY.

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

Taken before me

this

day of

18

CORONER.

0768

2

Coroner's Office.

TESTIMONY.

McCormack drew a knife and
 stabbed Curry - I called
 out Oh his got a knife
 but Curry did not seem
 to heed me - Walsh spoke
 up and said if Curry said
 that you saw I came 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 took the knife out of
 his own pocket - Walsh
 had no knife that I saw -
 My Witness

Taken before me
 this 8 day of June 1899
 J. M. Sullivan

CORONER.

0770

4

Coroner's Office.

TESTIMONY.

John E. Conway Swears
The statement I made as
an auto-verdict deposition
is correct and is all that
I can say in the premises.

J. E. Conway

Taken before me
this 8 day of Dec

1874
Mortimer J. Gellings

CORONER.

0771

5

Coroner's Office.

TESTIMONY.

Thomas Jimmy Judge Am
 an officer called with 4th
 Precinct - on the morning of
 the 3th Nov I arrested the
 prisoner Patrick McCormack
 in Henry's Liquor Store in
 Pearl St near Clatsop
 and found the knife here presented
 upon him - I told what
 which I arrested him for and
 asked him what he had
 done the man for and he
 said he did it in self
 defence

Thomas Jimmy

Taken before me
 this 8 day of Dec 1879
 Wm. J. [Signature]
 CORONER.

0772

TESTIMONY.

I, Samuel Whinnie, now sworn, say
 I made a post mortem examination
 of the body of Thomas Welch lying
 at the Chambers St Hospital on Saturday
 May 8th upon inspection find 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 and 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 find a wound which pene-
 trated the chest and wounding the pericardium
 and heart slightly - below the clavicle
 was another wound which penetrated the
 pleura 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 pleura
 and wounding the lung - On the left
 side and towards the back I find 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 & haemorrhage the result of stab wounds described.

J. Wallace MacWhorter

Sworn to before me
this 8 day of Nov 1879

Wm. B. G. G. G.

CORONER.

0775

MEMORANDUM.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
Years.	Months.	Days.			
40			Beland	16 Chambers	Nov 3

14 yrs
 Single
 Lutheran
 ad no 5
 New no 7

E.

OP#

Sum.

18

AN INQUISTION

On the VIEW of the BODY of

William Prick

whereby it is found that he came to
& Dwell by

Disposit taken on the
of 18
days

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 Chambers
Hospital. That the ~~deceased~~ deceased
was admitted to my charge
Nov 5th 1878 at 11 AM. suffering
from two penetrating w. in abdomen
& two w. penetrating thigh &
superficial wounds in chest abdomen
arm, neck & face. He developed
symptoms of
peritonitis & congestion of lungs &
died Nov 17th 1878 PM.

Charles H. Wilkie M.D.
House Surgeon

Taken before me
this 8 day of Dec

1879. Ino. 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 Dealer

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 ^{his} McCormack
Murphy

Taken before me, this 8 day of Nov 1879
Wm. J. Sullivan
CORONER

0778

MEMORANDUM.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
Years.	Months.	Days.			
40			Belgium	160 Chamber St	Nov 5

Witness

Mary Gardner N.Y.

Corollia & good do

Salvia Hopkins do

John E. Lowmery 18 1/2 West 12th St

Off Jersey 4th Street.

Chas. H. Williams 11 N. 11th St

Chambers St. N. 11th St

J. H. MacMillan's 110

Coroner's Office

Pat. H. Green 15th St

15th St

1879. 1303 21. HOMICIDE. E.

AN INQUISITION OF

On the VITALITY of the BODY of

John E. Lowmery

whenever it is found that he comes to his death by the hands of

J. H. MacMillan

on the hands

J. P. Schmitt

Richard M. O'Brien

deposited on the 8th day

of Nov 1879

Henry - Collins Coroner.

Committed to

Prison

Discharged

Date of death

Nov 9 1879

0779

Wed 21. 1879.

HOMICIDE.

AN INQUISTION OF



On the VIEW of the BODY of

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

John Mounds
at the hands

of Robert M. Cornell

Request taken on the 8 day
of Dec 1879

before
Mary-Ellyin
Coroner.

Committed
Toombs

Traced
Discharged

Date of death
Nov 7 - 79

Witness

Mary Gardner N.D.

Correllus Lynch do

Salvator Hopkins do

John E. Conway do
1847 World St

Off Simey do
4 Stret.

Chas. H. Watkins do
N.E. 127

Chambers St Hospital

J. MacWhinnie M.D.

Coroner Officer

Pat. A. Groves do
151st St.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE When Reported.
40 Years Months Days	Atlanta	160th Street St Pauls St	

MEMORANDUM.

