

0008

BOX:

321

FOLDER:

3049

DESCRIPTION:

Moore, Andrew

DATE:

09/20/88



3049

#233

X

Witnesses:

Sept 20
Due in Court
for like appearance

Counsel,

Filed

Pleads,

day of

1888

THE PEOPLE

vs.

P

Andrew Moore

Grand Larceny, Second Degree.
(From the Person.)
[Sections 528, 53 Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Sealed
Foreman.
Sept 20
Plead by
Sept 20
Sept 20

0010

Police Court— / District.

Affidavit—Larceny.

City and County }
of New York, } ss.Charles Nolte
of No. 96 Warton St Fort Lee N. J. aged 35 years,
occupation Farmer being duly sworndeposes and says, that on the 6 day of September 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of a person day time, the following property viz :One silver Watch of the value of
Nine dollarsthe property of Sophie Nolte in the care and
charge of deponentand that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by Andrew Moore (name here)That deponent saw said Moore take
steal and carry away said property
from the pocket of the vest then (any)
there worn by him and run away
That deponent ran after him
said deponent and caught him
with said property in his possession

Charles Nolte

Sworn to before me, this

day

Police Justice.

0011

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK,

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

Question. What is your name.

Answer.

Andrew Moore

Question. How old are you?

Answer.

16 years

Question. Where were you born?

Answer.

U.S.

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

Answer.

430 E 66 St 6 mos

Question. What is your business or profession?

Answer.

Labourer

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

Answer.

I am guilty of the charge

Andrew Moore

Taken before me this

day of

188

Police Justice.

00 12

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

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

Dated Sept 6 188 [Signature] Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0013

Police Court--- 1st 1416 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Nolte
96 Watton vs. J. J. Lee
1. Andrew Moore

2.
3.
4.

Offence Larceny from
the person

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated Sept 6 1888

P. G. Duffy Magistrate.

Lanier Officer.

C O Precinct.

Witnesses

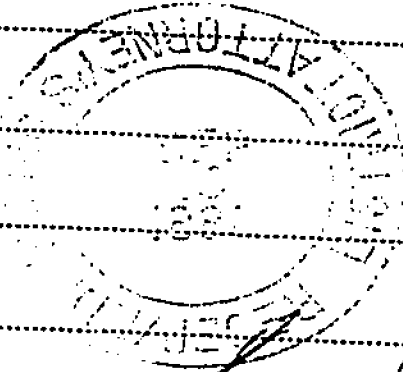
No. Street.

No. Street.

No. Street.

\$ 1000 to answer G. B.

Committed 9th Nov



0014

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Andrew Moore

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

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

The said

Andrew Moore

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

one watch of the value of
nine dollars

of the goods, chattels and personal property of one
on the person of the said

Charles Nolte

then and there being found, from the person of the said

Charles Nolte

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

John H. Adams

Assistant District Attorney

00 15

BOX:

321

FOLDER:

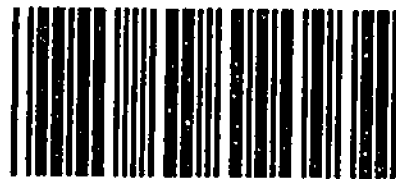
3049

DESCRIPTION:

Moran, James

DATE:

09/12/88



3049

00 16

BOX:

321

FOLDER:

3049

DESCRIPTION:

Geraty, Patrick

DATE:

09/12/88



3049

0017

Witnesses:

#138 Bar

Counsel,

Filed

day of

1888

Pleads,

Sept 13

THE PEOPLE

vs.

James Moran

3d

Christopher

Patrick Geraty

THED

Grand Larceny in the 3d degree [Sections 528, 534, 550 Penal Code].

JOHN R. FELLOWS,

District Attorney.

Pr. Sept 19/88

Book filed PL.

A True Bill.

Graves

Foreman.

No. 1 Pen 9 mos.

No. 2 Pen 1 year

Sept 26 1888

0018

Police Court—2 District.

Affidavit—Larceny.

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

of No. 7 Harrison Street, aged 59 years,
 occupation Grocer being duly sworn
 deposes and says, that on the 30 day of August 1888 at the City of New
 York in the County of New York, was feloniously taken, stolen and carried away from the possession
 of deponent, in the night time, the following property viz:

a load of
 groceries consisting of almonds, seeds,
 and other articles as per schedule
 annexed, of the value of one hundred
 and twenty dollars and thirty eight
 cents \$120.38

the property of deponent firm of Henry Nordlinger
& Co

and that this deponent
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
 and carried away by James Moran and Patrick
Garity (nowhere) for the reason that

the defendants were both in the
 employ of deponent as porters and
 they had access to the said property,
 the said Patrick Garity having the keys
 of the store. The said goods were
 taken from deponent's store on said
 date and deponent is informed by
 Albert Langer, now here. That on said
 date the defendant Garity told
 him Langer to have a truck at
 deponent's store on the night the
 said goods were taken, and deponent
 is informed by James Mc Laughlin

Suborn to before me, this
 of 1888 day

Police Justice.

0019

nowhere. That on said date he was present at defendant store and saw the defendant Moran directing the loading of the said goods on a truck and the said goods were then taken to No 230 Houston St. N.Y. and defendant went to No 230 Houston St N.Y. and saw the said goods there and recognized the same. Whereupon defendant asks that defendants be dealt with as the law directs.

SWORN TO BEFORE ME

THIS 2 DAY OF

Sept. 1888

Henry Worthington

POLICE JUSTICE.

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

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

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

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

Offence—LARCENY.

1.
2.
3.
4.

Dated

1888

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street.

No.

Street.

No.

Street.

\$

to answer

Sessions.

0020

CITY AND COUNTY }
OF NEW YORK, } ss.

James Mc Laughlin
aged _____ years, occupation Truckman of No. _____

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

Sworn to before me, this 2
day of September 188 A J. M. Laughlin

John J. Egan
Police Justice.

0021

CITY AND COUNTY }
OF NEW YORK, } ss.

Albert Langer
aged _____ years, occupation Stenographer of No.

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

Sworn to before me, this 2
day of Dec, 1888 Albert Langer

John Herman
Police Justice.

0022

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK } ss.

District Police Court.

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

Question. What is your name?

Answer.

James Moran

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

1479 Avenue A, 2 years

Question. What is your business or profession?

Answer.

Porter

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

Answer.

I have nothing to say

James Moran

Taken before me this

day of

188

Police Justice.

0023

Sec. 193-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }*Patrick Ferity*

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

Question. What is your name?

Answer. *Patrick Ferity*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *87 Chrysten St. 2 1/2 years*

Question. What is your business or profession?

Answer. *Porter*

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

Answer.

I am not guilty

P. Ferity.

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

Police Justice.

0024

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

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

Dated Oct 2 1888 John J. Gorman Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

0025

Complains Commission
to the House of
Attention In default
of \$100 Bail for
his appearance

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Witness - Albert Langen
bailed by - Andrew Hartmann
16 Spring St

Police Court---

1370 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Nordlinger
James Moran
Patrick Garity

Offence G. Langen

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

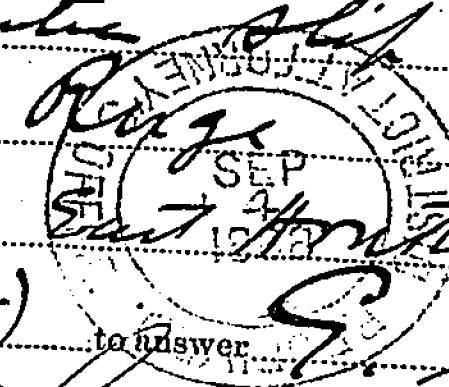
Street.

