

0677

BOX:

369

FOLDER:

3463

DESCRIPTION:

Macdonald, John

DATE:

10/25/89



3463

Witnesses;

Herman A. Bode

Off. John H. Quincy

15th Prec.

229

Counsel, *25* day of *Oct.* 18*89*
Filed
Pleads, *Oct. 21st 1889*

THE PEOPLE



vs.

John Mardendale

*By signing in the Third degree.
Dea. H. Mardendale
[Section 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]*

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Wm L. Cole Foreman.

22 Nov. 7, 1889

Pleasant P. L.

Ben W. Mos P.B.M.

0678

0679

Police Court—2 District.

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

of No. 188 6th Avenue Henrich B. Rode
occupation Liquor dealer Street, aged 32 years,

deposes and says, that the premises No. 188 6th Avenue being duly sworn
in the City and County aforesaid, the said being a two story and attic
brick building
and which was occupied by deponent as a Saloon and dwelling house
and in which there was at the time no human being, 27

were BURGLARIOUSLY entered by means of forcibly with drawing
the bolts in the inside of the door leading
from 13th Street into the saloon in said
premises, the defendant having previously
secreted himself in the building
on the 10th day of October 1889 in the Night time, and the
following property feloniously taken, stolen, and carried away, viz:

One over coat, two bottles of Whiskey
several keys, together of the value
of an dozen.

(\$10.00)

the property of Deponent

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

BURGLARY was committed and the aforesaid property taken, stolen, and carried away by
John Mc Donnell (alias)

for the reasons following, to wit: that at the hour of 12.50
O'clock A.M. said date deponent
locked and securely fastened the doors
and windows of said saloon and left
the saloon for the night.
Deponent is informed by Officer John H.
James of the 18th Precinct Police that at
about the hour of 2 O'clock A.M. said
date he the Officer found said door open.

0681

CITY AND COUNTY } ss.
OF NEW YORK, }

aged _____ years, occupation John H. Tierney
Police Officer of No. 15th Precinct Police

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

Sworn to before me, this 15

day of Oct 1887

John H. Tierney

John H. Tierney
Police Justice.

0682

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

John Mc Donnell

Question. How old are you?

Answer.

39 years old

Question. Where were you born?

Answer.

Albany, NY

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

Answer.

Albany, NY

Question. What is your business or profession?

Answer.

Barber

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 Mc Donnell

Taken before me this

day of

1887

Henry J. McDonald Police Justice.

0683

POOR QUALITY
ORIGINAL

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

Defendant

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

Dated *Oct 10* 188 *John J. McNamee* 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.

0684

Police Court---2 District. 1546

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Herman A. Boal
vs. 6 Ave
John McDonnell

1
2
3
4

Offence Burglary

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated Oct 10 1889

John H. Tierney Magistrate.

John H. Tierney Officer.

15 Precinct.

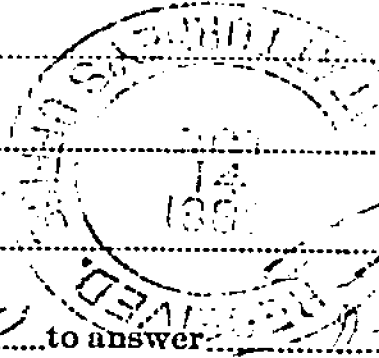
Witnesses John H. Tierney

No. 15 Street.

No. _____ Street.

No. _____ Street.

\$ 2000 to answer



Call
Bring 3
P.R.
Rec'd

0685

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 Macdonald

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

John Macdonald

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

The said

John Macdonald

late of the *Fifteenth* Ward of the City of New York, in the County of New York, aforesaid, on the *fourth* day of *October* in the year of our Lord one thousand eight hundred and *eighty nine*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *Saloon* of one

Hermann A. Bode

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

Hermann A. Bode

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

0686

SECOND COUNT—

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

of the CRIME of

John Macdonald
PETIT LARCENY

committed as follows:

The said

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

*one coat of the value of
eight dollars, two bottles of
whiskey of the value of one
dollar each, and five keys of
the value of ten cents each*

of the goods, chattels and personal property of one

in the *saloon* of the said

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

0687

THIRD COUNT—

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

John Macdonald
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:
The said *John Macdonald*

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

one overcoat of the value of eight dollars, two bottles of whiskey of the value of one dollar each bottle and five keys of the value of ten cents each

of the goods, chattels and personal property of one *Hermann A. Gode*

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

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

John Macdonald
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.

0688

BOX:

369

FOLDER:

3463

DESCRIPTION:

Macklyn, Thomas J.

DATE:

10/22/89



3463

0689

Witnesses;

Wm. Roseman

Louis Forbach

Counsel,
Filed 22 day of Oct. 1889
Pleads Not guilty vs.

THE PEOPLE
vs.
Grand Larceny
[Sections 528, 531 - Penal Code].

Thomas J. Mackley

JOHN R. FELLOWS,

District Attorney.

A True BILL.

Wm. L. Cole Foreman.

Oct. 22/89
Spec. Magistrate

0690

Police Court

District

Affidavit—Larceny.

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

William Bosselman
of No. 25 Manhattan Street, aged 23 years,
occupation Dressmaker being duly sworn
deposes and says, that on the 2^d day of July 188 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:

One Gold Watch and a Chain
attached of the value of twenty
five dollars one pair of Silver
Buttons and one pair of Shirts
of the value of six dollars
In all of the value of
thirty one dollar \$31-

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 J. Mucklyn known

from the fact that on the day
in question deponent had
room together at 19 Manhattan
Street and deponent left his
room about the hour of six o'clock
am of the aforesaid date and
the time the deponent was a
sleep in his bed and on
deponent returning to his
room the same evening he
missed the above property
from his room and the deponent
has gone and did not return

W. Bosselman

Sworn to before me, this

188

Police Justice.

0691

Sec. 198—200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer.

James J. Mucklyn

Question. How old are you?

Answer.

25 years

Question. Where were you born?

Answer.

New York

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

Answer.

At home

Question. What is your business or profession?

Answer.

Butcher

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

Answer.

I Am Not Guilty
James J. Mucklyn

Taken before me this

day of

188

Police Justice.

0692

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 Clark

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 Oct 4 18 89 J. J. White Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0693

BAILED.

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

Police Court---

1507 District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William Bosselman

25th Manhattan St
James Mulligan

2

3

4

Dated

Oct 4

188

9

White

Magistrate.

Gargan

Officer.

30th Precinct.

Witnesses

Louis Forbach

No.

25 Manhattan

Street.

No.

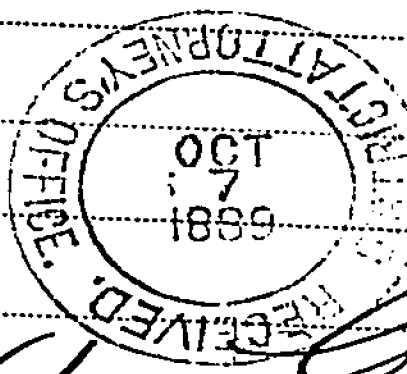
Street.

No.

Street.

\$

500 to answer



Can 9/1

0694

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 J. Macklyn

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

Thomas J. Macklyn

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

The said

Thomas J. Macklyn

late of the City of New York, in the County of New York aforesaid, on the twenty fourth day of July in the year of our Lord one thousand eight hundred and eighty nine

at the City and County aforesaid, with force and arms, one watch of the value of fifty dollars, one chain of the value of twenty-five dollars, two sleeve buttons of the value of five dollars each, and two shoes of the value of three dollars each.

of the goods, chattels and personal property of one

William Gosselman

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.

John R. Fellows
District Attorney.

0695

BOX:

369

FOLDER:

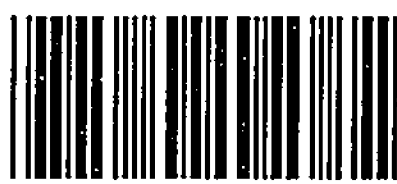
3463

DESCRIPTION:

Maher, Thomas F.

DATE:

10/17/89



3463

Witnesses:

John Kuyper

Thos McSany

0696

Counsel,

Filed 17 day of Oct 1889.

Pleads

THE PEOPLE

vs.

R

Thomas D. Maher

INJURY TO PROPERTY.

[Section 651, Penal Code.]

JOHN R. FELLOWS,

District Attorney.

Pr Oct 21/89

A True Bill. In dictum and dissonant

+ deft dischd

Wm L. Cole. Foreman.

Complainant -
lamed & withdrawn.
complainant, not
indictment - dis-
missed & deft -
discharged.

Geo. J.

0697

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Thomas F. Maher.

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. The defendant has been drinking at the time the complaint was made & broke the window while under the influence of liquor. I don't think he intended to break the same - and has since paid for same. The defendant has been in jail for three weeks and I think he has been punished enough and I therefore ask permission to withdraw the complaint.

Witnessed by.
 Wm Houghen
 Dist Atty's Off
 Oct 24 1889 -

John Wray

0698

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas Maher 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 Maher

Question. How old are you?

Answer.

43 years

Question. Where were you born?

Answer.

New York City

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

Answer.

No 388 Third Avenue. 43 years

Question. What is your business or profession?

Answer.

Barkeeper

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

Thomas F. Maher

Taken before me this

day of *Oct* 188*7*

W. J. McMahon Police Justice.

0699

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

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

Dated Oct 5 *188* 9 *Police Justice.*

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

Dated *188* *Police Justice.*

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

Dated *188* *Police Justice.*

0700

Police Court--

1504
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Keyser
690 W. 3^d Ave
Thos. Maher

Offence *Malignant*

Michie

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *Oct 5* 188 *9*

McMahon Magistrate

Ryan Officer.

21 Precinct.

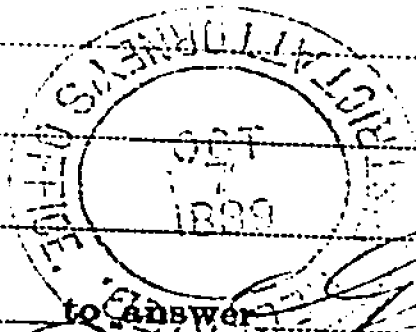
Witnesses *Thos. McGarry*

No. *163 Park St* Street.

No. _____ Street.

No. _____ Street.

\$ *500* to answer



Chm

0701

Court of General Sessions

The People & }
- apt - }
Oscar. Levy }

City & County of New York ss:

Wm. W. Hart being
duly sworn deposes and says
that he is the Attorney for
Oscar Levy herein. That on
the 10th day of October 1889,
after remaining in Court nearly
all day, - the case was ad-
- journed to the 25th day of
October 1889. That this day
Dependent received a postal
from his client to appear at
Part I. Dependent is actually
engaged before Justice W. Brown
in the City Court. That on
another occasion, the case
was called in another part
on Wednesday the 9th inst,
although it had been adjourned
to Thursday the 10th inst.
Dependent will be able to proceed to trial
on Friday next and is anxious

0702

to do so.

Sworn to before me this ()
21st day of October 1889
Charles E. Sumner
Notary Public
N.Y.C.

The People

— do. —

Oseda Levy

affr. ~~Sumner~~

0703

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 4 DISTRICT.

John Kreyer
of No. 390 Third Avenue Street, aged 75 years,
occupation Liquor dealer being duly sworn deposes and says
that on the 5 day of October 1889
at the City of New York, in the County of New York

Thomas Maher (now here) did
unlawfully and willfully destroy
personal property of another,
to wit a plate window glass in front
of premises No 390 Third Avenue
causing damage amounting to
Thirty dollars. Dependent is
informed by Thomas McGarry
of No 162 East 33^d Street that at about
6 o'clock am of above date he saw
defendant maliciously kick and break
said glass
John Kreyer.

Sworn to before me, this

of

1889

day

Police Justice.

0704

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 43 years, occupation Bar tender of No.

162 East 33rd Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of John H. Kreyer

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

Sworn to before me this

day of

Oct 188 9

Wm. Mahon

Police Justice.