0780

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

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 ~~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 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 ~~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 *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 ~~a 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 Hill

Day of Trial,
Counsel,
Filed 8 day of Dec 1879
Pleads Not Guilty (9)

THE PEOPLE

vs.

John Madill

Murder
Feb 7th 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

W. W. Cropper

Foreman.

Pleads Guilty of
Tried and Murder 2^d Degree
the day of Feb 16, 1880.

52 natural life

7th day of January

Mary Jane Riley - com'd by Court
as witness for People -
Dec 8/79

Mary Jane Riley for witness -
paid \$20 for expenses

0784

City & County of New York
District Attorney's Office

July 5/80

Office of the District Attorney

Hawaian
that in brief in
case of People vs
John & Madell (whom
you saw conversing
with Madell just
before the killing.

Have your
return here as soon
as possible

Wm J. Lewis
26th Street

D. Howells is a
subpoena which
you can fill out

Can't be found - so office reports

0785

And some upon the
12th July 1791

Receipt
 of
 John Madill

1885

Charles M. Kenna lives at No 11 Bowry
 and work for the Cohen No 11 Market St.
 near East Broadway. Kenna Kenna, was saw
 Madill creep once, before this trouble. I
 knew her info. the died about 17 years before
 the trouble. I was in the habit of selling her
 wood and coal when she lived in "Huron
 St. I believe had her board lived with her then.
 about two weeks before the operation her, I
 was passing where she lived in about 2 going
 home and I met her coming out of the alley
 leaving to home 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. Madill and
 Mary Jane Kelly was there. Remained
 about 1 hour. ~~I have been~~ there
 were 3 children there. of Mr. Madill.
 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. Same

0787

persons were there. I called again the
next afternoon for a lecture about 8 1/2
P.M. & Mary Jane Kelly and Mrs. McCall
were there. The children weren't there.
We had a pint of beer amongst us.
Then someone came who was John
John. That was all they had drunk
while I was there. About 20 minutes
before I left came in, Mrs. McCall went
into the bedroom and closed the door
and I was sitting on the sofa and
Mary Kelly was standing on the floor
near the table. This was the 2nd
floor of your 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
this 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, McCall came
in quickly holding a pistol in her hand
& I ran out and was down the stairs
and to the corner of Cherry and Allen Street
& saw no more of the trouble. I never
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 inside the room, a moment
and sprang past them. He had seemed
standing up and he looked ^{up} ~~up~~. His face
was flushed. I don't hear any report of
pistol.

0789

-----)	
The People, Ac.,)	Homicide--Catharine McMill
-----)	Assault--Nov. 5, 1878.
John McMill)	Died-- Nov. 9, 1878.
-----)	

Mary Jane Reilly 33 James St.

I boarded with Catharine McMill for two and a half months before this homicide. I knew her husband only by sight. The deceased lived at 34 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

0790

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.,)	Medicine--Catharine Madill
-----)	Assault--Nov. 5, 1878.
John Madill)	Died-- Nov. 9, 1878.
-----)	

Henry James 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 raise his voice 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

0793

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 sobbing. 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 face 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 Bove in Oliver Street near Cherry—they had just come out of Thomas Wild's, corner of Cherry and Oliver. I passed them— Bove had a hold of the prisoner by the collar trying to get him away. I didn't hear their conversation.

0796

James

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 *Catharine Madill*

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
Catharine Madill was injured, do,
upon their Oaths and Affirmations, say: That the said *Catharine*
Madill suffers from a pistol
shot wound inflicted at the hand
of her husband John Madill
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, S. 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 Reilly, who is
staying with me down stairs, I had my
back turned towards the door, when I
divined sound I saw my husband John
Madell, he fired a pistol at me,
I ran out of the door, he fired the
other shot and I ran to look what
had happened. I had not seen my
husband in two weeks. We separated
two weeks ago, I would not live
with him, he would not support
I care for 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
Morrill

0799

64 297
4th Div 1879

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 *Corcoran Office* No. *15* Street, in the *5* Ward of the City of

New York, in the County of New York, this *14* day of *Nov* in the year of our Lord one thousand eight hundred and *49* before *Wm. J. Sullivan* Coroner,

of the City and County aforesaid, in view of the Body of *Asaphus Macmillan* lying dead at *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 *Woman* came to her death, do,

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

pistol shot *word* at the *house* of *John Macmillan* on the *2nd* of *Nov* in *Ohio* *St* *death* *to* *bury* at the *Chambers* *St* *Hospital* in the *9th* *Month*

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 Mahant
W. R. Dowd
James North
J. Shuttlerberg
Thos. S. Lester
Saml. R. Shury

James Coogan
Wm. Sullivan
James Chomay

Wm. J. Sullivan
CORONER, S. S.

