0281

BOX:
278
FOLDER:
2665
DESCRIPTION:
Dailey, Kate

DATE:
10/31/87

2665

0282

BOX:
278
FOLDER:
2665
DESCRIPTION:
McHale, Thomas

DATE:
10/31/87

2665

Witnesses:

James Hogan
Annie Preston
Officer Sarercool

It appearing by the within affidavit that it is impossible to secure the attendance of Annie Preston *a material and necessary witness for the People and without whose evidence a conviction cannot be had. I therefore respectfully recommend that the defendants herein* Kate Dailey *and* Thomas McHale *be discharged on his own recognizance.*

N. Y., Dec. 23rd *188*7

Randolph B. Martine
District Attorney.

#404 a 03

Counsel, H. S. McPheeters
Filed, 31 day of Oct 1887
Pleads, Guilty

THE PEOPLE

vs.

Kate Dailey
and
Thomas McHale

Grand Larceny, second degree
(From the Person).
[Sections 528, 531 and 550, Penal Code].

RANDOLPH B. MARTINE,
District Attorney.

Nov 2 Pl 1 ADP
Nov 9 Pl 1 ADP
Nov 14 Pl ADP

A True Bill.

Nov 18 Pl 1 ADP
Nov 21 Pl ADP
Nov 23 Pl 2 ADP
Dec 28 Pl
Foreman

Both dis'd
their own recog
on this defendant

0284

Police Court— 2d District. Affidavit—Larceny.

City and County of New York, } ss.

James Hogan

of No. 73 Cannine Street, aged 19 years,

occupation Truck-driver being duly sworn

deposes and says, that on the 20 day of October 188 7 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:

and from the person

One Coat of the value of Ten Dollars
One Pair Shoes of the value of Two Dollars
all of the value of Twelve Dollars
($12.00)

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Nate Daly and Thomas McHale (both now here) with the intent to deprive the true owner of said property from the following facts, to wit: that deponent went into the premises situated at No 54 Thompson Street in said City and State, and wore the said property upon his person, and deponent fell asleep in the hall-way in said premises, and when deponent awoke deponent missed the said property. Deponent further says that he is informed by Annie Preslow that she saw said defendant go out of said premises with the said

Sworn to before me, this day of 188

Police Justice.

property in her, defendants, possession during ~~at~~ the time when deponent lay asleep in said hall ~~were~~ and take the said property to the corner of Broome and Thompson Sts to ~~that~~ give and deliver the same to said Thomas McHale

Deponent therefore charges said Kate Daly and Thomas McHale, jointly acting in concert with each other with having committed the said larceny and asks that ~~she~~ they may be dealt with as the law may direct

Sworn to before me this 25th day of October 1887

James Hogan

J. Shumpford
Police Justice

0286

CITY AND COUNTY OF NEW YORK, } ss.

Annie Preston

aged 21 years, occupation none of No. 64 Sullivan Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of James Hogan and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 25 *day of* October 1887 } Annie her X mark Preston

J. Henry Ford

Police Justice.

0287

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name.

Answer. Kate Daly

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. New York City

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

Answer. I have no particular home

Question. What is your business or profession?

Answer. none

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

Answer. I am not guilty

Miss Kittie Dailey

Taken before me this 15 *day of* January 188 1

Police Justice.

0288

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Thomas McHale 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 McHale

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. No 53 Bond Street & about 2 months

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

Thomas McHale

Taken before me this 15 *day of* October 188 9

Police Justice.

0289

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 Kate Daly ~~defendant~~ and Thomas McHale *guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* Three *Hundred Dollars,* 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 Oct 25 188 7 J. Humphreys *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.*

0290

BAILED,

No. 1, *by* .....

Residence ..... *Street.*

No. 2, *by* .....

Residence ..... *Street,*

No. 3, *by* .....

Residence ..... *Street.*

No 4, *by* .....

Residence ..... *Street.*

#404 1752

Police Court-- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Hogan
73 Bambine
1 Nate Daly
2 Thomas McHale
3 .....
4 .....

Offence Larceny Felony

Dated Oct 25 188 7

J. H. Ford Magistrate.

Savecool & Herold Officer.