0705

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas S. Maden

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

Thomas S. Maden

of the CRIME OF UNLAWFULLY AND WILFULLY *destroying*
PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said *Thomas S. Maden*,
late of the *21st* Ward of the City of New York, in the County of New York
aforesaid, on the *21st* day of *October*, in the year
of our Lord one thousand eight hundred and eighty-*nine*, at the Ward, City and
County aforesaid, with force and arms, *a certain pane*
of plate glass,

of the value of *thirty dollars*,
of the goods, chattels and personal property of one *John Kruger*,
then and there being, then and there feloniously did unlawfully and wilfully *break*
and destroy.

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.

0706

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said
Thomas S. Maden
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying*
REAL PROPERTY OF ANOTHER, committed as follows:

The said *Thomas S. Maden*,
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the Ward, City and County aforesaid, with force and arms, a certain
piece of plate glass,

of the value of *thirty dollars*,
in, and forming part and parcel of the realty of a certain building of one
John Kreger,
there situate, of the real property of the said
John Kreger,
then and there feloniously did unlawfully and wilfully *break and*
destroy.

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.

0707

BOX:

369

FOLDER:

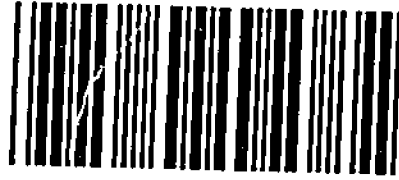
3463

DESCRIPTION:

Mahoney, James

DATE:

10/17/89



3463

Witnesses;

Hyprate A. Woodhouse

off. Edward Wood

24th Feb

147 Geo. W. Bennett
Counsel, 7 Beckman

Filed 17 day of Oct 1889.
Pleads, Not guilty, 18

THE PEOPLE

vs.

James Mahoney

PETIT LARCENY
[Sections 528, 532 Penal Code.]

JOHN R. FELLOWS,
22-022 22.1889.
District Attorney.
Tried & acquitted.

A True Bill.

Wm L. Cook, Foreman.

0708

0709

CITY AND COUNTY }
OF NEW YORK, } ss.

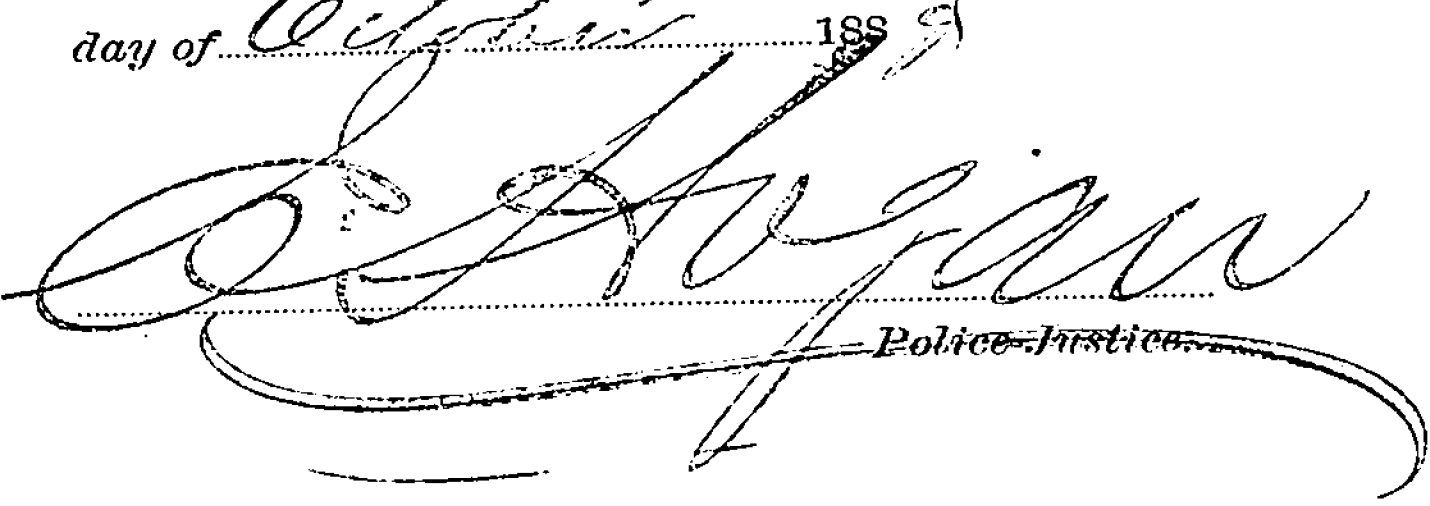
James McCormick
aged 60 years, occupation Junk dealer of No.

34 Harrison St. Brooklyn Street, being duly sworn deposes and

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

Sworn to before me, this
day of October 1889

James McCormick


Police Justice

0710

Police Court First District.

Affidavit—Larceny.

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

William A. Woodward
of No. 94 Pearl Street, aged 58 years,
occupation Auctioneer being duly sworn
deposes and says, that on the 2nd day of October 1887 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:

One barrel of damaged Sugar,
of the value of eighteen dollars

the property of being in care and charge of
deponent as Auctioneer

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 Mahoney, for

the reasons following, to wit:
that said property was stolen
and carried away from Coenties
Slip on or about the day afore-
said. That thereafter, and on
the 4th day of October instant,
deponent found said stolen
property in the possession of
James McCormick, then present,
at 34 Harrison Street, Brooklyn,
and said McCormick then and
there informed deponent that
he purchased the same from
said James Mahoney for the

0711

Sum of Twelve dollars.

Therefore, may that said ^{Department,} James
M. Kelley may be arrested and
dealt with as the law may
direct.

Sworn to before me this } S. A. Woodson
7th day of October 1889 }

[Signature] Policeman

0712

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

James Mahoney 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 Mahoney

Question. How old are you?

Answer.

24 years of age

Question. Where were you born?

Answer.

New York

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

Answer.

174 South St. one year

Question. What is your business or profession?

Answer.

Speculator

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
I demand a trial by jury*

Taken before me this

day of October 188

Police Justice.

0713

Sec. 151.

Police Court 1 District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*
OF NEW YORK. } *of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Benjamin A. Woodman of No. 94 Pearl Street, that on the 11 day of October 1889 at the City of New York, in the County of New York, the following article to wit:

One barrel of damaged Sugar
of the value of Eighteen Dollars,
the property of Benjamin charging said Complainant
w as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by James Mahoney

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 11th DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 11th day of October 1889

James Mahoney
POLICE JUSTICE.

0714

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, and and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.
Dated October 8 188 9 Police Justice.

I have admitted the above-named Defendant to bail to answer by the undertaking hereto annexed.
Dated October 8 188 9 Police Justice.

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

Dated October 8 188 9 Police Justice.

0715

BAILED,

No. 1, by Daniel Bonovace
Residence 157 South Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

1533
Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Glenn A. Woodman
94 1/2 Pearl
James Mahoney

1 _____
2 _____
3 _____
4 _____

Office L. W. Carey
Minist.

Dated October 8th 1889
Hogan Magistrate.
Wood Officer.
25 Precinct.

Witnesses James McConnide
No. 34 Harrison Street.

Bowling
No. 10 Street.

James E. Moaschett
436 Broadway Street.

\$ 500. to answer.
Bailed

0716

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 Mahoney

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

James Mahoney

of the CRIME OF PETIT LARCENY committed as follows :

The said

James Mahoney

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

*one barrel of sugar of the
value of eighteen dollars*

of the goods, chattels and personal property of one

Sylvester A. Woodrow

then and there being found, then and there unlawfully 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.

0717

SECOND COUNT----

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

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

The said

James Mahoney
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 barrel of sugar of the
value of eighteen dollars*

of the goods, chattels and personal property of one

Sylvester A. Woodrow

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

Sylvester A. Woodrow

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

James Mahoney
then and there well knowing the said goods, chattels and personal property to have been
unlawfully 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.

0718

BOX:

369

FOLDER:

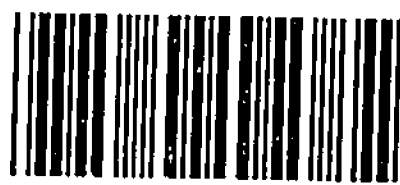
3463

DESCRIPTION:

Mallon, Thomas

DATE:

10/29/89



3463

James McDonald

THE PEOPLE

vs.

PH

Thomas Mallon

Organized at No. 1, Court of
Deer and 'Terminor' for trial

5/10/2020

2014

Nov-14 went over to see of ~~John B. Fellows~~ District Attorney.

District Attorney.

Off-Set Term: abolished

August 27th

A True Bill,

Wm. L. Foreman.

Nov. 22, 1889

Wm. A. Dugan

C. M. Hart

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

Organized at No. 1, Court of
Deer and 'Terminor' for trial

5/10/2020

2014

Nov-14 went over to see
JOHN B. FELLOWS, Assoc.
District Attorney.

District Attorney.

Off-Set Term: 100% to District Attorney

August 27th

A True Bill,

Wm. L. Foreman.

Nov. 22, 1889

Wm. A. Dug

C. M. Hart

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

0720

Police Court—9 District.

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

James McSorrell
of No. 539 West 26 Street, aged 28 years,
occupation Cartman being duly sworn

deposes and says, that on the 15 day of Oct 1887 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by
Thomas Mallon (nowhere)

who wilfully and maliciously
cut and stabbed, deponent.

in the left arm with a
cora knife he then and
there held in his hand,

Deponent further says
that said assault was

committed

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

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

Sworn to before me, this 19 day
of Oct 1887

James McSorrell

John Korman
Police Justice.

0721

Sec. 193, 200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Thomas Mallon

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

Question. What is your name?

Answer.

Thomas Mallon

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

456 N. 29 Street 2 years.

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.

Am guilty
Thomas Mallon

Taken before me this

day of

Oct

189

Police Justice.

0722

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.....

Agenda
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 16* 188 *Wm. H. ...* 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.

0723

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court---

1584 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James McDonald
639 West 26 St
Thomas Waller

1
2
3
4

Office of the Clerk
J. M. Waller

Dated Oct 19 1889

Send subpoena to
Comptroller of the City
he will answer
J. M. Waller
Magistrate.

Rowling Officer.

Joe M. Waller, Precinct.

Witnesses

No. of Complaint Street.

✓ Daniel Freeman

No. 326 15th St Street.

Dr. James Waller

No. 27th St Street.

\$ 1000 to answer

Chm

0724

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 Mallon

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

Thomas Mallon
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

Thomas Mallon
late of the City of New York, in the County of New York aforesaid, on the
fifteenth day of October in the year of our Lord
one thousand eight hundred and eighty-nine, with force and arms, at the City and
County aforesaid, in and upon the body of one James Mc Donald
in the Peace of the said People then and there being, feloniously did make an assault
and him the said James Mc Donald
with a certain knife

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

3
with intent him the said James Mc Donald
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

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

The said

Thomas Mallon
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 Mc Donald in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and him the said
James Mc Donald

with a certain

knife
which the said

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

0725

THIRD COUNT—

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

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

The said

Thomas Mallon

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

him the said *James McDonald*
with a certain *knife*

which

the said

he, *Thomas Mallon*
in *his* right hand then and there had and held, in and upon the *arm*
of *him* the said *James McDonald*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-
fully inflict grievous bodily harm upon the said *James McDonald*

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.

0726

BOX:

369

FOLDER:

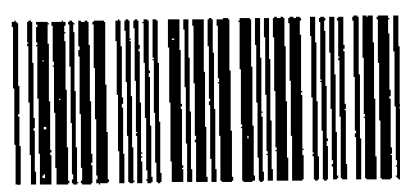
3463

DESCRIPTION:

Maloney, Alice

DATE:

10/31/89



3463

0727

BOX:

369

FOLDER:

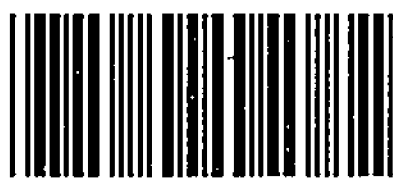
3463

DESCRIPTION:

Fantonne, Antonio

DATE:

10/31/89



3463

0728

Witnesses:

John Fitzgerald

Counsel

W. H. Fitzgerald

Filed

day of

188

Oct 9

Pleads,

W. H. Fitzgerald

THE PEOPLE

vs.