0801

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

vs.

List of Witnesses.

John Madill
Gardner

NAMES.

RESIDENCE.

Chas. W. Wilkin M.D.
J. W. MacWhinnie M.D.
Chas. McKeena with
Macy Jan Reilly Hofsch
Off. Barnett

House Surgeon Chambers St. Hospital
Coroner's Office 131 E 117 St
H. Bennett
249 East Broadway
H. Pratt.

Send to
Officer

0802

Coroner's Office.

TESTIMONY.

I am an Officer attached to
 the 4th Regiment - on
 the evening of the 5th inst
 about 10 P.M. I was on
 duty on Olney near Cook
 St - and while walking up
 Olney St I heard a pistol
 shot at run back towards
 the place where I had
 come 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
 I saw a man run down
 the corner and when he
 saw me he turned back
 he stood still and I saw
 up which I saw a pistol
 but his hand whether he
 handed some, there
 were three empty chambers,
 I arrested the man he
 gave his name as John
 Madise - the woman
 was removed to the Station

Taken before me

this

day of

1879.

CORONER.

0803

2

Garner's Office.

TESTIMONY.

Heard and there she is
identified John Madill
as the person who had
shot her - she was
brought 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 say that deceased
 Catharine Modine and did
 found walk her at 64
 Olm St at the time she
 was shot - I knew her
 husband John Modine - they
 did not live together
 on the evening of Nov 5th
 between 9 and 10 o'clock -
 My 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 a revolver
 and said you f - d - d - a
~~the~~ 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 man but had across
 the street - When Modine
 first came in, Modine
 had his hat in one hand
 and a pistol in the other -
 McKeenum ran out as
 soon as he saw Modine
 with the pistol - Mrs
 Modine followed me
 down the street calling
 to me to stop an officer do
 then ran towards both
 of them - My husband
 followed - 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 her to live
 with her - her husband

Taken before me

this

day of

1879.

CORONER.

5-
Coroner's Office.

TESTIMONY.

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 20
 quarts of rum was
 shot by Mr Madril had
 taken to the children -
 I do not know of anything
 wrong occurring between
 Mr Madril and any of the
 free men who came to
 the house -

Mr Madril did not en-
 deavour to prevent the
 his wife to go home with
 him - I am acquainted
 with a man by the name
 of Richard Safford also
 Thomas Safford - I have
 known Mr Madril since
 childhood - Since the
 separation I stopped with
 Mr Madril for 2 1/2 months

Taken before me

this

day of

1879.

CORONER.

6

Coroner's Office.

TESTIMONY.

Thomas Sipple was with
 Robert C. Canning with house
 & that 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 Brodigan 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 flushed
 with wine and was
 much excited -

Mary Jane Kelly

Taken before me
 this 14 day of March 1870.

Wm. J. Kelly

CORONER.

7
Coroner's Office.

TESTIMONY.

Charles McKenna Judge
 Reside at 11 Broadway
 Alholla 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
 the night of the 5th inst I
 went to two movies at about
 8.45 - Mr Modice was
 lying down - Mrs sitting
 in the sofa at Mary
 Jane Kelly was standing
 in the floor - about 9.50
 Mr Modice came in
 and seeing a pistol in his
 hand I saw a man with
 pistol not hear or see
 anything of the shooting at
 all

Charles ^{his} McKenna
 mort

Taken before me
 this 14 day of Dec 1879.

Wm A. Fellinger

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 5th 10.45 P.M.

brought from 4th Precinct, suffering from pistol shot wound of the back situated 2 in below & 3 in & left of 7th 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 9th 7.02 P.M.

Charles H. Wilkin M.D.

Taken before me
this 10 day of Dec 1879.

W. J. J. J. J.
CORONER.

0810

TESTIMONY.

I, *James W. Hammond*
 Surgeon & made a post
 mortem examination of the
 body of *William Thomas* *Modell*
 living at *160 Chambers St* on
 the *10th Nov 1879* upon in-
 spection found a lacerated and
 irregularly circular 2 inches
 or 3 in width of cervical
 vertebrae - *apud mastoid* *Autopsy*
 I find that this wound had been
 made by a pistol ball passing
 upwards, upwards and with slight
 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 *apud* that when
 fracturing spine as wound as
 pressed upon cord

James W. Hammond

Sworn to before me
 this 10 day of *Nov* 1879

1879

James W. Hammond
 CORONER.