8 Precinct.

Witnesses Annie Preston

No. 64 Sullivan Street.

.....

No. ..... Street.

.....

No. ..... Street.

$ 300 to answer

.....

Cam

0291

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

Charity, Maternity and Epileptic Hospital,

BLACKWELL'S ISLAND,

ROBERT ROBERTS,
Warden.

New York, Dec. 21 - 1887

Dist. Attorney of City of New York.

Dear Sir:

I would say that Annie Thompson is now convalescing from Pneumonia. and is unable to leave the Hospital. Providing she has no relapse, & continues to improve she may be able to leave in about two weeks —

Yours —
Geo. R. Harris
House Phys.

GLUED PAGE

0292

COURT OF GENERAL SESSIONS.

The People, &c.

vs.

Kate Daily
Thomas McHale

OFFENCE

RANDOLPH B. MARTINE,
District Attorney.

City and County of New York ss:-

A. D. Parker being duly sworn says: That he is the Chief Clerk of the District Attorneys Office.

That Annie Preston otherwise known as Annie Thompson is an important and material witness on behalf of the People herein, and without whose testimony deponent verily believes a conviction cannot be had herein. Deponent is informed and verily believes that the said Annie was removed on the 15th of November 1887 from the 8th Police Precinct to Bellevue Hospital suffering from Pneumonia and was subsequently transferred to the Charity Hospital on Blackwell's Island, where she is still confined.

Deponent further says that he has received the annexed certificate from the House Physician of the said Charity Hospital that she

will not be able to leave the Hospital for the next two weeks, & then only providing she has no relapse, continues ~~to~~ ~~[illegible]~~ ~~[illegible]~~

The defendants herein was committed October 25th.

I am informed & believe that the said witness Annie Thompson, alias Preston, is a common prostitute.

Sworn to before me this 22d day of Dec. 1887 } A D Parker

Rudolph L. Schaef

COMMISSIONER OF DEEDS,
N. Y. CITY & COUNTY.

COURT OF GENERAL SESSIONS.

The People, &c.

vs.

Kate O'Brien
Thomas McKabb

OFFENCE

RANDOLPH B. MARTINE,
District Attorney.

Affidavit of
A.D. Parker
Chief Clerk

0294

District A[illegible] Office.

PEOPLE

vs.

McHale v. Daly

Subpoena for deft.
Michael Devitt c/o Underwood Rubber Co.
177 & 179 Grand St.

250

0295

Court of General Sessions
in and for the City and County of New York

The People &c
against
Kate Dailey
and
Thomas Mc Hale

Sir:-

You will please take Notice. That upon the Indictment filed on the day of October 1887. and upon all the papers and proceedings in this action. I shall move this Court before the Honorable Henry A. Gildersleeve at Part 3. at the Court House No 32 Chambers Street in the City of New York. on Wednesday the 14th day of December 1887 at Eleven O'clock in the forenoon of that day. or as soon thereafter as Counsel can be heard. for an order directing. That the Indictment herein be dismissed for want of prosecution. and for such other and further relief in the premises as may be deemed just and proper.

Yours &c
William S. McPhetters
attorney for Defendants

Dated New York
December 12th 1887

Court of General Sessions.

The People &c.
vs
Kate Dailey
and
Thomas Mc Hale.

Copy Notice of Motion,

W. J. McPheeters.
Attorney for Defendants.
Chambers Street,
New York City.

To.
Hon: Randolph B. Martine
District Attorney,

0297

21 St. 429

Bellevue

Nov. 15th 1887
4.40 P.M. Removed to Bellevue Hospital from 8 Precinct Station transferred to Charity Hosp.

PART II.

THE COURT ROOM IS IN THE THIRD STORY, AND FRONTING THE PARK.

If this Subpœna is disobeyed, an attachment will immediately issue.

Bring this Subpœna 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.]

SUBPŒNA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To Annie Thompson Preston

of No. 94 Sullivan Street, GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building in the Park of the said City, on the 23 day of November instant, at the hour of ~~ten~~ 11 in the forenoon of the same day, to testify the truth and give evidence in our behalf, against Kate Dailey et al

in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall, in our said City, the first Monday of November, in the year of our Lord 1887.