*Alice Maloney
and
Antonio Santonne*

H. P.

JOHN R. FELLOWS,

District Attorney.

Grand Larceny Second Degree
(From the Person.)
[Sections 528, 529, 530 Penal Code]

A True Bill.

M. L. Cole, Foreman

Part II November 13, 89.

Costs tried and acquitted

0729

Police Court— / District.

Affidavit—Larceny.

City and County }
of New York, } ss.Joseph Fitzsimmons
of No. House of Detention Street, aged 50 years,

occupation Laborer on the Aqueduct being duly sworn

deposes and says, that on the 24th day of October 1889 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 day time, the following property, viz:

One watch and chain of the value
of Twenty one dollars

the property of deponent

Sworn to before me, this
18 day

Police Justice.

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Alice Maloney and Antonio Fantonne (both now here) for the reasons that on said day deponent was in a lager beer saloon at 35 Mulberry Street and deponent had said watch in a pocket of the overalls then worn on his person and part of his bodily clothing. Deponent was in company with defendants Alice and was leaving the saloon through a hallway to go to the rear of the building said Alice followed deponent and in said hallway the said Alice inserted her hand into said pocket and took said property ^{therefrom} and ran into the saloon. Deponent pursued her and saw the

0730

watch and chain in the possession of the defendant Fantonne who is a bartender in said saloon. Said Fantonne was in the act of putting said property in a drawer behind the bar. Deponent demanded the return of said property from said Fantonne who showed the watch to deponent but refused to return it.

Wherefore deponent charges said Alice Maloney with stealing said property from deponent's person and the Antonio Fantonne with receiving said property from said Alice, he well knowing the same to have been stolen and retaining the said property depriving this deponent of the use and benefit thereof.

Sworn to before me this 25th October 1889 Joseph H. Fitzsimmons

San C. R. Kelly
Police Justice

0731

Sec. 198—200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Alice Maloney

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

16 Oak St. 1 year

Question. What is your business or profession?

Answer.

Servant

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

Answer.

I am not guilty

Alice Maloney

Taken before me this

25

day of

October

1889

Police Justice.

0732

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Antonio Fantonne 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. *Antonio Fantonne*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *33 Mulberry Street. 2 weeks*

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. I know nothing about the matter*

Antonio *Fantonne*

Taken before me this

day of

188

Police Justice.

0733

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

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

Dated Dec 25 1897 Do J. C. J. J. Police Justice.

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

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

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

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

0734

Police Court---

1625 District.

THE PEOPLE &c.,
ON THE COMPLAINT OF

Joseph Fitzsimmons
Horne of Detention
Alice Maloney
Antonio Fantonne

Officer James

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

3

4

Dated *Dec 25* 188*9*

O'Reilly Magistrate.

Kehoe Officer.

6 Precinct.

Witnesses *Michael Kehoe*

No. *6th Precinct* Street.

No. *6th Precinct* Street.

No. *6th Precinct* Street.

No. *6th Precinct* Street.

No. *6th Precinct* Street.

No. *6th Precinct* Street.

No. *6th Precinct* Street.

\$ *1000* to answer

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COMMITTED.

0735

CITY AND COUNTY } ss.
OF NEW YORK, }

POLICE COURT, / DISTRICT.

Michael Kehoe

of No. 6 Bremer Street, aged years,
occupation Police officer being duly sworn deposes and says

~~that on the day of 188~~

~~at the City of New York, in the County of New York,~~ that Joseph

Fitzsimmons (now here) is a necessary
and material witness for the People
against Alice Maloney and Anthony Fantonne
charged with larceny from person.

Said Fitzsimmons has no permanent home
and deponent asks that Fitzsimmons
give bail for his appearance and in
default thereof to be sent to the
House of Detention for witnesses

Michael Kehoe

Sworn to before me, this 25th day
of October 1889

Police Justice.

0736

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against
*Alice Maloney and
Antonio Fantonne*

The Grand Jury of the City and County of New York, by this indictment, accuse
Alice Maloney and Antonio Fantonne
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said *Alice Maloney and
Antonio Fantonne*, both
late of the City of New York, in the County of New York aforesaid, on the *twenty-fourth*
day of *October* in the year of our Lord one thousand eight hundred and
eighty-*nine*, in the *day* - time of the said day, at the City and County
aforesaid, with force and arms,

*one watch of the
value of fifteen dollars
and one chain of the value
of six dollars*

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

0737

SECOND COUNT—

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

Antonio Santonne
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

Antonio Santonne

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
fifteen dollars, and one
chain of the value of six
dollars*

of the goods, chattels and personal property of one

Joseph Fitzsimmons
by one *Alice Mahoney*, and

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

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

Antonio Santonne

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.

0738

BOX:

369

FOLDER:

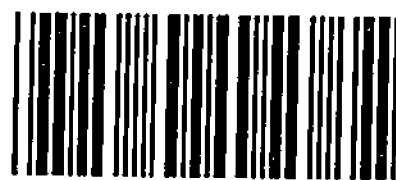
3463

DESCRIPTION:

Marshall, Marion

DATE:

10/31/89



3463

Freezing
A. P. Furman

283
J
A

Counsel, *J*
Filed *Oct* 18 *89*
Pleads, *Spk gently*

THE ~~PEOPLE~~

vs.

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

Marion Marshall

JOHN R. FELLOWS,

District Attorney.

Have the physicians at Jards
examine this doll as to nerves
& put one on character for

A True Bill. *Passed in 1889. V. M. D.*

Foreman:

Wm. L. Cole.

P2 Nov 13, 1889.
 Aries as to his family found
 by the way to be not American.
 H. R. Wash. for insurance at
 oughthredhise - P2.11

0739

0740

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 3 DISTRICT.

James Mullane
of the 11th Precinct Police Street, aged _____ years,
occupation Police Officer being duly sworn deposes and says,
that on the 19th day of October 1889

at the City of New York, in the County of New York, Marion Marshall
now here, was charged by one Yee
Sing in defendant's presence with having
assaulted him said Yee Sing on said date
by striking him in the face with a
pair of ice tongs.

That said Yee Sing is now
confined in the Gouverneur Hospital and
is unable to appear in Court to make
a Complaint. Wherefore defendant
prays that said defendant be committed
to await result of inquiries
James M. Mullane

Sworn to before me this 19th day of October 1889

Police Justice,

0741

Police Court-- District.

THE PEOPLE, & c.
ON THE COMPLAINT OF

vs.

Marvin Marshall

AFFIDAVIT.
filed with
Clerk Aug.

Dated

October 20 1889

Bruffy

Magistrate.

Mullard

Officer.

Witness,

Abram Turner

83 Essex st

If
to await result
of inquest

Disposition

Unable to appear
in Court to make a
complaint

0742

GOUVERNEUR HOSPITAL.

Department of Public Charities and Correction,

Gouverneur Slip and East River.

NEW YORK,

October 22 1889

This is to certify that I have and am now
treating Yuet Sing for lacerated wound of face
and a fracture of zygomatic process of maxilla.

Respectfully

Frank H. Peltier, M.D.
House Surgeon

0743

Marum Marakal

40 ps

low a my

210 Delam

7u Day - Milla

c 1221

0744

GOUVERNEUR HOSPITAL.

Department of Public Charities and Correction,
Gouverneur Slip and East River.

NEW YORK,

Oct 21 1889

This is to certify that *Joe Sing* is unable
to appear to day.

He has a fractured *round* of cheek
which produced a fracture of zygomatic process.

Respectfully

J. H. Pelton, M.D.
S.S.

Will not be able to come
before 2nd Dec 1889

0745

Department of Public Charities and Correction.

HENRY H. PORTER, Pres't.,
CHARLES E. SIMMONS,
EDWARD C. SHEEHY.

Office of City Prison, Cor. Franklin and Centre Streets,
CHARLES OSBORNE,
Warden.

New York, Nov 11 1889

John R. Fulleros Esq.,
Dist. Atty.

Dear Sir:

I enclose letter from
Dr. Allen Fitch, Examiner in
Lunacy, who examined the
prisoner Marion Marshall
. The Doctor is of the opinion
that the prisoner is insane

Yours truly

Charles Osborne

Warden

Shut out of the prison

0746

Lorimer No.
Oct 20/84.

Yerling who was admitted
yesterday is not in a fit condition
to go to Court this morning.

J. H. Pelkin M.D.
House Surgeon -

0747

District Attorney's Office.

PEOPLE

vs.

Marshall

Mr. Cole -

Please dispose
of this case today.
The circumstances
may be so be unusually
brief.

See accompanying
letter.

For S. J. A. 1

cc 30/s 9

0748

Law Offices Eagle Building
Brownell & Lathrop 71 Wall Street.

J. B. Brownell.
W. G. Lathrop, Jr. New York, Dec 30 1889

Dear Sir:

I am informed that
a man is being prosecuted
for a grossly brutal assault
upon a Chinaman. Entirely
unprovoked.

I have had some
connection with Chinamen
in the City, and feel that
our civilization is on trial, in
the endeavor to assure them
the equal protection of the
Laws. Their condition
in the City exposes them
to injury, and as the Court
nearly shows, without ade-
quate redress or protection

0749

Mr. S. R. Johnson who
has been connected
with my office for very
many years, has relations
with most of the good
Chemists, and is especially
interested in the present
case - Allow me to intro-
duce him to you, as
entirely reliable and
trustworthy. For me I do
not ask for vengeance on
the firm charged, but
protection & justice for the
community including the
humblest members of it.
Yours truly
John R. Johnson
District Attorney

0750

Police Court Third District.

City and County } ss.:
of New York,

of No. 150 Livingston Street, aged 36 years,
occupation Lavender being duly sworn

deposes and says, that on 19 day of October 1889 at the City of New
York in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Marion Marshall (now
deceased) who feloniously struck
Deponent, one violent blow
on Deponent's head & face,
with an Ice Tongs, then
held in the hand of
said Defendant

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

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

Sworn to before me, this 23rd day
of October 1889

Rebecca
Police Justice.

0751

Ser. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

3 District Police Court.

Marion Marshall
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
Marion Marshall

Taken before me this
day of

188

Police Justice

0752

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

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

Dated *Oct 23* 18..... *[Signature]* Police Justice.

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

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

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

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

0753

Police Court---

1597 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF,

George M. Marshall
1. *George M. Marshall*
2. *George M. Marshall*
3. *George M. Marshall*
4. *George M. Marshall*

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *Oct 21/3* 188 *9*

Wm. H. M. Hays Magistrate.

Wm. H. M. Hays Officer.

Wm. H. M. Hays Precinct.

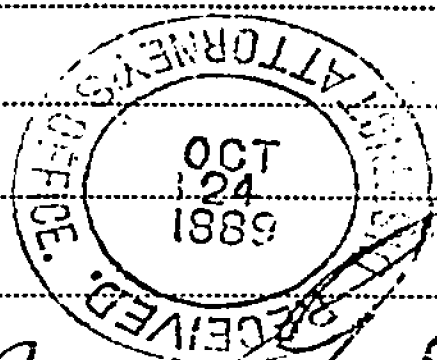
Witness *Wm. H. M. Hays*

No. *13 Essex* Street.

No. _____ Street.

No. _____ Street.

\$ *500* to answer



Wm. H. M. Hays

0754

So much 3rd of
to the number of the 1st of
I have to know the
of as the matter of the
Examined the 1st of the
at the 1st of the 1st of the
and the 1st of the 1st of the
and the 1st of the 1st of the
that the 1st of the 1st of the

Yours truly
Kian H. H. H.
Examiner in charge

0755

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Marion Marshall

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

Marion Marshall
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

Marion Marshall

late of the City of New York, in the County of New York aforesaid, on the nineteenth day of October in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, at the City and County aforesaid, in and upon the body of one Yee Sing in the Peace of the said People then and there being, feloniously did make an assault and with a certain ice tong the said Yee Sing

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

with intent

him the said Yee Sing 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

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

The said

Marion Marshall

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 Yee Sing in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and with a certain ice tong the said Yee Sing

with a certain

which the said

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

0756

THIRD COUNT—

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

The said

Marion Marshall
late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said
Yee Sing in the peace of the said People then
and there being, feloniously did wilfully and wrongfully make another assault, and
the said *Yee Sing*
with a certain *ice tong*

which *he* the said *Marion Russell*
in *his* right hand then and there had and held, in and upon the *head*
and face of *him*, the said *Yee Sing*
then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-
fully inflict grievous bodily harm upon the said *Yee Sing*

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.