No.

Street.

\$

to answer



0026

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

POLICE COURT—2—DISTRICT.

George F. Ellis
of No. 811 1/2 Broadway Street, being duly sworn, deposes and
says that on the 2 day of September 1888
at the City of New York, in the County of New York, Albert Tanager

now here is a Matrine witness
in the case of a complaint for
Grand Larceny made this day in
this Court by Henry Nordlinger
against James Moran and
Patrick Gentry and Deposee has
known to believe that the said
Albert Tanager will not appear
as a witness on the trial of the
said complaint. Deposee
wishes that the said Albert
Tanager be required to find
bail for his appearance as a
witness on said trial.

SWORN TO BEFORE ME

THIS 2 DAY OF September 1888

John J. Moran
POLICE JUSTICE.

Geo F. Ellis

0027

1 bag India Almonds	170 lbs	@ 12 ³ / ₄	=	14.03
2 " puffed Millet	220 "	@ 4	=	8.80
2 " Carraway	220 "	@ 6 ¹ / ₄	=	13.75
1 " Poppy	220 "	@ 5	=	11.00
2 " Sicily Canary	440 "	@ 3	=	13.20
1 " fine pearl Tapi.	140 "	@ 4 ³ / ₄	=	6.65
1 " Hemp Seed	220 "	@ 2 ³ / ₄	=	6.05
1 cask prunes	abt 1450 given			
	110 have			
	1340 left	@ 3 ¹ / ₂	=	46.90
				<u>120.38</u>

1425 1320 35 6.60
1425 1320 35 6.60
 40 20
670

0028

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*James Moran
and Patrick Fitzgerald*

The Grand Jury of the City and County of New York, by this indictment, accuse *James Moran and Patrick Fitzgerald*

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

The said *James Moran and Patrick Fitzgerald*, both

late of the City of New York, in the County of New York aforesaid, on the *30th* day of *August*, in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, with force and arms,

one bag of almonds of the value of fourteen dollars and three cents, two bags of miller seeds of the value of four dollars and forty cents each bag, two bags of carraway seeds of the value seven dollars each bag, one bag of poppy seeds of the value of seven dollars, two bags of canary seeds of the value of six dollars and fifty cents each bag, one bag of hemp seed of the value of six dollars, one bag of seeds, of a kind to the Grand Jury unknown, of the value of six dollars and sixty five cents, and one sack of prunes of the value of forty six dollars and ninety cents,
of the goods, chattels and personal property of one *Henry Nordlinger*,

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

0029

SECOND COUNT—

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

James Moran and Saluda Fitzgerald
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said *James Moran and Saluda Fitzgerald, both* —

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

the goods, chattels and personal property in the first count of this indictment particularly described,

of the goods, chattels and personal property of *one the said Henry Nordmager,* —

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

Henry Nordmager. —

unlawfully and unjustly, did feloniously receive and have; the said *James Moran and Saluda Fitzgerald*

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

JOHN R. FELLOWS,
District Attorney.

0030

BOX:

321

FOLDER:

3049

DESCRIPTION:

Moriarty, John

DATE:

09/27/88



3049

0031

36
Counsel,

Filed, 27 day of Sept. 1888

Plead *Chyquity vrt*

THE PEOPLE,

vs.

R

John Moriarty

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday.)
[III Rev. Stat. (7th Edition), Page 1089, Sec. 5.]

JOHN R. FELLOWS.

District Attorney.

A True Bill.

Asaper

Foreman.

Part-3, November 14/88

Complaint sent to Sheriff (Harris)

0032

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

John Moriaty

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

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

The said *John Moriaty*
late of the City of New York, in the County of New York aforesaid, on the
eleventh day of *march* in the year of our Lord one
thousand eight hundred and eighty-*eight*, the same being the first day of the
week, commonly called and known as Sunday, being then and there in charge of, and
having the control of a certain place there situate, which was then duly licensed as a
place for the sale of strong and spirituous liquors, wines, ale and beer, with force and
arms, at the City and County aforesaid, the said place so licensed as aforesaid, unlawfully
did not close and keep closed, and on the said day the said place so licensed as aforesaid
unlawfully did open and cause and procure, and suffer and permit to be open, and to
remain open, against the form of the Statute in such case made and provided, and against
the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0033

BOX:

321

FOLDER:

3049

DESCRIPTION:

Morrissey, Kate

DATE:

09/07/88



3049

#76

Witnessed:

*Quinn for
Chapman*

*John R. Fellows
District Attorney*

Counsel,
Filed *7* day of *Sept* 188*8*
Pleads,

THE PEOPLE
vs.
State Morrissey
10/11/11

Grand Larceny Second degree
[Sections 528, 58/550, Penal Code].

JOHN R. FELLOWS,
District Attorney.

A True Bill.

W. W. Wapen Foreman.
Sept 10/11
Charles G. Gault
Charles D. Wapen
W. W. Wapen

0035

Police Court—

District.

Affidavit—Larceny.

City and County } ss.:
of New York,

Christie Garle

of No. 122 West 11th Street, aged 60 years,
occupation Housekeeper being duly sworndeposes and says, that on the 9th day of August 1888 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property viz:Two gold watches with gold
chains attached, together and
in all of the value of one
hundred and seventy-five
dollarsthe property of deponent and deponents
Sister, Mary C. McKay, and in
care and charge of deponentand that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by Katie Morrissey, nowhere, for the reasons following,
to wit: That on said day the
said Katie was employed in
said premises as chambermaid,
and had access to the rooms
in said premises where said
watches then were.That deponent discovered the
larceny of said property about
the hour of 5 o'clock in the afternoon
of said day.That the deponent, Katie
Morrissey, now here in open
Court admits stealing said

Subscribed before me this

1888

Police Court

0036

Watches and states that she gave one of them to James Murphy and the other to John Valley. That the said Murphy and Valley informs dependent that they each received a watch and chain from said dependent, and that the watches and chains now here shown are the watches and chains so given by said dependent to the said Murphy and Valley. That said property, which is now here shown, is the stolen property aforesaid.

Signed & sworn to me this } Christie Lark
28 day of August 1888

J. M. Plattner

Police Justice

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

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

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

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
vs.	
Offence—LARCENY.	
1	
2	
3	
4	
Dated,	188
Magistrate.	
Officer.	
Clerk.	
Witnesses,	
No.	Street,
No.	Street,
No.	Street,
\$	to answer Sessions.

0037

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

James J. Valley
of No. 300 Mulberry Street, aged 33 years,
occupation Detention Agent being duly sworn deposes and says,
that on the 27th day of August 1888
at the City of New York, in the County of New York,

deponent recovered the stolen
watches described in the annexed
affidavit of Christie Jule.

That deponent got one of the
watches from the witness John
Valley, who informed deponent
that he had received the same
from the defendant Kate Morrissey.
That deponent got from the
witness James Murphy a pawn
ticket representing the other stolen

Subscribed to by deponent, sworn to by me, Justice.

Justice Justice

0038

Police Court-- District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

vs.

Dated

188

Magistrate.

Officer.

Witness.

Disposition.

AFFIDAVIT.

watch which Mr. Murphy, had
purchased, and which had been
given to him; Murphy, as he
informed, dependent of the said
dependent Waterbury.

Given to before me this
28th day of August 1888

J. M. Patterson

Police Justice

James H. Hickey

0039

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 19 years, occupation Home shoer of No. 324 East 33rd Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Christopher Lark
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 28th
day of August 1888 by James Murphy

J M Patterson
Police Justice.