RANDOLPH B. MARTINE, *District Attorney.*

0298

District Attorney's Office.

PEOPLE

vs.

.....

.....

Pl 9th Dec

Let subpoena issue, refer to me. D. morrow Dec 7. and Annie Thompson.

LDP

0299

PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.

If this Subpœna is disobeyed, an attachment will immediately issue.

Bring this subpœna 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.]

SUBPŒNA.

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

Ask to see Mr. Schaef

11 o'clock A.M.

8

To Off Davencool

of No. ..... Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the ~~December~~ Building, in the Park of the said City, on the 23 day of December instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Kate Dailey et al

in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of December in the year of our Lord 1888.

RANDOLPH B. MARTINE ~~JOHN R. FELLOWS~~, *District Attorney.*

0300

POLICE DEPARTMENT OF THE CITY OF NEW YORK,

Precinct No. 6

Contains Subpoena for
Det. Dairecool to attend Gen Sessions
23rd inst

Send and Notify Mr Schaefer in Gen
Sessions Office is on Leave

0301

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Kate Dadey and Thomas McCabe

The Grand Jury of the City and County of New York, by this indictment, accuse Kate Dadey and Thomas McCabe of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed as follows:

The said Kate Dadey and Thomas McCabe, both — late of the City of New York, in the County of New York aforesaid, on the twentieth day of October, in the year of our Lord one thousand eight hundred and eighty-seven, at the City and County aforesaid, in the day time of the same day, with force and arms, one coat of the value of ten dollars, and one pair of shoes of the value of two dollars,

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

SECOND COUNT—

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

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

The said Thomas McGlade,

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 coat of the value of ten dollars, and one pair of shoes of the value of two dollars,

of the goods, chattels and personal property of one James Hogan, by one Hotz Dalberg, and

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

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

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.

RANDOLPH B. MARTINE,
District Attorney.

03 03

BOX:
278
FOLDER:
2665
DESCRIPTION:
Daley, James

DATE:
10/24/87

2665

Witnesses:

J. H. W. Killeen.

#486 Box 1

Counsel,

Filed 24 day of 188 7

Pleads Not guilty

THE PEOPLE

vs.

B

James Daley

Grand Larceny in the second degree.
(MONEY.)
(Sec. 528 and 53 , Penal Code.)

RANDOLPH B. MARTINE,
District Attorney.

Nov 10 P13 RBM

A True Bill.

Foreman.

November 14/87. Part III

Tried & Acquitted.

0305

Police Court— 4 District.

Affidavit—Larceny.

City and County of New York, } ss.

John H. W. Killeen

of No. 303 Third Avenue Street, aged 31 years, occupation Real Estate Broker being duly sworn deposes and says, that on the 31 day of July 187 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

Good and lawful money of the United States of the value of Thirty seven 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 James Daley (now fled)

Deponent says that he is informed Barbara Strattmatter that said defendant came to her place of residence at No 219 East 23d Street in said City on said date and informed her that deponent sent him for said money which was due and said Barbara Strattmatter then and there paid said defendant the aforesaid money for an on account of deponent.

Deponent says that he never authorized said defendant to collect said money and charges said defendant with stealing the same

John H. W. Killeen

Sworn to before me, this 8 day of Sept 1887

Police Justice.

0306

CITY AND COUNTY OF NEW YORK, } ss.

Barbara Strattmatter

aged 47 years, occupation House Keeper of No. 219 E 23 Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of John H O'Neilleen and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 8 *day of* Sept 1887 } Barbara Strattmatter

Police Justice.

0307

Sec. 198—200.

4 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

James Daley 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 Daley

Question. How old are you?

Answer. 27 years

Question. Where were you born?

Answer, New York

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

Answer. 361 Third Ave 2 years

Question. What is your business or profession?

Answer, Collector

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

Answer.

I have nothing to say

James Daley

Taken before me this 8 *day of* Sept 1877

[illegible] *Police Justice.*

0308

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

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

Dated Sept 8 188 7 ..... Sam'l C. Reilly *Police Justice.*

Defendant

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

Dated Sept 8 188 7 ..... Sam'l C. Reilly *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.*

0309

BAILED

No. 1, by Wm F. Gorman

Residence 221 East 57 Street.