0757

BOX:

369

FOLDER:

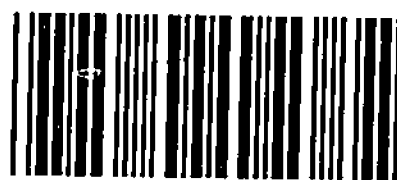
3463

DESCRIPTION:

Mason, Frederick

DATE:

10/23/89



3463

Witnesses:

Annie Whitmore

189 Oscar E. Langer
23, Humboldt
Counsel,
Filed 23 day of Oct 1889
Pleads *Not guilty*

THE PEOPLE
vs.
Frederick Mason
Robbery in the
(MONEY)
Second degree.
[Sections 224 and 228, Penal Code].

JOHN R. FELLOWS,
District Attorney.

A True Bill.

M. L. Cole Foreman.
P 2 Oct 28. 1889
Pleas as Guilty
State Reform along

0758

0759

Police Court-- District.

CITY AND COUNTY } ss
OF NEW YORK,

Annie Whitmore
 of No. 9 Elsey House Street, Aged 50 Years
 Occupation Hotel Keeper being duly sworn, deposes and says, that on the
10 day of October 1889, at the 20 Ward of the City of New York,
 in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-
 ponent by force and violence, without his consent and against his will, the following property, viz:

One pocket book containing
 forty-nine dollars and eighty seven
 cents, in good and lawful money
 of the United States; one ruby ring
 of the value of twenty five dollars,
 one diamond pin of the value
 of ten dollars.

of the value of Eighty four ⁸⁷/₁₀₀ 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

Frederick Mason nowher.
 under the following circumstances:—
 Deponent was walking in Broadway
 about 8 30 o'clock p.m. and
 deponent had the said pocket
 book containing the said property
 in her hand. The defendant crossed
 Broadway at thirty-sixth street, and
 he grabbed the said pocket book.
 Deponent held the said pocket book
 tightly with both hands to prevent
 the defendant taking it, and then
 the deponent was knocked down
 by the defendant, and while

Day of

Sworn to before me this

188

Police Justice.

0760

Deponent was in the act of falling
the defendant forcibly and with
violence wrenched the said pocket
book from deponents hand. The
defendant ran off, but was immediately
arrested by Policeman Thomas G. Lee
of the 20th Precinct, and while
under arrest the defendant took
the said pocket book from his pocket
and offered to return it to deponent
and then and there surrendered
the said pocket book to the said
Policeman Lee who now has the
said pocket book in court.

Answer to before me this
11th day of October 1899

John J. [Signature]
Police Justice

Witnessed

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1899
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1899
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1899
Police Justice.

Police Court,	District,
THE PEOPLE, &c., on the complaint of	
vs.	
Offence—ROBBERY.	
1	
2	
3	
4	
Dated	1899
Magistrate.	
Officer.	
Clerk.	
Witnesses,	
No.	Street,
No.	Street,
No.	Street,
\$	to answer General Sessions.

0761

Sec. 198—200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Frederick Mason 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. *Frederick Mason*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Canada*

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

Answer. *Boston - Off for 10 years*

Question. What is your business or profession?

Answer. *Butcher.*

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

Answer. *I have nothing to say except that there was no force or violence used.*
Frederick Mason.

Taken before me this

day of October

1885

John W. Mason
Police Justice

0762

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Twenty 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 October 11 1889 John J. Hoffman 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.

0763

Police Court--- 2 1546 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Alice Whitmore
Silver House
1. Andrew Mason

Robbery
Offence

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

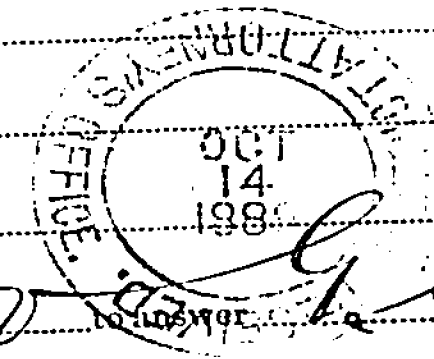
Dated *Oct 11* 188 *9*
J. M. Mason Magistrate.
Lee Officer.
20 Precinct.

Witnesses _____
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *25.77* _____



Chm.

0764

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Frederick Mason

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

Frederick Mason

of the crime of ROBBERY IN THE *Second* DEGREE, committed as follows:

The said *Frederick Mason*,

late of the City of New York, in the County of New York aforesaid, on the *tenth* day of *October*, in the year of our Lord one thousand eight hundred and eighty-*nine*, in the *night* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *Annie Whitmore*, in the peace of the said People then and there being, feloniously did make an assault, and *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars *each*; *four* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars *each*; *six* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars *each*; *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars *each*; *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar *each*; *two* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars *each*; *four* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars *each*; *six* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each*; *one* United States Silver Certificate of the denomination and value of twenty dollars; *two* United States Silver Certificates of the denomination and value of ten dollars *each*; *five* United States Silver Certificates of the denomination and value of five dollars *each*; *ten* United States Silver Certificates of the denomination and value of two dollars *each*; *ten* United States Silver Certificates of the denomination and value of one dollar *each*;

\$49.-

0765

two United States Gold Certificates of the denomination and value of twenty dollars each ; *four* United States Gold Certificates of the denomination and value of ten dollars each ; *six* United States Gold Certificates of the denomination and value of five dollars each ; and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *nine dollars, one pocket book* of the value of one dollar, one finger ring of the value of twenty five dollars, and one pin of the value of ten dollars, _____ of the goods, chattels and personal property of the said *Annie Whitmore*, from the person of the said *Annie Whitmore* against the will, and by violence to the person of the said *Annie Whitmore*, _____ then and there violently and feloniously did rob, steal, take and carry away,

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

JOHN R. FELLOWS,

District Attorney.

0766

BOX:

369

FOLDER:

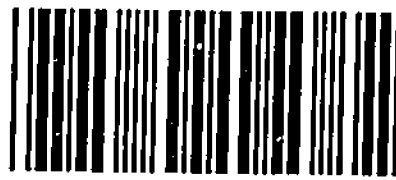
3463

DESCRIPTION:

McCaffrey, John

DATE:

10/09/89



3463

0767

~~The only witness~~

Witnesses:

A. Haag

Emma Haag

A. Schuskoff

I hereby certify that I
have no other testi-
mony outside of the said
Augustus Haag, as
to the facts of the
alleged crime, and
as the said Haag is
being examined by jury
having no cause to be
incompetent to testify.
I hereby recommend that
the same defendant be
discharged.

William J. King & Stratton
Attorneys
Oct. 21/89

Plaintiff

Counsel,

Filed day of

Pleas, 9th day of

THE PEOPLE

vs.

John Mc Caffrey

JOHN R. FELLOWS,

District Attorney.

Part 3

October 21/89

A TRUE BILL.

M. L. Cole, Foreman.

Part III October 21/89-

Indicted and acquitted

Crime against nature
Section 303 Penal Code

0768

STENOGRAPHER'S MINUTES.

2 District Police Court.

THE PEOPLE, &c., IN COMPLAINT OF

Emanuel Burlando

John Mc Caffrey vs.

BEFORE HON.

J Henry Ford

POLICE JUSTICE,

Sept 27-28 188*8*

APPEARANCES:

For the People,

For the Defence,

188

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WITNESSES.	Direct Ex.	Cross Ex.	Re-Direct.	Re-Cross.
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<i>John Cavanagh</i>	22	23		
<i>Mrs Mc Caffrey</i>	25	29		
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W. L. O'Donoghue

Official Stenographer.

0769

2 DISTRICT POLICE COURT.

THE PEOPLE,
ON COMPLAINT OF

Emmanuel Burlando
John Lee Caffrey

Examination had

Before

Sept 27-28 1889
J Henry Ford Police Justice.

W. L. Ormoby

Stenographer of the 2 District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of

the original Stenographer's notes of the testimony of

Haag. Augustus Schustoff, John Cavanagh,
Mrs. Mc Caffrey, Mary Waller, John Kooter

as taken by me on the above examination before said Justice.

Dated

Sept 30

1889

W. L. Ormoby

Stenographer.

Police Justice.

0770

Police Court
Second Dist.

The People vs
Emanuel Burkhardt
John Mc Caffrey

Examination Before Justice Ford
Sept 27-28 - 1889

Ford vs People - S. P. C. C.

" " vs Mc Mc Oliver

Augustus Haag being duly
sworn deposes and says: being
examined by the court: -

2 Did you see the defendant
last Tuesday?

A Yes Sir.

2 Where?

A On the street.

2 Was that the first time you
saw him?

A Yes Sir.

2 Where was you when you
first saw him?

0771

- A I was by the news stand.
Q On the sidewalk?
A Yes sir.
Q Wheelabouts - at the corner?
A I live at 252 West 26th St.
Q Was this at the corner of
26th street and what avenue?
A I do not know what avenue.
Q Where you first saw him?
A On the street.
Q Was that on the corner of
26th street - on the corner
of the street?
A Yes sir - you cross around
the corner.
Q Where did you first see him?
A I saw him right by the
news stand - He tapped
me on the back.
Q Where is the news stand?
A Around the corner of my
house.
Q You live in 26th St.?
A Yes sir.
Q What is the nearest avenue

0772

to your house?

A. Where the butcher shop is

2 Do you know what Avenue
it is?

A. No Sir

2 4th, Seventh or 8th. No
you know which?

A. No Sir.

2 Is this news stand near
your house?

A. Yes Sir.

2 What did he say to you after
he tapped you on the shoulder?

A. Then he walked off a
little ways. Then he said
"Come up stairs. Have you
got the News?" I told him
"No. I have got the 'World'".
He said "Come up stairs and
I will buy the World of
you". I went up stairs.

2 Up where?

A. Up stairs.

2 What house did you go to?

A. Went up on the top floor.

0773

2 Do you know what house it was?

A Yes, Sir

2 On the street or Avenue?

A On the street.

2 On the same street you live in?

A No, not the same street.

2 Is it on the other side of the street?

A Yes, Sir

2 Are you sure it is the same street?

A Yes, Sir.

2 What did you do after you got up stairs?

A He told me to stay a little while, and I told him I could not. He said "You could," and I told him I could not. He made me stay.

2 What time was that?

A It was in the afternoon about five o'clock.

0774

Q - What did he do then?

A - He made me suck this
(Pointing to his penis)

Q - Did he unbutton his pants?

A - Yes Sir

Q - And take his penis out?

A - Yes Sir

Q - Then what did he do?

A - He told me to suck it,
I told him I would not
Then he made me suck it.

Q - Did he put it in your mouth?

A - Yes Sir

Q - Then after that what occurred?

A - He made me suck it,
and then he took my coat
off.

Q - Then what?

A - My handkerchief is up there
and a little truck.

Q - Was you on a bed or a
chair when you did this?

A - I was standing up.

Q - Were you both standing up?

A - Yes Sir

0775

Q Did you lie down on a bed with him?

A No Sir

Q Either one of you?

A No Sir

Q After you got through what did you do

A Then I went to town, there two hours and a half.

Q You say he took off your coat?

A He took off my coat

Q Then what did you do?

A It was two hours and a half he made me stay there He would not let me go home. It was 5 o'clock

Q How do you know it was two hours and a half?

A Because my mama told me

Q What time did you get home?

A I do not know

Q Was it dark when you got home?

0776

A Yes Sir

Q Did you tell your mother about it?

A Yes Sir

Q Did you tell her where you went?

A Yes Sir

Q And what you had done?

A Yes Sir.

Q And you live where?

A 252 West 26th St

Q Where was the news stand?

A Around the corner

Q What avenue do you know?

A No Sir

Q Do you go to school?

A I have just been vaccinated

Q Were you selling papers?

A No

Q What were you doing?

A My mamma told me to buy the World for her.