0040

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 18 years, occupation John Valley
office boy of No.

353 West 16th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Christie Sarle

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

Sworn to before me, this

day of

188

28th John Valley
August John Valley

W. Blunt
Police Justice.

0041

Sec. 192-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Katie Morrissey*

Question. How old are you?

Answer. *16 years of age*

Question. Where were you born?

Answer. *I don't know*

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

Answer. *122 West 11th St. New York*

Question. What is your business or profession?

Answer. *Chamber-maid*

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

Answer. *I am guilty of the charge. I took the watches and gave one of them to James Murphy, here present, and the other to John Valley, also here present. When I accused Samuel Harris of the theft of said property I was not telling the truth.*

Katie Morrissey

Taken before me this

*2nd*day of *August* 188*8**John D. Sullivan*

Police Justice.

0042

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

Natie Morrissey

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

Dated *August 28* " 188 *J. M. Patton* Police Justice.

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

Dated.....188 Police Justice.

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

Dated.....188 Police Justice.

0043

312
Police Court--- 2nd 1346 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Christie Sarle
122 West 11th
Katie Morrissey

2
3
4

Office of Larceny
J. J. Larceny

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated August 28 1888

Patterson Magistrate.

Falley & Aloncle Officer.

Central office Precinct.

Witnesses James J. Falley

No. 300 Mulberry Street.

James Murphy

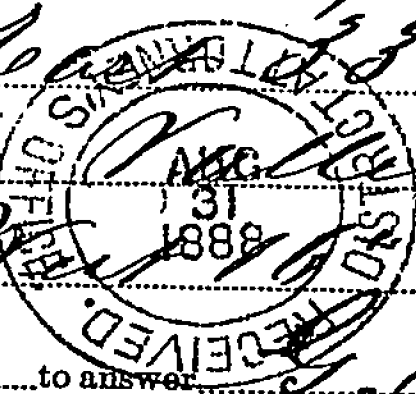
No. 324 East 11th Street.

John J. Falley

No. 353 West 11th Street.

\$ 15.00 to answer

Comd



0044

122 West 11th Street
Sept. 10th 1888

To the Hon^{ble}
Recorder Smyth

Sir

The prisoner Kate Morrisey
was in our employ as chambermaid, her
Mother being cook in the same household.

The girl has committed a very serious
crime I am aware, but if your honor
in passing sentence can find that the
interests of justice can be served, by
committing her to the care of such an
institution as the Catholic protectory
or other institution of that character,
it will serve very much to alleviate
the sorrow & grief of her distressed
mother, who I can assure your honor
is a trustworthy and good woman;
and I also think for a girl of such
tender years, that an institution such
as I have mention'd would be calculated

to result in greater benefit to the girl
than in sending her to a reformatory.

I trust your honor will not think
me presumptuous in offering a suggestion
but will take it as a sincere regard
for the feelings of the girl's mother, as
well as a hope that the interests of
justice and the reformation of the
girl would at the same time be
accomplished by her commitment
to some religious institution.

Apologizing to your honor
for the liberty I have taken
in addressing you thus

I am

Yours respectfully,
George Beames

0046

District Attorney's Office.

PEOPLE

vs.

John Williams
Assault 1st

indictment filed

~~Aug 16~~ 88

Sept 17

Bond forfeited
Sept 27/88

0047

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Kate Morrissey

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

Kate Morrissey

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

The said *Kate Morrissey*

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

*two watches of the value of sixty
dollars each, and
two chains of the value of twenty
five dollars each*

of the goods, chattels and personal property of one *Christie Sark*

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

0048

SECOND COUNT—

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

— *Kate Morrisey* —

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

The said

Kate Morrisey

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

*two watches of the value of sixty
dollars each, and*

*two chains of the value of twenty-five
dollars each* —

of the goods, chattels and personal property of one

Christie Sarle

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

Christie Sarle

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

— *Kate Morrisey* —

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

JOHN R. FELLOWS,

District Attorney.

0049

BOX:

321

FOLDER:

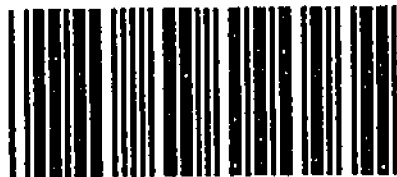
3049

DESCRIPTION:

Morrison, Robert B.

DATE:

09/05/88



3049

0050

Witnesses:

1403
Counsel,
Filed 5 Sept. 1888
Pleads, *Inguilty*

27616 THE PEOPLE
vs.
PI
Robert B. Morrison
John R. Fellows, Jr.
(Sections 528 and 531 of the Penal Code.)
Larceny, 2nd degree

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Draper
Foreman.

P. 3 Sept 14. 1888

Plendo P.I.

Letty, Crossin 19 Days
by Sept 13-41

0051

Police Court—

District.

Affidavit—Larceny.

City and County }
of New York, } ss.

William W. K. Chapman

of No. 71 Broadway Street, aged 55 years,

occupation Chief Clerk General Ticket Dept. E. R. R. being duly sworn

deposes and says, that on the 16 day of July 1888 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz :

Good and lawful money of the United States of the value of Twenty seven dollars and five cents

the property of Manhattan Railway Company in care of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Robert B. Morrison, (now here) for the reason to wit: that on said day the defendant was employed by said Company in the capacity of ticket agent to sell passage tickets over the said Company's road. Deponent is informed by John S. Bruce, the stock clerk in the General ticket office of said Company, that he Bruce delivered to the said defendant a quantity of passage tickets over the road of said Company for the purpose of sale by said defendant at a station in which the defendant had charge with the understanding that the defendant was to make a return for said tickets or the money received from the sale of said tickets sold every day. That the said defendant has

Sworn to before me, this _____ day
of _____ 1888

Police Justice.

0052

withheld and appropriated to his own use
a quantity of tickets or the money realized from
the sale thereof, the sum of Twenty-two dollars
and five cents. Deponent is also informed
by Allen S. Gookin, the Cashier of said
Company, that he Gookin, delivered
to the defendant, ^{the sum of Five dollars} to be used at said
station by the defendant for the
purpose of making charge which he has written.

Therefore deponent charges the said
defendant with taking, stealing and carrying
away the aforesaid money.

Sworn to before me
the 13 day of August, 1888

William M. R. Chapman

esq. Mayor

Police Justice

0053

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name.

Answer.

Robert B. Morrison

Question. How old are you?

Answer.

37 years

Question. Where were you born?

Answer.

Ireland.

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

Answer.

550 E 16th St. 8 years

Question. What is your business or profession?

Answer.

None

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

Answer.

I am not guilty.

Robert B. Morrison

Taken before me this

day of

Aug 1888

188

Aug 1888

Police Justice.

0054

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

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

Dated.....*188*.....*Police Justice.*

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

Dated.....*188*.....*Police Justice.*

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

Dated.....*188*.....*Police Justice.*

0055

Witness

Wm M K Chapman 71 Bdg

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

#3
Police Court

1762
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William M K Chapman
71 Broadway
Robert B Morrison

2
3
4

Dated August 13 188

Magistrate.

Officer.

Precinct.

Witnesses John S Bruce

No. 71 Broadway Street.

Allen S Garkin

No. 71 Broadway Street.

No. 1900 Street.