No. 2, by

Residence Street,

No. 3, by

Residence Street.

No. 4, by

Residence Street.

#476 / 172 / 1474

Police Court-- 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John H. W. O'Neill
303 - 3rd ave.

1 James Daley

2

3

4

Offence Larceny

Dated Sept. 8 1887

D O Reilly Magistrate.

(Carey 18) & (McCarthy C.D. 18) Officer.

Precinct.

Witnesses Barbara Strattmatter

No. 219 E 23 Street.

No. Street.

No Street.

$ 5000 to answer G. S.

Committed

Bailed

0310

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 Delany

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

of the crime of GRAND LARCENY IN THE second DEGREE, committed as follows:

The said James Delany

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the Sixty first day of July in the year of our Lord one thousand eight hundred and eighty seven, at the Ward, City and County aforesaid, with force and arms, in the day time of the same day, one promissory note 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 ——— ; three 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 ; seven 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, one promissory note 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 ——— ; three 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 ; seven 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 ——— ; three United States Silver Certificates of the denomination and value of ten dollars each ; seven 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 ; one United States Gold Certificate of the denomination and value of twenty dollars ——— ; three United States Gold Certificates of the denomination and value of ten dollars each ; seven 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 seventy dollars,

of the proper moneys, goods, chattels, and personal property of one John W. Williams, ——— then and there being ——— then and there found, ———

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

~~RANDOLPH B. MARTINE,~~
~~District Attorney.~~

SECOND COUNT—

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

of the CRIME OF ~~Forgery~~ LARCENY ~~in the second degree~~ committed as follows:

The said James Doherty

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the ~~day~~ time of the said day, with force and arms, one promissory note 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 ——; three 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; seven 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; one promissory note 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 ——; three 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; seven 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

03 13

denomination and value of twenty dollars ——— ; three United States Silver Certificates of the denomination and value of ten dollars each ; seven 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 ; one United States Gold Certificate of the denomination and value of twenty dollars ——— ; three United States Gold Certificates of the denomination and value of ten dollars each ; seven 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 seven dollars,

of the proper moneys, goods, chattels, and personal property of one —

Barbara Shoshmatten, 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.

RANDOLPH B. MARTINE,
District Attorney.

03 14

BOX:
278
FOLDER:
2665
DESCRIPTION:
Daley, Mary Ann

DATE:
10/24/87

2665

Witnesses:

Barbara Fleischhauer

R. A. Morrison

#171 Steller

Counsel,

Filed, 24 day of Oct 1887

Pleads,

THE PEOPLE

vs.

Mary Ann Daley

Grand Larceny, ~~Second~~ degree

(From the Person).

[Sections 528, 531, Penal Code].

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

James

Foreman.

Oct 24/87

Pleads N.G.

City Prisoner Discharged.

Court of General Sessions

For the City and County of New York.

- :

The People &c. :

-vs- :

Mary Ann Daley :

- :

City and County of New York, Ss:

James M. Thomson of 1020 Third Ave. deposes and says: That I am in the Real Estate business at the above address, and have been in that business for the last nine years past.

That I have known the above named defendant, Mary Ann Daley for the last 5 years past and always knew her to be an honest, industrious, sober and hard-working woman and never knew of her being charged with any offense whatsoever before.

Sworn to before me this :::
24th. of October 1887 ::: James M. Thomson

Jacob Meyer
Comr of Deeds
N Y City

Court of General Sessions

For the City and County of New York.

- - - - - - - - - - - - - - - - -:

The People &c. :

-vs- :

Mary Ann Daley :

- - - - - - - - - - - - - - - - -:

City and County of New York, Ss:

Mrs. Lizzie Mack, of 1277 First Ave, being duly sworn deposes and says, That she has known the above named defendant, Mary Ann Daley, for the last ten years past, and in during all that time, she has always known her to be an honest, industrious, sober and hard-working woman.

That this is the first offense that she has ever been charged with or accused of.

Mrs Lizzie Mack

Sworn to before me this :::
24th. day of October 1887:::

Jacob Meyer
Comm'r of Deeds
my city

Court of General Sessions

For the City and County of New York.