Q What time in the afternoon did your mother send you out?

0777

A at 5 o'clock in the afternoon

2 Do you live between Sixth and Seventh Avenue?

A I guess it is near 7th Avenue

2 How far did you go to get your paper for your mother?

A I do not know I was just around the corner

2 From where you live?

A From where I live

2 Did you go down 6th 7th or 8th Avenue?

A I went down that way.

2 Did you go down 23rd, 24th or 27th St.

A Just across one street - right over

2 How far did you go to get the paper

A - It is down that way - the news stand was - down that way around the corner.

0778

2 How far around the corner did you go - a block, or two blocks

A I guess it is half a block away.

2 Do you know whether the house that this man brought you to was on 26th St. or the Avenue?

A It was on 26th Street.

Person examined by the Officer:

2 - You do not know whether it was on 26th St. or on the Avenue?

A No Sir

2 Do you know the time of day when you was there?

A - It was 5 O'clock when I went out, and went to his house

2 What time did you get home?

A Two hours and a half I stayed there

2 What time was it when you got home?

0779

A I do not know.

2 Was it very dark? after supper.

A Yes Sir.

2 Did you tell your mama where you had been?

A Yes Sir.

2 What did you tell her?

A. I told my mother that I was down in the house of this man; that he brought a paper of me, and told me to go up stairs and I told her what the man had done.

2 Did you ever see this man (the defendant) before in your life?

A No Sir.

2 Was it dark when you met him first?

A No Sir; it was day time.

2 How long were you in the room with this man?

A He made me stay two hours and a half.

2 From about 5 o'clock

0780

A Yes Sir

2 Do you know what house
that was in?

A Right next to the news stand.

2 What floor was it on.

A On the top floor - way up on
the top floor.

2 Was it a hotel or a private
house?

A It was not a hotel.

Sworn to before me this
28th day of September
1889

Police Justice

Emma Haag being duly sworn
and examined as a witness
for the people of Oregon and
says: - I live at 252 West
26th St. The last witness
is my son.

2 Do you remember the evening of
the 24th of the month.

A - Yes Sir

2 State where you sent your

0781

saw about 5:00 clock and what occurred.

A I sent him at 5:00 clock for an Evening World to the corner of 25th St. and 4th Avenue.

2 When did you see him next?

A He did not return until half past seven to the minute. I questioned him and he seemed to be frightened. He did not seem to have his notes about him. I said if he did not tell me I would whip him. Then he told me and I put a detective and went around to find the man. He said:-

A

Obligated to

Obligation overruled
Exception.

A (Continued) He acknowledged this was the man. He said he went to this man's house; that this man coaxed him. He

0782

said he had The World, and
the man stood on the corner,
and tapped him on the shoulder.
The man said "Have you
got The News?" He said
"The World". He asked "Is
it two cents?" He said "No,
one penny." The man said
"Come up to my room: I
ain't got money." That was
he got up there this thing
occurred.

2. Then he made the statement
that he had made here?

1. Yes Sir.

2. Did he describe to you
where he had been?

1. Yes Sir and he went
with ~~the~~ and showed them
the house. He took his father
to the house.

Cross examined by Mr. Oliver

2. What time was it that he
came home? A - Half past seven

0783

Q Did he tell you the street that it happened in?

A He does not know the name. He directed them to the house.

Q He did not know the name of the street?

A No.

Q Did he saw whether it was on an avenue or street?

A No.

Q Did he say he knew the man before that?

A No.

Q Did he say whether he had ever seen him before?

A No.

Q What time after that was it that your husband went out with the boy and the detective?

A About twenty minutes after. It was very quiet.

Q Did ^{the boy} ~~you~~ have ^{his} ~~you~~ suffer before that?

A No suffer until 11 o'clock

0784

2 That's about all you can remember:

A. It is for us I can remember

Sworn to before me this
2^d day of September
1889.

J. H. Fisher

August Schuschkoff being
only sworn and examined as
a witness for the people
deposes and says: I am
the stepfather of the boy Haag
2 state all you know with
reference to this case: Yes

A. It was ten minutes after 7
when I got home. I found
my wife standing on the
corner she said she was
looking for the ched. that
she sent him out at 5 o
clock to find a paper and he
did not return. We went
around to the 30th street

0785

station and would come that
he was not at the station.
Presently we saw him walking
up 26th street and took him
in the house and questioned
him.

Q What time was it?

A About half past seven.

Q What did he say?

A His mother asked him
where he was. He seemed
excited and did not want
to tell. At last his mother
forced it.

Q Tell what she asked and
what he replied.

A I could not tell.

Q Do the best you can.

A She asked him where he
had been. He said he was
in a house around the corner.
His mother asked him if
there was any children that
he had been playing with; or
if anybody had induced him

0786

with money. He said no;
that he was in a man's house.
His mother asked him if he
could tell the house. He
said yes. Then I put on my
coat and took him and he
led me to the house.

Q Before you went out did he
make any statement of what
he had done in the house?

A Yes; he did.

Q Tell what he said?

A He told his mother that he
was around there and the
man made him stay and
suck his penis; that he did
not want to do it; that the
man made him do it; that
he made him take off his
coat and do it. I took
him out and he led me
right to the place. When I
got to the door I asked
him what the man was
like. He said he had

0787

white whiskers and a flat nose. He meant a white monolach. Then I went around to the station house to get an officer and the sergeant told me to get the officer or the next to make the arrest. Then I went back and found the officer and told him I wanted ^{him} to make an arrest up stairs and I told him about the case. He said "all right" Then we went up stairs with the boy. When we got to the second floor the boy said that was not the place; that it was a different kind of a bed. Then we went out and went up stairs and the officer knocked on the door and the door was opened. As soon as we went into the room the boy said "Yes: this is the room. and

0788

that is the man" and he pointed to the defendant. Then the officer took the defendant to the station house, and arrested him.

Cross examined by the Attorney

Q How long he had been out you do not know?

A No.

Q What time did you get home

A About quarter after seven.

Q Did he give a description of the man before he went out to look for him?

A Yes Sir.

Q What floor were they that you stopped on that he said was not the place.

A On the second floor

Q Why did you stop on the second floor?

A The boy pointed it out on the door

0789

Q You went in with the officer
and the boy?

A Yes

Q When you went in you
found it was a mistake?

A Yes

Q Who was it there?

A A young lady.

Q That was not the man?

A No Sir

Q You came out and went
up stairs?

A Yes Sir.

Q When you went up stairs
you found the man up
there?

A Yes Sir

Q Was there anybody there
but him

A Yes.

Q Who else?

A A woman he called
his wife

Q Then he said to the officer
"That's the man"

0790

A Yes Sir.

Q Were there any connection between the defendant and the officer within the hearing of this boy?

A Yes Sir.

Q What was said?

A He asked the officer what it was about.

Q How was the time?

A It was about 8 o'clock.

Q Between 8 and 9 o'clock.

A Yes Sir.

Q What was the man doing?

A He was sitting in a rocking chair by the window and smoking a pipe.

Q How was he dressed?

A He was in his shirt sleeves.

Q In his slippers?

A He put on his shoes when he was arrested. He asked the officer what this was about. He was then taken down to the station house.

0791

2 Did the officer tell him what it was about?

A Yes Sir.

2 Was this man's wife there?

A Yes Sir.

2 What was she doing

A When we went in the officer asked the wife to go out while he told the man what was the charge.

2 Did the wife do that?

A Yes Sir. The officer told him the charge was a crime against native with this boy. The officer told him he had better dress himself and come to the station and he dressed himself and we all went down together.

Sworn to before me this 29th

day of September 1889

J. H. M. P. D.

Police Justice

22 John Cavanagh being duly

0792

Osworn and examined as a witness
for the people deposes and says:

2 Did you arrest the defendant;

A Yes

2 Under what circumstances?

A This gentleman came to me with
the little boy between 8 and
half past 8 o'clock. He
said he had been down to
the station house and that
the sergeant told him to come
up to the office on post.
and that if it was necessary
to make an arrest I
would do so. So I
questioned the boy and he
described the place. He told
me the man had a white
mustache, and hair and
a crooked nose. He said
that he came to buy a paper
at the paper stand and
that the man got him to
go up stairs. I said 'We
will go up stairs after you

0793

So we went up stairs. The man lived on the top floor. First we went in the floor below. I asked is this the room. The boy said "No this is not the room, it is a different kind of a bed."

Then we went up to the next floor. He said "This is the room." Then we opened the door and went in. I could not say but that this man opened the door. When I got in this man wanted to know what I got in for. The little boy identified the man.

Q In what way?

A He said "That is the man" and pointed to the defendant. So I asked the lady to step out for a moment while I told the defendant. Then I questioned the man and asked him

0794

if it was so. and he denied
it and I said "Come down
to the station house and see
what the sergeant says.

Cross examined by Mr Oliver

2 How was Defendant dressed.

A He sat in a chair with
a pipe in his mouth smoking.
He did not have any shoes
on. I waited until he
dressed himself.

sworn to before me this
24th day of September
1889

Police Justice

The People Rest.

Mr Oliver - I move that the
Defendant be discharged.
Motion denied.

den.

McCaffrey being duly
sworn and examined as a witness
for the ^{Defendant} People deposes and says:-
I am the wife of the Defendant.
I remember when he was
arrested.

0795

2. At what time in the day or night did you see him?

A. After 4 o'clock - at

2. About what time after from o'clock.

A. About quarter after four.

2. What is your business?

A. I work in private families. I left my place the same day. I had worked there two weeks ago.

2. At what?

A. I was in the laundry. And he was working there as general useful man.

2. At what place?

A. At the Commercial Hotel San Antonio.

2. When did you get away from there?

A. Two weeks ago.

2. Where did you go?

A. I took a place right away.

2. Where?

0796

Q at 260 next 25 of St
2 what family?

A I do not know the name.

Q Do you remember the night
your husband was arrested?

A Yes sir

Q about what time was it?

A I could not say. From
there I could not say the
exact time.

Q What time did you go there

A From there at 4 o'clock.

Q How did you come down
there at 4 o'clock

A He came down and
said he was going to lock
the trunk.

Q where?

A In the house where I was,
when I got through I went
up. We were going to a
place on Wednesday.

Q What time of the afternoon
or evening did you go to
the place where your husband

0797

was

A It was about half past
four or five. We packed
up the things and we
sat there talking about the
place we were going to. He
said "By this time to morrow
we will be there." He wanted
to get me some beer. I
said "No I do not need it."
We were sitting there talking
about the change we were
to make when the man
and boy came in with the
officer. I asked what it
was about and they would
not tell me. The officer asked
me to go out of the room.
Then they took my husband
to the station house.

2. From four o'clock in the
afternoon until 7 o'clock
P.M. where was your husband?

A He was in the room with
me, sitting down there talking

0798

about where we were going.

2 What is your business?

A I work around in private families and my husband also.

2 Before this how long had you worked in your last place.

A On these months.

2 When were you going to Long Island?

A On Wednesday

2 From half past four that afternoon until the time your husband was arrested was he away from you?

A. He was not out of the room. He and I were there together talking over matters.

Was examined by ~~Mr. [unclear]~~ the Court

2 where were you the night before this?

A The place where I was employed.

0799

2 Where was that?

A At Koster, in West 23 St

2 How long had you been there

A - Two weeks

2 What were you doing there

A Laundry work. I slept there and worked there up to Tuesday night, about 4 o'clock.

2 What time did you leave the laundry?

A About half past four o'clock.

2 Were that your usual times of leaving?

A I left whenever I got through. Sometimes on Monday I would be through at half past two.

2 Any other day except Monday?

A Yes.

2 When?

A Once or twice

2 This day you say you worked until half past four?

0000

2 How far was this house
from where your husband
lived?

A Just seven or eight houses
down the block - down
25th St

By Agent Burlando

2 When did you see Mc Caffrey
for the last time?

A On Tuesday

2 Did you make any statement
at the station house in relation
to your seeing them?

A No, I did not. The officer
told me that my husband had
a red moustache, and then
he turned around and saw
it was white

2 Are you married to Abbelement?

A Certainly

2 Have you lived with this
man?

A I have had two children
and buried them.