\$ to answer

0056

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Robert B. Morrison

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

Robert B. Morrison

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

The said *Robert B. Morrison*,

late of the City of New York, in the County of New York aforesaid, on the *sixteenth* day of *July*, in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, being then and there the clerk and servant of *a certain corporation*

called the Manhattan Railway Company.

and as such clerk and servant then and there having in his possession, custody and control certain moneys, goods, chattels and personal property of the said *corporation*,

the true owner thereof, to wit: *The sum of Twenty seven dollars and five cents in money, lawful money of the United States and of the value of Twenty seven dollars and five cents.*

the said *Robert B. Morrison*, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, did feloniously appropriate the said *sum of money*

to his own use, with intent to deprive and defraud the said *corporation*

of the same, and of the use and benefit thereof; and the same moneys, goods, chattels and personal property of the said *corporation*

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

JOHN R. FELLOWS,

District Attorney.

0057

BOX:

321

FOLDER:

3049

DESCRIPTION:

Mullaney, James

DATE:

09/05/88



3049

Witnesses;

John F. Blohmie 2417 Sanford
Off. Heeler 25-2nd

112 Clerk

Counsel,
Filed 5 day of Sept. 1888.
Pleads, *Not guilty*

vs. THE PEOPLE
Grand Larceny, *first* Degree.
(From the Person.)
[Sections 528, 530 and 34, Penal Code].
James Mullane

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Foreman.
73. Sept 10. 1888
Pleads Mr. E. L. 2d
Pen. Six m.

0059

Police Court— 4 District.

Affidavit—Larceny.

City and County } ss.
of New York, }John F. Bloome
of No. 2417 Second Ave Street, aged 43 years,
occupation Grocer being duly sworndeposes and says, that on the 8 day of August 1888 at the City of New
York, in the County of New York, ~~was feloniously taken, stolen and carried away from the possession~~
attempted to be
and person
of deponent, in the night time, the following property viz:One gold Watch and chain attached
of the value of one hundred
thirty dollars

\$100

the property of deponenthas a probable cause to suspect, and does suspect, that the said property ~~was feloniously taken, stolen,~~
attempted and that this deponent
and carried away by James Mullane (now here)deponent says that about the hour of 10.
15. P. M. on said date he was sitting
down on a bench in Washington
Park (69th Street & Avenue A) in said
City when he saw said deponent
catch hold of the aforesaid chain
attached to said watch and
attempted to take it and
carry away the same that was
contained in the pocket of the
vest then and there worn by deponent

John F. Bloome

Sworn to before me, this

9

day of

188

at

Police Justice.

0060

Sec 193-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I was asleep in a bench along
side Complainant and he
assaulted me that is
all I know about it

~~James Mullane~~
James Mullane
mark

Taken before me this 9

day of Aug 1888

James Mullane Police Justice.

0061

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

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

Dated Aug 9 1888 Samuel J. Bull Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

COMMITTED.

0063

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Mullaney

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

James Mullaney
attempting to commit
of the CRIME OF GRAND LARCENY in the *fourth* degree, committed as follows:

The said *James Mullaney*

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

one watch of the value of eighty
dollars, and one chain of the
value of twenty dollars,

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

John R. Hellens,
District Attorney

0064

BOX:

321

FOLDER:

3049

DESCRIPTION:

Murray, James

DATE:

09/14/88



3049

0065

Witnesses:

191

Counsel,

Filed

day of

188

Pleads,

THE PEOPLE

degree.

[Sections 224 and 22 & Penal Code].

James Murray

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

Decided & Reported
11th & 12th Sts
1000
1000

0066

The People
vs.
James Murray.

Court of General Sessions, Part I.
Before Recorder Smyth.

Thursday, September 20, 1888.

Indictment for robbery in the first degree.

Hermann Huber sworn and examined through the Interpreter, testified: I live at 65 East 132nd Street, I am a laborer for the Union Switch Signal Company, I remember the night of the 9th of September about eleven o'clock, I was going through Third Avenue between 129th and 130th Sts. on the west side going up to Harlem. I had a silver watch at that time in my left side vest pocket with a nickel plated chain in my buttonhole. I saw the defendant at that time and place and another man was with me. I and another man were walking in Third Avenue and the Defendant and his companion stopped us and said, "where are you going?" They asked us to take a drink and cigars and we refused. Then we went up 130th Street and Lexington Avenue. I did not look where the defendant and his companion went to and when we reached Lexington Avenue all at once we were surrounded by the defendant and his companion the one took me by the neck and said, "hello John", I don't know which of them it was did that; then my companion said "Herman, look out for your watch", otherwise I would not have felt that the watch was taken, I pulled out the chain and the watch was gone; the defendant and his companion ran as fast as they could and I ran after them and I caught the defendant's companion in 128th Street, I held him by the coat and called for police, he pulled out his revolver and held it against my chest, I pushed away his revolver and he said, "you son of a bitch, I will give you your

0067

watch, then he gave me my watch back, I held on to him yet and called police, then he struggled to get away and I held on and a piece of the coat which I held tore off and he ran away: then the Defendant came over from the other side of the street and I caught him because he was nearest to me then, then the policeman came up and arrested the Defendant. George Folger is the name of the man who was with me that night and he is here. There were no other men in 128th Street when these men ran through, I did not lose sight of the Defendant from the time my watch was taken until the time I caught hold of him, they ran together and they stopped together, I am sure the Defendant is one of the men.

Cross Examined. This was between ten and eleven o'clock at night, I had been at 222 42nd St. to a saloon, I was there two or three hours at an acquaintance who works with me, I did not drink much beer that night, I was sober when I went home, I had never seen the Defendant before, it was not so very dark in 130th Street and Lexington Avenue; when I had hold of the man who held the revolver the Defendant did not come up and ask what is the matter.

George Folger sworn and examined, testified:
I know the complainant and was with him on the night of the 9th of September about eleven o'clock between 128th and 130th Sts., I came with him from 42nd Street that night and walked through 130th Street to go home; when we got to the corner of Lexington Avenue and 130th Street we saw the Defendant and another man, both put their arms around the complainant's neck; after that I says to Herman,

0068

"where is your watch", and he said, "it is gone": then we ran after them and Herman caught them at 128th Street, I ran after them and fell and Hermann had them both and when I came the other man pulled out a revolver towards Hermann Huber; I am sure the Defendant is one of these men, I saw the officer arrest this man in 128th Street and Lexington Avenue.

Cross Examined. I have worked in the same shop as the complainant, I had not been drinking any beer with him that night. I had seen the Defendant before that night, I saw him at 146th Street around nine or ten o'clock in the morning, I work on the railroad for the Union Switch Signal Company. When I saw the Defendant at 146th Street there was a whole gang of them there drinking beer in a yard, they called me over. The Defendant and his companion ran from 130th Street to 128th and Lexington Avenue, they were both running ahead of the complainant and me, I saw them until Hermann caught them, I fell on the street and when I did I lost sight of them about fifty feet, I got up and ran after them to where Herman had the two of them, they were the same two men that were running; it was not very dark in 130th Street and Lexington Avenue. I can swear that the Defendant threw his arms around the neck of the complainant, I have not been talking about this case with anybody. I positively identified this man at once in the Police Court.

Joseph F. Meahan sworn and examined. I am an officer of the municipal police of this city and remember the night of the 9th of September of this year, I arrested

0069

the defendant on that night about a quarter to eleven o'clock fifty feet west of Third Avenue on 128th Street, and 129th Streets in the middle of the block, I heard a cry of police and ran down towards 128th Street and looking up I saw several citizens running ahead of me, the complainant had hold of the prisoner by his collar, I asked him what was the matter, he said this man stole a watch out of his pocket and he showed it to me, he said there was two of them and that the other fellow got away; the defendant said he did not steal the watch at all, I took him down to the Station House and locked him up until morning; he asked me what name he had given and I told him I did not know; the defendant is the man I arrested and took to the Police Station and the man that the complainant had hold of.