- - - - - - - - - - - - - - - - - -:

The People &c. :

-vs- :

Mary Ann Daley :

- - - - - - - - - - - - - - - - - -:

City and County of New York, Ss:

Mrs. Mary Porter, of 282 Eighth Avenue, deposes and says:

That she has known the above named defendant, Mary Ann Daley for the last past eight years, and in during all that time, have always known her to be an honest, industrious, sober and hard-working woman, and never knew her to be charged with any offense whatsoever.

Sworn to before me this ::: Mary Porter

24th. day of October 1887:::

Jacob Meyer

Comm'r of Deeds

My City

Court of
General Sessions

The People &c
vs
Mary Ann Daley

Affidavits

0320

Police Court— 9 District.

Affidavit—Larceny.

City and County of New York, } ss.

Barbara Fleischhauer

of No. 30 9 Avenue Street, aged 21 years,

occupation Saleslady being duly sworn

deposes and says, that on the 10 day of Oct 188 4 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:

a Pocket Book containing Good and lawfully money of the United States consisting of bills and silver of the amount of three dollars and fifty cents

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Mary Ann Daly Nowlin from the fact that previous to larceny deponent had said property in a pocket book and had the said pocket book in a pocket of a dress then and there worn on the person of deponent and this deponent has been informed by Robert Morrison that he saw the said Mary place her hand into deponents pocket and take the above mentioned pocket book and then walk away

Barbara Fleischhauer

Sworn to before me this day of 188

Police Justice.

03211

CITY AND COUNTY OF NEW YORK, } ss.

Robert A Morrison

aged 44 years, occupation Watchman of No. 29 Grand Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Barbara Fleischhauer and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Robert A Morrison

Sworn to before me, this 10 *day of* Oct 188 7

J M Deacon

Police Justice.

0322

Sec. 198—200.

34 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name.

Answer. Mary Ann Daly

Question. How old are you?

Answer. 40 years

Question. Where were you born?

Answer. New York

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

Answer. 13 — 3d Avenue Brooklyn

Question. What is your business or profession?

Answer. Dressmaker

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

Mary Daly

Taken before me this 10 *day of* July 188[illegible]

[illegible] Police Justice.

03223

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 Ward

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 Oct 10 188 7 J D Devlin *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.*

0324

BAILED,

No. 1, *by* .....

Residence ..... *Street.*

No. 2, *by* .....

Residence ..... *Street,*

No. 3, *by* .....

Residence ..... *Street,*

No 4, *by* .....

Residence ..... *Street.*

#941 1667

Police Court 3 District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Barbara Fleischhauer
309 Grand
Mary Ann Daly
2 .....
3 .....
4 .....

Offence Larceny Plead

Dated Oct 10 188

J M Patterson Magistrate.

James Cowen Officer.

11 Precinct.

Witnesses Robert T Morrison

No. 309 Grand Street.

No. ..... Street.

No ..... Street.

$1500 to answer G S

Cond

03 25

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Mary Ann Daly

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

— Mary Ann Daly —

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

The said Mary Ann Daly

late 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-seven, at the City and County aforesaid, in the daytime of the same day, with force and arms, one market — of the value of fifty cents,

one promissory note 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 and value of two dollars ——— ; one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of two dollars ——— ; one United States Silver Certificate of the denomination and value of two dollars ——— ; one United States Gold Certificate of the denomination and value of two dollars ——— ;

three 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 and value of one dollar each; three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of one dollar each; three United States Silver Certificates of the denomination and value of one dollar each; three United States Gold Certificates of the denomination and value of one dollar each; and divers, to the Grand Jury aforesaid unknown, kinds and denominations of the value of three dollars and fifty cents, —

of the goods, chattels, and personal property of one Barbara Bleindhamer,

on the person of the said Barbara Bleindhamer, then and there being found, from the person of the said Barbara Bleindhamer, 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.

Randolph B. Martine

District Attorney.

SECOND COUNT—

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

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

The said

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,

of the goods, chattels and personal property of one

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

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

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.

RANDOLPH B. MARTINE,
District Attorney.