I know he before me this 24th day
of September 1935
(Police Book)

0001

Officer James Cavanaugh recalled
2 Did you hear the defendant the
ask the defendant the
question as to when his
wife met him, and did
you hear her state when
she came home?

1 I do not remember

Emma Haag recalled by the
Court.

2 - Did you go to Mr. Korken's
house to see whether the
witness Mr. McCaffrey was
employed there?

A Yes.

2 Whom did you see there?

A I saw the cook there who
told me that the witness
was Mr. McCaffrey left the
house about 8 o'clock
that evening.

Mr. Oliver - I renew my motion

0802

that depends on the Discharge

The Court - The motion is denied
and the further hearing will
be adjourned to September
28 at 10 o'clock A.M.

Examination Resumed Sept 28

Mary Wellers being duly sworn and
examined as a witness for the
People deposes and says:-
I live at 260 West 23rd St.
I work there for Mrs. Koster
I was at work there on Tuesday
last.

Q Was Mrs. Mc Caffrey there
A Yes. She was at work there
she left there about half
past seven or eight o'clock
Q Had she been there all
day?

A All day.

Q Had she been out of
the place?

0003

A - No. she was there the whole day. she was not out of the place. she was at work. after supper she went away.

Q What time did you get supper that evening?

A I guess it was about 7 o'clock

Q Are you positive she did not go away before half past seven?

A - she did not

Cross examined by Mr. Oliver

Q You know Defendant was there that day?

A Yes

Q What time was he there?

A I can't remember

Q Was there any beer drinking that day?

A There was not

Q You saw him there?

A Yes

0804

Q Did he come there that day
between 5 o'clock and
half past seven?

A No.

Q What time did he come?

A It was earlier in the
afternoon. I was doing
the cooking, Mrs. Mc Caffrey
was brushing her washing

Q How long did he remain
there?

A I guess five or ten minutes.

Q Did he have supper there?

A No; It was in the afternoon.
Before supper time. Supper
time is about 7 o'clock.

Q Was the gas lit?

A The place is dark and
we had the gas lit most
all the time.

Q Is it not because the
gas was lit that you
thought it was late when
Mr. Mc Caffrey went out?

35 A No.

0005

2 What makes you think it was
day time that he was there
A It was in the afternoon I
know

{ Sworn to before me this
28th day of September 1889
J. H. ...
Police Justice }

John Koster being duly sworn and
examined as a witness for the
people deposes and says:- I
live at 266 West 25th St. with
my father. I know the woman
Mrs. Mc Caffrey who was a
witness here. She has been em-
ployed by my mother as a
laundress.

2 Do you remember last Tuesday?

A. Yes Sir.

2 Did you see Mrs. Mc Caffrey
there on that day?

A. Yes Sir

2 Do you remember what
time you left?

0806

A. About half past seven
Q Do you remember whether you
saw her there at the time
you left?

A Yes Sir - just before I left.

Q When you left she was
still there?

A Yes Sir.

Mr. Oliver - I renew my motion to
dismiss the complaint?

Motion denied

Def held to answer \$2,500 bail

0807

Police Court, 2 District.

City and County
of New York, ss.

of No. 100 East 23rd Street, aged 26 years,
 occupation Agent S.P.C., being duly sworn, deposes and says,
 that on the 24th day of September 1889, at the City of New
 York, in the County of New York.

John W. Caffrey
 (now here) took me Augustus
 Haag a boy aged seven years
 into a room in the premises no
 282 West 25th Street New York City
 and after he the said defendant
 got the said Augustus in said
 room, he the defendant locked the
 door and refused to let the said
 Augustus leave said room. He the
 said defendant then took out his
 the defendant's penis, and told the
 said Augustus to take it in his
 mouth. and when he the said
 Augustus refused, he the defendant
 forced his penis into the said
 Augustus mouth. and holding it
 there told him the said Augustus
 to suck it, all of which defendant
 truly believes from the fact that
 defendant is so informed by the said
 Augustus Haag.
 Wherefore defendant charges the said
 defendant with feloniously committing
 the aforesaid abominable and
 detestable crime against nature
 in violation of section 303 of the
 Penal Code. Sub. division 2. and
 prays that he may be held and
 dealt with according to law.

Sworn to before me
 this 25th day of Sept 1889
 J. Henry Bond

Emanuel Burlando

Police Justice

0000

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

John M. Caffrey

Question. How old are you?

Answer.

48 years old

Question. Where were you born?

Answer.

New York

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

Answer.

252 W. 25th St. About 3 weeks

Question. What is your business or profession?

Answer.

Clerk.

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 M. Caffrey

Taken before me this

day of

188

Police Justice.

0809

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 A. ...

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Twenty 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 28th* 188*9* *J. J. ...* 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.

08 10

#2500. bail for C
Sept 27th 2:15 PM
Edj - Sept 28th 10 AM

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

Guamile Burlando
vs.
John W. Caffrey

2 _____
3 _____
4 _____

Offence
Guamile Burlando
Mistake

Dated Sept 25 1889

J. W. Burlando Magistrate.

J. W. Burlando Officer.

16 Precinct.

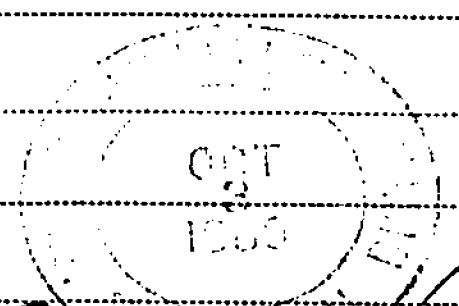
Witnesses Augustus Huang

No. 252 N. 26 Street.

No. _____ Street.

No. _____ Street.

\$ 2500 to answer.



2500
Caffrey

0811

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 McRafferty

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

Indictment accuse

John McRafferty

of the crime of ~~of~~ against nature, —

committed as follows:

The said

John McRafferty

late of the City of New York, in the County of New York, aforesaid, on the

twentieth day of *September*, in the year of our Lord one thousand
eight hundred and eighty- *nine* —, at the City and County aforesaid,

in and upon one *Augustus Stagg*, a
male person, then and there being, feloniously
did make an assault, and in the said
Augustus Stagg, in a manner contrary
to nature, then and there feloniously
did carnally know, against the form of
the Statute in such case made and
provided, and against the peace of the
People of the State of New York,
and their dignity

John R. Kellogg,

District Attorney

0812

BOX:

369

FOLDER:

3463

DESCRIPTION:

McCarthy, Hubert

DATE:

10/28/89



3463

0813

239 Farrell City penman
145 Blum

Counsel,
Filed 18 day of Oct 1909
Pleads, Chas Wades

THE PEOPLE

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

Hubert J. Carthy

Dec 11/09, by arrangement HOB
JOHN R. FELLOWS,
District Attorney.

Dec 11/09 - 1009

A True Bill

Dec 31/09

Mr. L. C. Foreman.

Dec 4/09

Spindley & Lammie

Witnesses;

Michael Bowens

Off. Chas Wades

282 Puck

I have carefully examined the testimony in this case, van of opinion that there is not evidence enough to support the indictment.

Even upon the story of aim-plant, who is the people's only helper, there is no firm case. I accordingly recommend the dismissal of the indictment.

Dec 3/09. HOB Parker, Deputy

0814

Police Court—X District.

City and County
of New York,

^{ss.:} 389 Ave A Michael Bowen

of No. ~~441 West 42nd St~~ Street, aged 34 years,

occupation Steam Fitter being duly sworn

deposes and says, that on the 28th day of April 1889 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Hubert M. Carthy (now here) who maliciously cut and stabbed deponent in the right leg with a knife. They are now held in the hands of the said M. Carthy, causing injuries from which ~~the~~ deponent's right leg has to be amputated.

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 1st day
of October 1889

M. J. Bowen
W. W. Madison Police Justice.

08 15

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Hubert M. Carthy 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. *Hubert M. Carthy*

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. *1468, 2nd Avenue 4 Years*

Question. What is your business or profession?

Answer. *Plasterer*

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*

Hubert M. Carthy

Taken before me this

day of *October* 188*8*

Alfred J. [illegible]
Police Justice.

08 16

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 11 DISTRICT.

Charles J. Wade
of No. 181 8th Avenue Street, aged years,
occupation Police Officer being duly sworn deposes and says,
that on the 31 day of May 1889

at the City of New York, in the County of New York, he arrested
Subert McCarthy upon Complaint
of Michael Rohm of 408 East 20th St.
charging said McCarthy with felonious
assault by cutting and stabbing
him in the abdomen with a knife
then and there held in his hand
causing injuries from which said Rohm
is now confined to Bellevue Hospital and
unable to appear in Court and make formal
Complaint. Depoant further says that said Rohm
identified said McCarthy as the person who committed
said assault.
Charles J. Wade

Sworn to before me, this

of June 1889 day

Attest
J. H. Mahoney

Police Justice,

08 17

Police Court-- June 1 District.

THE PEOPLE, & c.

ON THE COMPLAINT OF

vs.

Arbert M. Cahill
19 yrs
1465 2d Ave

Dated June 5 188 9

M. Mahon Magistrate.

Wade Officer.
18

Witness, _____

OCTOBER. 14. 2. PM

Disposition, OCTOBER. 12 9 am

\$2000 Bail

Committed to await result
of injuries Bail

AFFIDAVIT.

The justice presiding
as the 4th Dist. Police Court
will please hear and
determine the within case
in my absence

N. W. Mahon
Police Justice

08 18

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 Olegarius

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

Dated Oct 17 1889 N. T. McMahon Police Justice.

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

Dated Oct 17 1889 N. T. McMahon Police Justice.

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

Dated _____ 188 _____ Police Justice.

08 19

BAILED,
No. 1, by Chas P Caray
Residence 340 East 35th St.
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

Police Court

1580 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael Bowen
Hubert M. Larkin
1 _____
2 _____
3 _____
4 _____
Officer William H. Melroy

Dated October 14 1889
M. M. M. M. Magistrate
W. H. M. Officer.
Precinct.

Witnesses Michael Bowen
No. 389 ave a Street.
Richard D. Johnson
No. _____ Street.
Dr. C. L. Lewis
No. Bellview Street.
\$ 2000 to answer.

Carlin
St. D. P. M. Oct 14

0820

Belleme

June 7.

Michael Brown. Word
8- is in a fairly good
condition. A large artery
was severed by the
thrust of the knife
which necessitated the
tying of the main
artery of the leg.

Respectfully,

Dr. C. J. Lewis

Belleme

0821

BELLEVUE HOSPITAL.
SECOND SURGICAL DIVISION.
—
Room No. 3.

New York, June 8. 1889

Michael Brown - ward 8. is out of danger
He will be confined to the Hospital for some
weeks to come and will lose part of his
foot by Gangrene.

Respect.

C. L. Lewis M. D.
House Surg.

0822

Police Department of the City of New York.

Precinct No.

New York, June 11 1889

Michael Brown - Word 8
is doing nicely - he is still
confined to bed - he will
lose his right foot from
Gangrene.

C L Lewis M.D.
Horse Surg.

0823

Sec. 192.

H District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Daniel F. McMahon a Police Justice
of the City of New York, charging Hubert McCarthy Defendant with
the offence of Assault

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We, Hubert McCarthy Defendant of No. 1468
2 Avenue Street; by occupation a Plasterer
and Charles P. Barry of No. 340 East 35-
Street, by occupation Retired Surety, hereby jointly and severally undertake that
the above named Hubert McCarthy Defendant
shall personally appear before the said Justice. at the H District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Twenty
Hundred Dollars.

Taken and acknowledged before me, this 19

day of June

1889

D. F. McMahon POLICE JUSTICE.

Hubert McCarthy

Charles P. Barry

0824

CITY AND COUNTY }
OF NEW YORK, } ss.

Sworn to before me, this 19th day of June 1889
Alfred H. Baker, Police Justice.

Charles O. Casey
The within named Bail and Surety being duly sworn, says, that he is a resident and *free* holder within the said County and State, and is worth *forty* Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of *a house and lot of land located on Krumm street 340 East 35th street worth not less than fifteen thousand dollars free and clear*
his
Charles O. Casey
mark

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
vs.
Undertaking to appear during the Examination.