Cross Examined. The complainant and the defendant were wrestling on the street; I told the Defendant in the Station House he was charged with stealing a watch but he would not tell who the other fellow was, he said he did not know anything about it; he did not say that he saw them together and he came up to separate them, I did not make any charge against the Defendant but the complainant charged him with robbing him; the other man has not been arrested yet, we looked for him and tried to find him, I found no watch on him, the complainant had the watch in his pocket, he was trying to hold this man and the Defendant was trying to break away from him; the complainant was perfectly sober and so was Folger. The ring was snapped off the watch!

0070

Hermann Huber recalled. The ring fastening the chain to the watch was gone, I cannot recollect the last time I saw the watch that night, I saw it sometime in the evening, the man gave it to me back when I caught him.

The Defendant was called and sworn. He gave his name as Micheal McEntee. I was never arrested charged with any crime before this, I never was convicted of any crime; my right residence is 625 East 150th Street and my business is plumbing, I have been about seven years in that business and was working for James Fay 820 Third Avenue, I worked for him going on three years and before that I worked for George Stultes in 153rd Street, I am not married and live with my mother and father. On this night in question I was going through 130th Street where this man said this thing occurred, I was going over to my sister's in 134th Street between Madison and Fifth Avenue, I seen two men on the corner of Lexington Avenue talking, I was passing and I heard someone holler stop, thief, I turned around to see who it was was running, I stopped and buttoned up my coat on the corner of 130th Street, I was running down, I seen a man with something in his hand, he turned down 128th Street, I seen another man come up and catch him and I saw him point a pistol at his face: I got tired running, he turned around and grabbed me, I stood right still, I did not lay my hand on him. I told them at the Station House I did not have anything to do with it, I do not know anything about it.

0071

Cross Examined. I gave the name of James Murray at the Police Station and before the Magistrate because I did not want to bring disgrace upon my people, I was never arrested before. I told a party who visited me in the Tombs to send for Mr Fay my employer, his place is 820 Third Avenue. When I was running I did not know that Mr Huber~~x~~ was behind me, there was two men ahead of me and they went down 128th Street, I did not know any of these men at all, I saw the complainant stop another man, when I was running there were only two men ahead of me but suddenly a third man appeared, he came around 128th Street and passed by me. I got out of breath running and I stopped, the complainant had hold of the man and he got away from him and ran down towards Third Avenue and I staid there and he came and got hold of me, I did not make any attempt to get away, I walked over to him.

Ann Murray sworn. I must say there was a mistake, my name is Mrs. McEntee, the Defendant is my son, I came down this morning to find a lawyer to defend him, my daughter went over to the Stewart building. My son has been arrested once before but never committed to any prison, he has been working all the time and always lived at home. He was home the night of the 9th of September to his supper and then left the house between six and seven o'clock. I heard that he was arrested ~~before~~ in company with another young man and that the young man took a watch and put a pistol to the other man's face but my son did not do nothing; when I said he was arrested before I meant that he went into the place of a neighbor

0072

but never took anything..

Mary McEntee sworn. I went this morning to the Stewart Building to engage Mr Purdy as counsel. My brother was arrested once before this charged with burglary but the case was dismissed.

The Jury rendered a verdict of guilty of robbery in the first degree.

2
The
case
was
dismissed
in
1911
and
in
1912
the
jury
found
him
guilty
of
robbery
in
the
first
degree.

0073

Testimony in case of
James Murray
filed Sept.
1888.

IN SENATE,
January 18, 1888.
REPORT
OF THE
COMMISSIONERS OF THE
LAND OFFICE,
IN RESPONSE TO A RESOLUTION
PASSED BY THE SENATE
MAY 1, 1887.
WASHINGTON:
GOVERNMENT PRINTING OFFICE,
1888.

0074

Court of General Sessions
City and County of New York
The People vs. }
 against
James Murray }

To
John R. Fellows Esq.
Dist. Atty &c.

You will please to take
notice that upon the affidavits
of Ambrose H. Purdy, S. H. Mallory,
James Fay, Mary M. ~~Smith~~, and
Catharine Vivian
with copies of which you are here-
with served, a motion will be
made in Part One of this court
at the opening thereof upon Monday the
24th day of Sept. 1888, at 11 o'clock in
the forenoon, or as soon thereafter
as counsel can be heard that
the verdict of the jury in this action,
heretofore, and upon the 20th day
instant, rendered, be set aside and
a new trial granted.

Dated Sept. 24. 1888.

A. H. Purdy
Atty for deft.

Court of General Sessions
 City and County of New York
 The People vs
 against
 James Murray }

City and County of New York } ss
 Ambrose D. Curdy, being duly sworn, says
 that he is an attorney and counselor at
 law, engaged in the actual practice of his
 profession in said city, that upon the
 morning of September 20th 1888 he was
 retained as counsel of the above-defendant
 just prior to the opening of the court on that day
 by the sister of ^{the} defendant. That he had several
 other cases on the calendars of the different
 parts of said court for that day, among
 them the cases of John Reynolds and
 William Maynes in Part 2, which had
 been several times on the calendar of that
 part, and which had at the last ad-
 journment thereof been set down for
 trial peremptorily for the said 20th day
 of Sept. 1888. That said cause had
 not been reached and disposed of
 before recess of that day. That said
 Part 2 sat until about two o'clock
 before taking recess, and then took recess

until 2:30 o'clock, that as deponent is informed and believes Part I, upon whose calendar defendant's ^{case} was for trial took its recess from half-past one to two. And deponent further says upon his information and belief that defendant was arraigned upon his indictment, and pleaded "Not Guilty" thereto upon Monday Sept. 17, 1888, that defendant was placed upon the calendar for Thursday Sept. 20, for the first time. And deponent further says that he had never seen his client, the defendant or inquired into his case, or learned anything about it, and had had no possible opportunity to do so, with a view to enquiring into his defense, or advising him in any way in relation to his case, by reason of deponent's having been so recently returned and having many other pressing professional duties during that day, and deponent further says that he requested Mr. E. H. Macary, an attorney and counselor in the city of New York, to appear for deponent, at the opening of said Part One on said 20th day

0077

of September, and move an adjournment of the trial of this action to some future day, or the following day, in order that deponent might have an opportunity to consult with his client, the defendant and advise him as to his defense and prepare for the same. And deponent further says that at a few minutes before half-past two in the afternoon of the said 20th Sept. as he was about to enter Part 2. to attend the case there, above-mentioned, he met and met Mr. M. M. M. M., who informed him that the motion to postpone this trial had been denied. That deponent thereupon requested Mr. M. M. M. to return to Part 1. and attend to the cause as might seem proper or necessary. That deponent then proceeded to Part 2. and was in actual and necessary attendance thereon, where the sister of defendant came to him, and informed him that defendant was being tried. Deponent then immediately abandoned his attendance on said Part 2. and his business there, and hastened

to said Part One, and found the trial of defendant was in progress, counsel having been assigned by the court, and deponent further says - upon his information and belief that said counsel was ^{so} assigned after the jury before, and by which defendant was tried had been impanelled and after defendant had been actually brought to the bar, and while he and the assistant district attorney in charge, were waiting for deponent or some message from him Deponent further says that he verily believes defendant was deprived of a substantial right, - namely the privilege of consultation and preparation for trial, with his counsel, whom he had chosen and retained, and actually fail

Wherefore deponent prays that the verdict of the jury on said trial be set aside, and a new trial granted.