0811

MEMORANDUM.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
Years.	Months.	Days.			
36			<i>CS</i>	<i>160 Chamber</i>	<i>11/11/11</i>

E.

MR.

Spec. 18

AN INQUESTION

On the VIEW of the BODY of

Gottfried Madler

whenever it is found that he comes to
a Death by

Of request taken on the
of 18 day
before

MORITZ ELLINGER, Coroner.

0812

E.

No.

Dec. 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.	Years.	Months.	Days.
PLACE OF NATIVITY.	<i>160th Street</i>		
WHERE FOUND.	<i>160th Street</i>		
DATE When Reported.	<i>Nov 18</i>		

0813

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.—*Clerk*

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 order of course

John Madill

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

0814

MEMORANDUM.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE. When Reported.
Years.	Months.	Days.			
26			U.S.	160 Chambers St	Nov 14

Vol 14 3524
1879
HOMICIDE. 8

AN INQUISTION

On the VIEW of the BODY of

Lathemus Merrill

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

Robert Paul

born at the

House of the

Massachusetts



Ofquest taken on the

14 day
1879

by
Mary Stevens
CORONER.

Examined November 14, 1879

Special

Discharged

Date of death Nov 9, 1879.

0815

Vol 3 3574 1879

HOMICIDE. &

AN INQUISITION

On the VIEW of the BODY of 193

Catharine M. M. M.

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

Perce Shurt

found at the

house of the

Murderer



Inquest taken on the 14 day

of Nov 1879

May Seligson, Coroner.

Committed November 14, 1879

Deceased

Discharged

Date of death Nov 9, 1879

MEMORANDUM.

AGE	PLACE OF NATIVITY.	WHERE FOUND.	DATE When Reported.
26	N.Y.	Westchester Co. N.Y.	

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 *Fourth 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* — 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 *John Madill* 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-*seven* —
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 *twelfth* day of *November*

in the same year aforesaid, did languish, and languishing did live, and on which
twelfth ————— 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

16.

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

THE PEOPLE

17 Bleckel
291

vs.

Edward Mc Dermott

Felony Assault and Battery.

BENJ. K. PHELPS,
District Attorney.

A True Bill.

M. W. Coffey
Foreman.

Part pro dec 8, 1899
Ind remitted art 9.
Pen: Two months.

0820

16.

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

THE PEOPLE

17 Bleeker
29

vs.

Edward McDermott

Felony Assault and Battery.

BENJ. K. PHELPS,
District Attorney.

A True Bill.

M. W. Cooper
Foreman.

Part mo dec 8, 1899
Ind convicted art 9.
Pen: Two months.

0821

AFFIDAVIT—FELONIOUS ASSAULT, &c.

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

Christ Bolian of No. 301
Bleeker Street, being duly sworn, deposes and says

that on the 24th day of November in the year 1879 at the City of New York, he was violently and feloniously assaulted and ~~beaten~~ ^{stabbed} by

Edward J. J. Dermott (now
known) who willfully & maliciously
cut deponent on
the left breast with a knife
at the time held in the hand
of the said defendant.

That said defendant admit-
ted and confessed to deponent
that he had committed said
felony

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. I am not hurt much

Sworn to before me this 25 day } Christ Bolian
of November 1879 }
R. J. J. }
Police Justice.

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.—

Fifteen 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 ^{Mc} + McDermott
mail*

Taken before me, this

25th

day of

[Handwritten signature]

0823

16

POLICE COURT—Second District.

THE PEOPLE, &c..

ON THE COMPLAINT OF

Christ Bolian

501 ...

Edward Mc Dermott

Dated *November 25* 1879

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. ...

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 & Co
308 Canal St
M

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 *hit* 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 *kill* 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 *hit* 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 *hit* 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 *kill* the

7280

16.

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

THE PEOPLE
vs.
Edward McDermott
Felonious Assault and Battery.

BENJ. K. PHELPS,
District Attorney.

A TRUE BILL.

M. W. Coffey
Foreman.

Part Dec 8, 1899
Child removed art. 8.
Pen: Two months.

BENJ. K. PHELPS, District Attorney.

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 McDermott* with force and arms, in and upon the body of the said *Christ. Ballin* then and there being, willfully and feloniously, did make another assault and with a certain *Knife* which the said *Christ. Ballin* 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 *him* against the form of the Statute in such case made and provided, and against the peace of the State of New York, and their dignity.

FOURTH COUNT.

said *Christ. Ballin* 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.