Taken the day of 188

Justice.

0825

Michael Bowen - words
is doing nicely and will
be able to appear in court
about the 1st of Oct.

Sept 14.

Dr Lewis

Bellmore.

0826

4 District Police Court,
New York, August 1889
To Officer C. J. Hare
18 Precinct Police.

Sir:

You will please bring to this Court on
the 10 day of August 1889, at
9 o'clock in the forenoon a Doctor's
Certificate as to the condition of Michael
J. Han in the Bellevue Hospital,
or bring him to Court to make formal com-
plaint against Richard McLeary
arrested by you on the 31 day of
May 1889, and held to await
result of injuries.

R. J. McMahon
Police Justice.

0827

Patient's leg has just been
amputated - he is doing
fairly well - but will
not be able to attend
court for at least a month

C. L. Lewis J. M. D.

House Surg.

Bureau

0828

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Hubert Mc Carthy

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

Hubert Mc Carthy
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

late of the City of New York, in the County of New York aforesaid, on the *twenty-eighth* day of *April* in the year of our Lord one thousand eight hundred and *eighty-nine*, with force and arms, at the City and County aforesaid, in and upon the body of one *Michael J. Bowen* in the Peace of the said People then and there being, feloniously did make an assault and *him* the said *Michael J. Bowen* with a certain *knife*

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

with intent *him* the said *Michael J. Bowen* 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

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

The said *Hubert Mc Carthy*

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 *Michael J. Bowen* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *him* the said *Michael J. Bowen* with a certain *knife*

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

0829

THIRD COUNT—

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

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

The said

Hubert Mc Carthy

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

with a certain

knife

which

he, the said

Hubert Mc Carthy

in

his

right-hand then and there had and held, in and upon the

of

him

the said

Michael J. Bowen

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-
fully inflict grievous bodily harm upon the said *Michael J. Bowen*

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.

0830

BOX:

369

FOLDER:

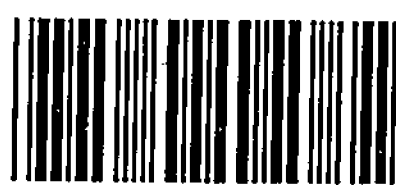
3463

DESCRIPTION:

McCarthy, John

DATE:

10/01/89



3463

Witnesses;

Kate Smith

Carica Wright

John J. McCarthy

Counsel,

Filed

Pleads,

day of

1884

THE PEOPLE

vs.

John J. McCarthy

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Charles D. Folsom

Foreman.

George D. Folsom

at more at 10:30 A.M.

0831

0832

Police Court— District.

City and County } ss.:
of New York,

of No. 266 Elizabeth

occupation Cloakmaker

Kate Smith

Street, aged 39 years,

being duly sworn

deposes and says, that the premises No. 266 Elizabeth Street, 14th Ward

in the City and County aforesaid the said being a tenement dwelling house, the rear rooms on the top floor on the north side of said house and which was occupied by deponent as a dwelling and in which there was at the time a human being, by name Thomas Smith

were BURGLARIOUSLY entered by means of forcibly opening the blinds fastened in front of the windows of said apartments and entering through the open window into said apartments

on or about the 22nd day of August 1889 in the night time, and the following property feloniously taken, stolen, and carried away, viz:

Good and lawful money of the United States of the value of Fifteen dollars and fifty cents and one pair of pantaloons of the value of Four dollars and fifty cents.

All of the value of Twenty dollars

the property of deponent and her father.

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 McCarthy (now here)

for the reasons following, to wit: that at about the hour of eight o'clock on the previous evening deponent closed and fastened the blinds or shutters in front of said window in front of which is affixed a fire-escape. And deponent left said apartments in the charge of Thomas Smith and said money was in a trunk in said apartment and the pantaloons being also in said apartment

Deponent is informed by said Thomas Smith (now here) that he, Smith did not disturb said blinds and went to sleep. Deponent is further informed by Enrico Ursetto (now here) that he Enrico is acquainted with the defendant and that at about the hour of two o'clock on the following morning he was awakened by a noise on said fire escape, he Enrico being a tenant in said building and occupying apartments adjoining that of deponent. That said Enrico saw the defendant who was about to enter said Enrico's apartments but upon finding said Enrico awake he defendant entered the apartments occupied by deponent.

Depovent on the following morning found said trunk broken open and missed said property.

Sworn to before me
this 20th September 1889 } Kate X Smith
Do I certify 100
100

Robert J. Quinn

..... ISS
..... Police Justice.

 I have being no sufficient cause to believe the within named
 ----- guilty of the offence within mentioned, I order it to be discharged.

-----188-----
Police Justice.

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

Dated _____ 188 .

Police Justice.

.....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.

community, and, in fact, the very existence of the community is at stake. The community is at stake because the community is the very thing that is being destroyed. The community is the very thing that is being destroyed. The community is the very thing that is being destroyed.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

vs.

1.
2.
3.
4.

Office—BURGLARY.

Dated 188

Magistrate.

Officer.

Clerk.

Witness,

No. Street,

No. Street,

No. Street,

5. to answer General Sessions.

0834

CITY AND COUNTY {
OF NEW YORK, } ss.

Thomas Smith

aged *60* years, occupation *None* of No.

266 Elizabeth Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Kate Smith*

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

Sworn to before me, this *20th* } *Thomas ^{by} Smith*
day of *September* 188 } *mark*

Samuel R. Smith
Police Justice.

0835

CITY AND COUNTY {
OF NEW YORK, } ss.

Enrico Ursitto
aged 35 years, occupation Tailor of No.
266 Elizabeth Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Kate Smith
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 20 day of September 1887 } *Enrico Ursitto*

John J. Kelly
Police Justice.

0036

Sec. 103-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer.

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; I demand an exculpation.

John Francis J. Earty

Taken before me this

20th

day of September 1888

Police Justice.

0837

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 Fifteen 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 Feb 24 188 Do. McKeilly Police Justice.

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

Dated.....188Police Justice.

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

Dated.....188Police Justice.

0038

Police Court---

1450
District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Kate Smith
266 Elizabeth St
John McCarthy

2

3

4

Offence

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

September 20 1889

O'Reilly Magistrate.

Dailey Officer.

10 Precinct.

Witnesses

Curcio Ursetto

No.

266 Elizabeth Street.

No.

Thomas Smith

No.

266 Elizabeth Street.

No.

Street.

\$

15.00 to answer

COMMITTED.

Briggs
P.R.

0839

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 J. McCarthy

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

John J. McCarthy

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

The said

John J. McCarthy

late of the *fourteenth* Ward of the City of New York, in the County of New York
aforesaid, on the *twenty-second* day of *August*, in the year
of our Lord one thousand eight hundred and eighty-*nine*, with force and arms, about the
hour of *two* o'clock in the *night* time of the same day, at the Ward,
City and County aforesaid, the dwelling house of one *Kate Smith*

there situate, feloniously and burglariously did break into and enter, there being then and there
some human being, to wit: *one, Thomas Smith*

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

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,

0840

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said
John F. Mc Carthy
of the CRIME OF *Petty* LARCENY committed as follows:

The said

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

*the sum of fifteen dollars
and fifty cents in money, law-
ful money of the United
States and of the value of
fifteen dollars and fifty
cents, and one pair of trousers
of the value of four dollars
and fifty cents.*

of the goods, chattels and personal property of one

in the dwelling house of the said

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

John R. Dillows,
District Attorney

0841

BOX:

369

FOLDER:

3463

DESCRIPTION:

McCarthy, John

DATE:

10/14/89



3463

0842

Witnesses;

Louis Cires

Counsel,

Filed

day of

Oct 18 89

Pleads,

THE PEOPLE

vs.

John McCarthy

Burglary in the third degree.
Grand Jurors.
Section 498, §26, §257, §1.

JOHN R. FELLOWS,

District Attorney.

Oct 15 89
Ready, Drug, Ldg
S.P. 2475 & 6 mo
A True Bill.
RB.M.

Foreman.

M. A. Cole

0843

Police Court—1st District.City and County } ss.:
of New York,of No. 6 Catharine Slip Street, aged 41 years,
occupation Jeweler being duly sworndeposes and says, that the premises No. 6 Catharine Slip 4th Ward
in the City and County aforesaid the said being a brick buildingthe store floor of
which was occupied by deponent as a Jewelry Store
and in which there was at the time a human being, to wit: Deponent
Becke andwere BURGLARIOUSLY entered by means of forcibly breaking the
glass of the show window in
said store at about the hour
of 9 o'clock P. M.on the 7th day of September 1889 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:Two gold watches, together of
the value of forty-nine dollarsthe property of Deponentand 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 byJohn McCarthy, now here,

for the reasons following, to wit:

That deponent saw
said defendant on the side-
walk close to said show
window, and deponent saw
said defendant thrust his
hand through said glass and
take said watches out of the
window and run away with

0844

The same in his possession.
That defendant pursued him
and he was arrested by Officer
Cunningham then present, and
defendant saw his hand covered
with blood.

Sworn to before me this 20. Sept 1886

J. M. Patterson

Notary Public

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1886
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1886
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1886
Police Justice.

Police Court, District,

THE PEOPLE, &c.,
on the complaint of

Offence—BURGLARY.

vs.

1

2

3

4

Dated

1886

Magistrate.

Officer.

Clerk.

Witness,

No.

Street,

No.

Street,

No.

Street,

to answer General Sessions.

0045

Sec. 198-200.

1st District Police Court.CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *John McCarthy*

Question. How old are you?

Answer. *25 years 2 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *140 Cherry St. about one month*

Question. What is your business or profession?

Answer. *Laborer*

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

Answer. *I am not guilty*
John McCarthy

Taken before me this

day of *April* 188*8*

John McCarthy
Police Justice.

0846

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

John McCarthy
guilty thereof, I order that he be held to answer the same and 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 he give such bail.

Dated September 8th 1887 J. M. Patterson 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.

0847

Police Court--- ¹³⁵⁸ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Louis Guirer
6 Catharine Slip
John M. McCarthy

2 _____
3 _____
4 _____

Officer
And L. McCarthy

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *September 8* 188 *9*

Patterson Magistrate.

Cunningham Officer.

H Precinct.

Witness *Wm J Cunningham*

No. *H "Prec. Police"* Street.

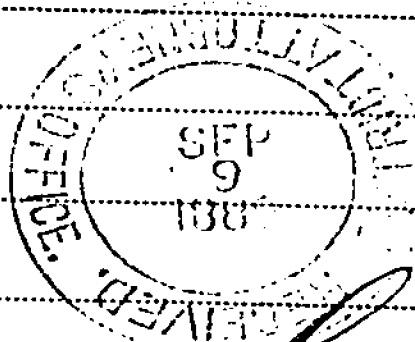
No. _____ Street.

No. _____ Street.

\$ *1500.* to answer *G.B. 3*

Louis Guirer

9x2



0848

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Mc Carthy

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

John Mc Carthy
of the CRIME of BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

John Mc Carthy

late of the *Fourth* Ward of the City of New York, in the County of New York, aforesaid, on the *seventh* day of *September* in the year of our Lord one thousand eight hundred and *eighty-nine*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *store* of one

Louis Ciner

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

Louis Ciner

in the said *store* 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.

0849

SECOND COUNT—

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

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

The said

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

*two watches of the value of
twenty five dollars each*

of the goods, chattels and personal property of one

in the

store of the said

Louis Ciner
Louis Ciner

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

John R. Fellows
District Attorney

0850

BOX:

369

FOLDER:

3463

DESCRIPTION:

McCue, John

DATE:

10/09/89



3463

0851

Witnesses:

Richd. Hamblin

Off. Wm E. Daly

22^d - Puch

Counsel,

Filed

Pleads,

1889

day of

9th Oct

10th July 10

THE PEOPLE

vs.

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

John J. McCreary

JOHN R. FELLOWS,

District Attorney.

Arran days

Oct 29, 89

A True Bill.

Wm. L. Cole, Foreman.

Park II November 14/89.

Indicted and convicted

Assault 2^d deg.

State Reformatory Colliery

0852

Police Court—4—District.