Submitted by } A. H. Perry
 Sept 24, 1888 }
 J. M. Langens
 Notary Public
 Wapato, Wyo.

Court of General Sessions
 City and County of New York
 The People &c }
 against
 James Murray }

City and County of New York } ss
 J. H. Mallory being duly sworn
 says: That he is an attorney and
 counselor-at-law in said city that
 he did on the 20th day of September
 1888 appear, for Ambrose H. Purdy
 and in his place, at his request
 before the Hon. Frederick Smith
 Recorder of the City of New York and
 then presiding in Part One of said
 court, in the above-entitled action.
 That said action was on the trial
 calendar of said Part I for that
 day. That deponent moved that
 the trial of said action be postponed
 for some reasonable time, upon
 the ground that the above A. H. Purdy
 who was counsel for ^{the} defendant had
 been retained during that same day
 at about the time, or shortly before
 said court opened, and had not seen
 his client, the defendant, or become

0080

acquainted with the facts of his case or had opportunity to prepare for trial, or to consult with and advise him in any way, and would be regarded as deponent was informed and believed in the trial of a cause in Part 2, of said court upon the opening thereof at half-past two o'clock of that day, or as soon thereafter as such cause could be reached, this motion being made, according to deponent's best recollection and belief at about ten minutes after two that said motion was denied. That deponent asked the assistant district attorney who was in charge attendance upon the court in this action, to allow deponent opportunity to inform Mr. Purdy of the denial of the motion and that the trial of the action had been moved which was agreed to. That deponent immediately went to the office of Mr. Purdy, much less than one block away, and there learned that Mr. Purdy had just started to attend upon part 2 of

this court. That deponent immediately went to said Port and found Mr. Purdy about to enter the same, and informed him the above motion was denied, and the trial moved. That Mr. Purdy then asked deponent to return to Port One, and act in the case as might seem proper. That deponent returning was informed that counsel had been assigned in the case, and the trial thereof was in progress. Deponent then declined to enter into a cause at that stage, with whose facts he was utterly unacquainted except so far as something of them might be gathered from a hasty examination of the indictment and deposition before the committing magistrate, and which as to deponent was utterly without preparation for trial.

Sworn to before me this } G. H. Mallery
24th day September 1888 }

J. May Laird
Notary Public
Hempstead, Co.

Court of General Sessions N.Y.C.
 The People vs
 against
 James Murray
 City and County of New York } ss

Mary M. Enter being duly sworn says that she is the sister of the above-named defendant. That on Wednesday September 19th 1888, at No. 10 E 134th St., N.Y. City, Mrs. Maria Vivian came to her and told her the above defendant desired her, ^{deponent,} to engage A. H. Purdy to defend him upon his trial. That such message was so delivered at about five o'clock in the afternoon. That on the following morning, viz: Thursday Sept. 20. 1888. ^{deponent,} she went to the office of said A. H. Purdy and employed him for such services and paid him on account thereof. That she so engaged said counsel at about half-past ten o'clock, in the morning of that day. That deponent went to the above court in the afternoon a very short time after the opening of the court

and was astonished to find that the trial of defendant was in progress, and that said A. H. Purdy was not present. That deponent immediately went to the office of said A. H. Purdy and was informed ^{there} that Mr. Purdy had just left the office to attend at Part 2. of the court. Deponent then went to said Part 2. and found Mr. Purdy sitting in attendance upon said Part. Deponent said to him. "My brothers trial is now going on". ~~It~~ to which Mr. ^{Purdy} replied "No, you make a mistake. It cannot be going on" - or words to that effect, but immediately accompanied deponent down to Part 1. in which defendant was upon his trial.

Sworn to before me
 this 22nd day of September 1888 } Mary Ann Carter
 Eugene Sweeney
 Notary Public
 N.Y. Co.

Court of General Sessions
City and County of New York
The People vs

against
James Murray }
City and County of New York } ss.

Catherine Vivier being
duly sworn says that she well
knows the defendant above-
named. That on Wednesday
afternoon September, 19th 1888
she went to the City Prison of
said city, at the request of the
mother of said defendant, to take
said defendant articles so sent
by his said mother to him. That
while at the prison the defendant
told her his trial was about to
come off, and to tell his sister
to procure for him in his defense
the services of Ambrose B. Purdy,
counselor-at-law, ~~that defendant~~
~~upon his return to the residence~~
~~of the mother of said defendant~~
~~at No. 620 E. 150th St.~~

That defendant went to the said
residence of defendant at No. 10 E.
134th St in said city, and Dr.

lived the message aforesaid as
 to the employment of counsel.
 That defendant did on the fol-
 lowing morning, viz: Thursday
 the 20th of September 1888, at
 or about half-past ten o'clock
 go with the said sister of defen-
 dant to the office of said A. H.
 Purdy - and that Mr. Purdy
 was then retained to ~~defend~~
 have charge of the said action.
 That it was about five o'clock
 in the afternoon of the 19th day of
 September that the said message
 and direction ^{as to the employment of counsel} was delivered from
 defendant to his sister by defendant,
 and that she used due diligence
 in delivering the same.

Sworn to before me }
 this 22nd day of September 1888 } Catharine Vivien
 John Mahlen }
 Notary Public. Wyo

Court of General Sessions
 City and County of New York,
 The People vs }
 against
 James Murray }
 City and County of New York } ss

James Fay being duly sworn says that he resides at Number 169 East 98th Street in the city of New York. That he is by occupation a plumber, having his place of business at No. 820 Third Avenue. That he knows the above named defendant ~~well~~ well. That the said defendant has worked for defendant for two years less except during ~~the~~ the last month passed. That defendant ~~did~~ did not know of the arrest of said Murray, nor that his trial was on the calendar of said court for trial. That defendant would have attended such trial as a witness in behalf of said Murray had he known ~~that~~ the date of said trial, and had had an opportunity so to do.

Sworn to before me this } James Fay

22^d day of September 1888

Chas. S. Oregon Notary Public N. Y. Co

0087

Court of General Sessions

The People vs
against

James Murray.

Notice of motion
and affidavits -

Wm. P. P. P.

Att. for def.

0000

ESTABLISHED 1860.

Office of James Fay,
Plumber, Steam & Gas Fitter,
820 Third Ave., cor. 50th St.

New York, September 24th 1888

Mr. Judge Smyth

Dear Sir

I beg to call your
attention to a case tried before me
on last Thursday-- ~~Feb. 23rd~~ ¹⁸⁸⁸ ~~James H. Haggerty~~
I was called upon to testify
and willingly swear that he had
worked for me for a long time and
~~always~~ ^{found him} ~~honest~~ ^{honest} and
faithful. I was not aware of his
death until last evening.

Respectfully
James Fay

0089

filed Sept 24/89

0090

Police Court-- District.

CITY AND COUNTY
OF NEW YORK, 88of No. 65 East 182nd Street, Aged 27 YearsOccupation Labourer being duly sworn, deposes and says, that on the9th day of September 1888, at the 22nd Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:A Silver Watchof the value of two DOLLARS,
the property of deponent

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

James Murray Now Present And Another
person not arrested Acting in Collusion
that about eleven O'clock PM on said
night as deponent was passing along
3rd Avenue he was accosted by the
defendant and said other person - that
after walking some distance said other
person threw his arm around deponent's
neck and with the other hand pulled
and detached the watch from the chain
when they both ran away that deponent
followed and overtook them and when he
demande the return of the watch the defendant
told him to rush up while said other drew
a pistol and threatened deponent if he made
any noise =
Germann Huber

Sworn to before me at
day of September 1888

Police Justice.