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

of No. 324 West 42 Street, aged 49 years,
occupation Heck being duly sworn

deposes and says, that on 21 day of August 1889 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

John M. Carr now present
Who did Willfully and
Maliciously aim point
and discharge a pistol that
was loaded with powder and
ball at the body of this
deponent striking him on
the right breast and inflicting
him severely

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 dealt with according to law.

Sworn before me, this 18 day
of September 1889

Richard A. Hamilton
Mar
Henry J. Brown Police Justice.

0853

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John M. Cur 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.

*I am not Guilty
and Waive further examination*

John M. Cur

Taken before me this

1888

Police Justice.

0854

Police Court— 4 District.City and County { ss.:
of New York,

William E. Daly
 of No. 22 Princes Street, aged 25 years,
 occupation Police officer being duly sworn

deposes and says, that on the 21 day of Aug 1889 at the City of New
 York, in the County of New York, Richard Hamblin

was violently and feloniously ASSAULTED and BEATEN by

John M. Curran (murderer)

Who informed Deponent in
 the presence of the said
M. Curran that about the hour
 of one o'clock am on the aforesaid
 date that the said M. Curran did
 Willfully, maliciously and feloniously
 aim point and discharge a Pistol
 that was loaded with powder and ball

at the body of the said Hamblin
 inflicting him several wounds and is now confined
 in Roosevelt Hospital and will appear in Court
 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 21 day
 of Aug 1889

William E. Daly

Sam. Murray Police Justice.

0855

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 Forty 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 8 1889 Henry S. Sweeney Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0856

Police Court

1435 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Richard Hamblin

324 W 42 St
1 *John McCarr*

2

3

4

Offence

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *September 18* 188 *9*

Murray Magistrate

William E. Leary Officer.

22 Precinct.

Witnesses *John Ryan*

No. *320 W 42 St* Street.

No. *John Byrnes* Street.

324 W 42 St

No. *John Byrnes* Street.

\$ *4.00* to answer

Dr. Calvin L. Harrison

Westwell Hospital

W. H. Harrison

0057

COURT OF GENERAL SESSIONS.

P a r t I I I .

The People of the State of New York. :
a g a i n s t . : Before Hon.
J o h n M c C u e . : Rufus B. Cowing
: and a Jury.

Indictment Filed August 9th, 1889.
Indicted for Assault in the first Degree.

New York November 14th, 1889.

APPEARANCES: For the People Assistant District Attorney
W. T. Jerome.

For the defendant: Mr. J. F. Moss.

RICHARD HANBIEN, a witness for the people sworn testi-
fied:

I am employed in the summer time on the race track.
The defendant John McCue is a boarder at my wife's
house. I have known him about six months. On the 21st
of August I met McCue at the house No. 324 West 42nd
Street. I had some trouble with him on that day in
the morning. In the evening I requested him to find
some other boarding house, and he asked me why, and I
told him I didn't like his conduct. He called me
several names and I took hold of him and put him off
the stoop. I didn't have any more trouble with him un-
til the following evening when I was sitting on the
stoop talking to a friend of mine, and he came along
and said "Hanblen how do you feel now about me?" I
told him to go home about his business, I didn't want
to have anything to say to him. He pulls out a pistol
and says: "I have something to say to you", and he
pointed it at me, and then went down the stoop.

0058

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I intended to have him arrested then but I could not see any officer. The following morning about 1 o'clock I was crossing the street a when I saw two men at the hallway door of my house. I went up and I asked who they were. I found out that one of them was McCue I told him he had no right there and that he had better go away. He called me "an old son of a bitch" and he put his hand behind his back, pulled out his pistol and I struck him with my fist in order to avoid further trouble. He then fired the pistol and shot me. The bullet struck me in the face. I was ten feet away from him at the time the bullet struck me. There was a gentleman with me named Ryan. Cross examination.

The defendant threatened to shoot me twice on this same evening. I was very anxious to get him out of my house as I did not like his conduct. He struck me on one occasion when we had a quarrel. I had not been drinking on the night this shooting happened at all. There was a fellow with him named Connington who also boarded in my house.

CAVIN J. HARRISON, a witness for the people sworn testified.

I am a physician and surgeon practising in the City of New York. I doctored the complainant Richard Hamblen for this wound which he received. The bullet entered in the front of the thorax, and also went up, off the level of the third rib. About an inch and a half or

0059

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two inches in front of the median line. The wounds were quite serious. There were very important arteries near where the wounds were.

John T. Ryan, a witness for the people, sworn testified:

I remember the night of the 12th of June. I was with the complainant at about one o'clock in the morning. We were in a saloon opposite his house. As we went across to the house he saw two men on the top of the stoop and he left me and went over to them. I sat down at the bottom of the stoop and didn't know what transpired at the top. The men were quarreling and they finally came slowly down stairs, and the first thing I knew I heard a shot. I did not know who fired the shot. I found out that Hamblen was wounded and assisted him to the door.

Cross examination.

I have known Hamblen about twenty years. I drank with him several times that night. I didn't go up the stoop at all with Hamblen. I couldn't see which one of the men it was who fired the shot. I saw Hamblen go out but whether he struck a blow or not I do not know. I was present when the policeman arrested the defendant.

JOHN BYRNE a witness for the people sworn testified:

On Monday the 12th of August I saw McGue pull a revolver and point it at Mr. Hamblen. Hamblen was sitting on the stoop. McGue didn't say anything.

0060

4

D E F E N D E N T .

SUSAN MURPHY, a witness for the people, sworn testified:

I live at 255 West 37th Street. I formerly lived in the same house with Mr. Hamblen and Mr. McGue. I remember the Sunday evening before this shooting. I saw Mr. Hamblen and Mr. McGue on the front stoop. Mr. McGue asked him for what reason he had to leave the house, and Mr. Hamblen said he wouldn't give him any information. McGue said he must have an explanation and Hamblen knocked him down off the stoop. Later on on the same day I saw Hamblen follow McGue and strike him. I didn't see the shooting. .
Cross examination.

I left that boarding house because I wanted to change. Mr. McGue was sitting on the stoop when Hamblen struck him and pushed him off. He didn't strike back.

JOSEPH CONNINGTON, a witness for the defendant sworn testified:-

I am a salesman employed with Mr. Callan at 43rd St and 8th Avenue. For four years I have known the defendant. I lived at Mr. Hamblen's house at the time of this occurrence. On the night in question Mr. McGue and myself were coming home. As we were going up the stoop Mr. Hamblen came after us and took hold of McGue and said he wouldn't let him go in. McGue wanted to know why, and Hamblen deliberately smashed him right and left in the face, and he tumbled down the stoop. When we got down to the bottom of the stoop Hamblen

0061

5

says "You son of a bitch I told you not to come around here. If you do I will kill you". He struck him and McGue bled. It was during this scuffle that McGue fired the shot. He was at the bottom of the stoop and had been knocked down when he fired the shot.

Cross-examination .

. I have known the defendant for some years. I was about to open the door, when Mr. Hamblen came up the stoop. Hamblen clinched with McGue and defendant was thrown down the stoop before the shot was fired. I am certain I heard Hamblen say that he would kill McGue.

EUGENE CALLAHAN, a witness for the defendant sworn testified:

I am a salesman for Kallan Bros. and have been for several years. I know the defendant; I knew him when he was a salesman in Kallan Bros. At that time he and I used to sleep in the store and he carried a revolver to protect the property.

JOHN MCGUE, the defendant sworn testified:

I am 26 years of age. I have been in this country 9 years. I know the complainant. I carried the revolver with which I did this shooting as a precaution while I was a salesman in Mr. Kallan's store. I have never been arrested in my life before this. I boarded in this house with Mrs. Hamblen. On this night in question I was going up the stoop with my friend and Hamblen came up after me and said he didn't

0062

6

want me in this house any more. I asked him for an explanation but he would not give me any. Mr. Hamblen said "I told you not to come here, you son of a bitch, and I will kill you sure". He hauled off and struck me in the face. I struck him to one side and he rushed at me again with his hand to his hip pocket. When he rushed at me the second time, after he struck I pulled out the pistol and shot at him. He had his arm behind his back and I believed I was in danger of some great personal injury to myself.

Cross examination.

Mr. Hamblen threatened my life on Sunday and this shooting did not occur until Tuesday morning at one o'clock. I met him several times before this and he each time told me he did not want me in the house. I pointed the pistol at him once before simply to scare him.

The Jury returned a verdict of guilty of Assault in the Second Degree.

0863

Indictment filed Aug. 9, 1889.

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

JOHN M CUE.

Abstract of testimony on

trial New York November

14th 1889.

10/2/89

0864

ROOSEVELT HOSPITAL,

59TH STREET AND NINTH AVENUE,

JAS. R. LATHROP,
SUPERINTENDENT.

New York, Sept 2^d 1889.

This is to certify
that Richard Hamblin,
admitted to Roosevelt Hospital
Aug 21st 1889 for treatment
of Bullet-wound of the
shoulder, with wound of the
axillary artery, diffuse
traumatic aneurism, etc.,
has so far recovered from
his injuries as to be able
to leave his bed; that he
remains an in-patient at
Roosevelt Hospital; that danger
to life is past.

C. S. Harrison
House Surgeon.

0865

ROOSEVELT HOSPITAL,

59TH STREET AND NINTH AVENUE,

JAS. R. LATHROP,
SUPERINTENDENT.

New York, Aug 26th 1889.

This is to certify that Richard Hamblin, admitted to Roosevelt Hospital on the 21st inst., is on this date a patient in the Wards of the Hospital; that an operation has been performed upon him for Bullet-wound of the Axillary Artery and Diffuse Traumatic Aneurism of the Axilla; that by reason of age, nature of injury, and shock, his condition is critical.

Calvin L. Harrison.

House Surgeon.

Roosevelt Hospital.

0866

ROOSEVELT HOSPITAL,

59TH STREET AND NINTH AVENUE,

JAS. R. LATHROP,
SUPERINTENDENT.

New York, Aug 21st 1889.
9:00 am.

This is to certify
that Richard Hambling,
age forty-nine (49) years,
was admitted to Roosevelt
Hospital on date of this
certificate, for treatment
of a bullet-wound of the
right shoulder, and
traumatic aneurism of the
axilla; that he remains
an in-patient at the
Hospital; that his injury
requires an operation
upon wounded blood-vessels.

C. J. Harrison.
House Surgeon.

0067

Roosevelt Hospital
New York, Nov. 13th 1887.

John R. Fellows, Esq.,
District Attorney;
Dear Sir:

Having been
served with the inclosed
subpoena, I must ask
to be excused as a
witness in the case
on this date, as
another subpoena has been
served upon my colleague,
Dr. Sinclair Toussay, to
appear at the same hour
(Part J, Court of General Sessions
People against Hudson Phillips,
and to absent myself
from my duties.

0060

Hospital under these
circumstances would not
be to the welfare of
the patients in my
charge.

Very Respectfully Yours,
Calvin L. Harrison, M.D.
House Surgeon,
Roosevelt Hospital.

Dr. Toney present - this
afternoon

0869

PART III.

THE COURT ROOM IS IN THE FIRST STORY.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

In the Name of the People of the State of New York.

To *Dr Calvin L. Harrison*

of No. *Rensselaer Hospital* Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace, in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the *13* day of

November 1889, at the hour of 11 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

John McLean

Dated at the City of New York, the first Monday of *November*
in the year of our Lord, 1889.

JOHN R. FELLOWS, *District Attorney.*

0870

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 McCue

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

John McCue
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

John McCue

late of the City of New York, in the County of New York aforesaid, on the
twenty-first day of August, in the year of our Lord
one thousand eight hundred and eighty-nine,

with force and arms, in the City and County
aforesaid, in and upon the body of one
in the peace of the said People then and there being, feloniously did make an assault and
to, at and against him the said Richard Hamblin

a certain pistol then and there loaded and charged with gunpowder and one leaden
bullet, which the said

in his right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,
with intent him the said Richard Hamblin

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

SECOND COUNT

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

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

The said

John McCue

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 Richard Hamblin in the peace of

the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and to, at and against him the said

Richard Hamblin

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,
which the said

John McCue

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 shoot off and discharge, 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.

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END OF
BOX