0091

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty of the charge
James Murray

Taken before me this

day of

188

Police Justice.

0092

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

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

Dated *Sept 10* 188 *J. H. Murray* Police Justice.

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

Dated.....188.....Police Justice.

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

Dated.....188.....Police Justice.

0093

Police Court---

5 1435 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Herman Hubert
66 East 132nd St
James Murray
Offence

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated September 10 1888

Murray Magistrate.

Joseph F. Meekhan Officer.

29th Precinct.

Witnesses George Folger

No. 439th E 146th Street.

Call tel office

No. Street.

No. Street

\$1000 to answer

(Court)

0094

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Murray

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

James Murray

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

The said

James Murray

late of the City of New York, in the County of New York aforesaid, on the *ninth* day of *September*, in the year of our Lord one thousand eight hundred and eighty-*eight*, in the *night* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *Herman Adler*, in the peace of the said People, then and there being, feloniously did make an assault, and

one watch of the value of two dollars,

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

James Murray being then and there aided by an accomplice actually present whose name is to the Grand Jury aforesaid unknown)

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

John H. Brown,

District Attorney

0095

BOX:

321

FOLDER:

3049

DESCRIPTION:

Murray, Joseph

DATE:

09/12/88



3049

Witnesses:

#161

Counsel, *Pringle*
Filed *12* day of *Sept* 188*8*
Pleads, *Myrtle*

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

JOHN R. FELLOWS,

Pringle Sept 28/88
Filed & convicted Asslt 1st deg.
District Attorney.

A True Bill.
John R. Fellows
Foreman.

Sept 20th
Sept 25th
Sept 28th
3.50
8.50

Court of General Sessions

Part

----- *
 The People
 against
 Joseph Murray.
 ----- x

BRIEF IN SUPPORT OF THE DEFENDANT'S MOTION FOR ARREST OF JUDGMENT AND DISCHARGE.

This application is founded on Sec. 467 of the Code of Criminal Procedure (See also Sec. 337) and is made upon the whole record (People vs. Bruno, 6 Park. 657.)

STATEMENT OF FACTS.

On a certain day, proved at the trial, the defendant was running down a certain street, at some time during the evening. A police officer on duty at that place, saw defendant coming and stepped behind a truck standing in the street near the sidewalk, and when defendant arrived at the place opposite where he was standing, without a word of warning, or saying anything, in fact, rushed out in front of him and attempted to stop him. Defendant in the surprise and excitement of the moment and without realizing what he was doing, made two or three passes at his assailant with some object which he held in his hand. The prosecution claimed it was a knife but failed to show whether any blade was exposed or not. The officer was not touched however, but stepping aside

tripped up defendant, clubbed him into submission and carried him off to the station house. Defendant was subsequently indicted for assault and convicted of that crime in the second degree.

POINT I.

THE OFFICER HAD NO AUTHORITY TO ARREST OR ATTEMPT TO ARREST DEFENDANT.

The officer had no warrant in his possession, and therefore, his authority, if any, must rest upon section 177 of the Code of Criminal Procedure which is as follows:

"In what cases allowed.--A peace officer may, without a warrant, arrest a person;

"1. For a crime committed or attempted in his presence;

"2. When the person arrested has committed a felony, although not in his presence;

"3. When a felony has in fact been committed, and he has reasonable cause for believing the person to be arrested to have committed it."

The facts of this case cannot be ranged under subdivision 1 nor under sub-division 2. There was no proof whatever that defendant had committed a felony or in fact a crime of any sort.

Nor is there any proof that a felony had been in fact committed which would give the officer any reasonable cause for supposing the defendant to have committed it.

The bald case is therefore presented of an officer who, without any warrant in law whatever, attempts to arrest a citizen who is running on the streets, and the citizen resists. Is he justified in so doing, or is he

guilty of a crime in defending his liberty?

The Code of Criminal Procedure also provides.

Sec. 180. "Must state his authority and cause of arrest, except where party is committing felony or is pursued after escape. When arresting a person without a warrant the officer must inform him of the authority of the officer and the cause of the arrest, except when the person arrested is in the actual commission of a crime, or is pursued immediately after an escape."

The exceptions above enumerated have no bearing here, as we have seen.

The officer, therefore, by failing to do what the law required him to do, namely, before attempting the arrest to inform the defendant of his own authority and the cause of the arrest, became himself a wrong doer, and occupies no better position--despite his blue coat and brass buttons--than does any other citizen who unwarrantably interferes with the liberty of another.

The case then seems to fall within Section 223 of the Penal Code, viz:

"To use or attempt, or offer to use force or violence upon or towards the person of another, is not unlawful in the following cases:

"3. When committed either by the party about to be injured, or by another person in his aid or defense, in preventing or attempting to prevent an offense against his person, or a trespass or other unlawful interference with real or personal property in his lawful possession, of the force or violence used is not more than sufficient to prevent such offense."

In the present case, the "force or violence used" was wholly inadequate to prevent the offense against the defendant's person, which was consummated by a brutal clubbing.

0100

It has been held that even a trespasser, a wrong doer, is justified in resisting by force unnecessary violence on the part of the person whose rights are invaded.

PEOPLE vs. GULLICK, Hill & Den. Supp. 229.

In that case NELSON, CH. J. said (p. 230):

"Even a ~~tax~~ trespasser is not bound to submit quietly to unreasonable or unnecessary violence. Though in the wrong, at the time, he does not thereby forfeit all right to self protection, nor lie under obligation to give himself up, a resistanceless victim, to beating and bruising, at the will or caprice of the injured party. On the contrary, he may, within acknowledged principles, protect himself, by force, from unreasonable or wanton violence committed, or sought to be committed by the party trespassed upon."

The law as thus laid down by one of our great jurists, has not been questioned for over forty years. If a wrong doer has rights which cannot be disregarded, a fortiori is a citizen peacefully and lawfully passing along our streets justified in repelling an unwarrantable assault by a police officer who acted without a shadow of authority.

Where a police officer makes an unjustifiable arrest, ~~he~~ he is liable for damages for false imprisonment.

Green vs. Kennedy, 46 Barb. 16. Affirmed in 48 N.Y. 653.

POINT II.

THERE IS NO EVIDENCE TO SUSTAIN THE CONVICTION OF ASSAULT IN THE SECOND DEGREE AND DEFENDANT SHOULD IN ANY CASE HAVE A NEW TRIAL.

The only portions of the statute defining the crime of assault in the second degree which have any relevancy to the facts at bar, read as follows:

Penal Code. Sec. 218. "Assault in second degree. A person who under circumstances, not amounting to the crime specified in the last section:

"4. Wilfully and wrongfully assaults another by the use of a weapon, or other instrument or thing likely to produce grievous bodily harm; or

"5. Assaults another with intent to commit a felony, or to prevent or resist the execution of any lawful process or mandate of any court or officer, or the lawful apprehension or detention of himself, or of any other person; Is guilty of an assault in the second degree."

If subdivision 4 be relied on to sustain the conviction, the answer is that there is no proof in the case that the instrument or weapon alleged to have been in the prisoner's hand was a "thing likely to produce grievous bodily harm." It is alleged that the weapon used was a knife but the prosecution failed to show either (1) that the knife was open and therefore dangerous or (2) that if it was open, the prisoner struck with the exposed blade pointing toward the officer; presumptions cannot be indulged in. There must be proof beyond a reasonable doubt. In this aspect of the case, the law laid down in *Filkins vs. The People* (69 N.Y. 101) where the plaintiff in error had been convicted of an assault "with a sharp dangerous weapon with intent to do bodily

is in point,
 harm" to one Taylor, the proof upon the trial being that
 the prisoner struck Taylor over the head twice with the
 pitchfork but did not push or thrust with the tines.
 HELD that the assault was not with a sharp dangerous
 weapon and that the conviction could not be sustained.

Allen J. says (p. 104): "The assault was by a blow
 "as with a stick or club, and not by pushing or
 "thrusting with the tines.

"As said, the weapon was no more dangerous than
 "it would have been if there had been buttons on
 "the tines to prevent their puncturing the flesh,
 "or than would have been a knife held by the blade,
 "the holder striking with the handle. A blow thus
 "given would not be an assault with a knife or
 "sharp instrument, within the statute, any more
 "than would an attempt to discharge a loaded gun,
 "the touch-hole of which was plugged, be an offense
 "under the English statute, making it criminal to
 "attempt to discharge a loaded gun at another."
 (citing English cases.)

To the same effect see
 People vs. Hickey, 11 Hun 631 where the alleged as-
 sault was committed with a stove lid.

Filkins vs. The People was expressly cited with ap-
 proval and relied upon in Kiff vs. Youmans, 86 N.Y.
 324.

But if subdivision 5 of sec. 223 is relied upon, it
 is clear from the facts that the officer had no shadow
 of authority for detaining defendant and that the arrest
 was void and unlawful; consequently, defendant's resist-
 ance to the officer was not unlawful.

0103

POINT III.

The prisoner should be discharged but in any view
of the case should be allowed a new trial.

Alexander S. Lyman
of Counsel

Aubrey H. Purdy
Deft's Counsel

for the Court

Court of General Sessions.

The People

against

Joseph Murray.

BRIEF TO SUPPORT DEFENDANT'S MOTION FOR ARREST OF JUDGMENT.

Ambrose H. Purdy,
Def't's. Atty.,
280 Broadway,
N. Y.

0105

Police Court—1 District.

CITY AND COUNTY
OF NEW YORK, } ss.

of No. 10th Avenue Police Street,

being duly sworn, deposes and says, that
on Thursday the 6th day of September

in the year 1888 at the City of New York, in the County of New York,

attempted to be
he was violently and feloniously ASSAULTED and BEATEN by

Joseph
Murray known here, who

made three thrusts
at the body of deponent
with the blade of a
knife which he then
held in his hand

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

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

Sworn to before me, this 6th day
of September 1888

James Holahan

Samuel J. Kelly POLICE JUSTICE.

0106

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Joseph Murray

Taken before me this

day of

1881

Police Justice.

0107

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

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

Dated Sept 6 1888 James C. Kelly Police Justice.

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

Dated.....188.....Police Justice.

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

Dated.....188.....Police Justice.

0108

Police Court---

1418 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Houlahan
vs.
Joseph Murray

2
3
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *Sept 10* 188

O'Reilly Magistrate.

Walopau Officer.

Precinct.

Witnesses *Chas. M. Gorman*

No. *101 E. 23rd* Street.

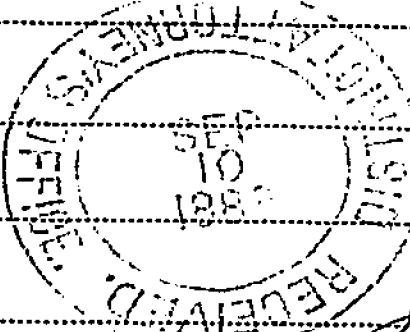
No. Street.

No. Street.

No. Street.

\$ *1000* to answer *GS*

COMMITTED.



from 12th

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

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

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

The said *Joseph Murray*

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

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

with intent *him* the said *James Holahan*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
Joseph Murray
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Joseph Murray*

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

with a certain *knife*

which the said *Joseph Murray*

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

John R. Fellows,
District Attorney

0110

BOX:

321

FOLDER:

3049

DESCRIPTION:

Murray, Thomas

DATE:

09/07/88



3049

0111

Witnesses;

#71 Bond.

Counsel,
Filed 7 day of Sept 1888
Pleads, Chicago, Ill.

19 THE PEOPLE
vs.
Thomas Murray
Grand Larceny, First Degree,
(From the Person.)
[Sections 528, 530-550 Penal Code].

JOHN R. FELLOWS,
District Attorney.

A True Bill.

J. W. V. V. V.
Foreman.
P. 3 Sept 12. 1888
Pleads G. L. 2 dy
S. P. Murray 5-6m

0112

Police Court—

District—

Affidavit—Larceny.

City and County }
of New York, } ss.

Lawrence Krauss
of No. *621 Washington* Street, aged *48* years,
occupation *no business* being duly sworn

deposes and says, that on the *29* day of *August* 188*8* at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession and

person of deponent, in the *night* time, the following property viz: *One silver*
watch valued five dollars and
one brass chain valued about
twenty-five cents

the property of *deponent*

and that this deponent
has a probable cause to suspect and does suspect, that the said property was feloniously taken, stolen,
and carried away by *Thomas Murray (now here)*
for the reason that on the night of
said day deponent was walking along
Canal Street and had the said watch
in the lower left side pocket of the
vest then worn on his person and
part of his bodily clothing and the
said chain was fastened to the
buttonhole in said vest. The defendant
came along said street in an opposite
direction and staggered against ~~the~~
~~deponent~~ and deponent felt a tug
at said chain and missed said
property. The defendant then ran
away and ~~deponent~~ caught the defendant.

Sworn to before me, this
day
188*8*

Police Justice.

0113

and deponent recognizes the defendant as the
person who stole said property -
sworn to before me

this 28th August, 1888 } Louisa Brown

Magistrate
Police Justice

0114

Sec. 198—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

Thomas Murray

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

New York

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

Answer.

729 Greenwich St. 4 years

Question. What is your business or profession?

Answer.

Laborer

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

Answer.

I am not guilty

John Thomas Murray

Taken before me this

28

day of *August* 188*8*

W. J. Evans
Police Justice.

0115

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

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

Dated Aug 28 1888 *Seig Bover* *Police Justice.*

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

Dated.....188.....Police Justice.

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

Dated.....188.....Police Justice.

0116

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Lawrence Kraus
621 Washington
Thomas Murray

2 _____
3 _____
4 _____

Dated August 28, 1888

Power Magistrate.

Seaman Officer.

5 Precinct.

Witnesses Call the Officer

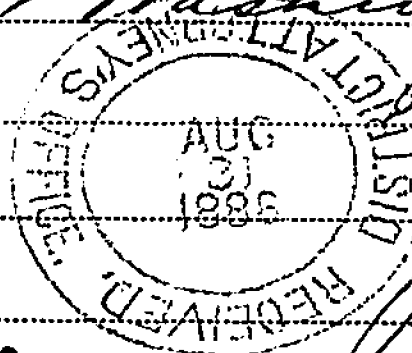
No. Julia Kraus Street.

621 Washington St

No. _____ Street.

No. _____ Street.

\$ 1000 to answer



Com
12/12/88
by [signature]

0117

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Murray

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

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

The said

Thomas Murray

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

one watch of the value
of five dollars, and
one chain of the value of twenty
five cents.

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

0118

SECOND COUNT—

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

Thomas Murray
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

Thomas Murray

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

one watch of
the value of five dollars, and
one chain of the value of twenty
five cents

of the goods, chattels and personal property of one Lawrence Krauss

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

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

Thomas Murray

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

JOHN R. FELLOWS,
District Attorney.