0327

BOX:
278
FOLDER:
2665
DESCRIPTION:
Dalton, John

DATE:
10/24/87

2665

Witnesses:

H Cohen

Oppenheimer

#788

Kinsley P.B.

Counsel,

Filed, 24 day of Oct 1887

Pleads,

THE PEOPLE

vs.

Deft in hospital Oct 25 ADP

John Dalton

PETIT LARCENY.

[Sections 528, 532, 550, Penal Code.]

Bail $500 each charge

RANDOLPH B. MARTINE,

District Attorney.

To plead 2 days ADP.

A True Bill.

Foreman.

Nov 2/87

Pleads Guilty

Judgt suspended

N.Y.C.

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS
John Dalton

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. Hon. Henry A. Gildersleeve Judge of General Sessions. Sir:- I most earnestly appeal to you for permission to withdraw my complaint in the above entitled cause, for the following reasons to wit: The Defendant is a boy 11 years of age and this, I am informed is his first offence. He has been in prison since October 3d. and I think he has been sufficiently punished. The boy who snatched my scarf pin was not arrested but he gave it to the Defendant and now I am in possession of it. The boys parents are honest, and industrious and his mother is lying dangerously ill, ~~penitentiary~~ increased so by her sons imprisonment as I am informed and believe.

Agustus Cohen

People
agst
John Dalton

Withdrawal

0331

Court of Special Sessions

The People
against
John Dalton

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.
100 EAST 23rd STREET,
New York, Oct 4 1887

CASE NO. 31711 OFFICER Calhoun 7th Pct.
DATE OF ARREST Oct. 3. 1887
CHARGE Petit Larceny.

AGE OF CHILD 12 years.
RELIGION Catholic
FATHER Michael

MOTHER Annie

RESIDENCE 144 Cherry St

AN INVESTIGATION BY THE SOCIETY SHOWS THAT boy does not attend school, & there is no record that he has ever been arrested before, his associations are bad, parents respectable, his mother at present confined in bed with pneumonia, there are 4 other children at home, of which he is the eldest.

All which is respectfully submitted,

O. Gellhorn Superintendent

To The Court

Court of Special Sessions

The People vs. against John Dalton

PENAL CODE, § Assault

Report of the New York Society for the Prevention of Cruelty to Children.

ELBRIDGE T. GERRY,
President, &c.,
100 East 23d Street,
NEW YORK CITY.

0333

Police Court— 3 District.

Affidavit—Larceny.

City and County of New York, } ss.:

Augustus Cohen

of No. 98 Madison Street, aged 19 years, occupation schulboy being duly sworn deposes and says, that on the 3 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 day time, the following property viz:

The overcoat hereinafter mentioned of the value of four dollars ($4)

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by John Dalton now here for the reason that on said date the said property was feloniously taken from deponent by one a boy named Madden who escaped; that the defendant was present and received said property from said Madden defendant and ran away with it

Gussie Cohen

Sworn to before me this 4 day of October 1887

Police Justice.

0334

POLICE COURT— 3 DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

John Dalton

On Complaint of August Cohen

For P. Larceny

After being informed of my rights under the law, I hereby waive a trial, by Jury, on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated Oct 4 188 9

John Dalton

John J Gorman Police Justice.

0335

Sec. 198—200.

5 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name.

Answer. John Dalton

Question. How old are you?

Answer. 12 years

Question. Where were you born?

Answer. U.S.

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

Answer. 144 Cherry St. 6 months

Question. What is your business or profession?

Answer. Schooling.

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. Madden gave me the pin. I did not want to steal it.

John Dalton

Taken before me this 6 *day of* October 188

Police Justice.

0336

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

Dated Oct 4 188 7

John J Brosnan *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.*

0337

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street,

No. 3, by .....

Residence ..... Street.

No 4, by .....

Residence ..... Street.

1488 23 16502

Police Court-- ..... District.

THE PE[redacted], &c.

ON THE COMPLAINT OF

Augustus Cohen
98 Madison St.

1 John Dalton

2 .....

3 .....

4 .....

Offence Larceny

Dated Oct 4 188 9

Gorman Magistrate.

Cashman Officer.

7 Precinct.

Witnesses Asst P.C.t Coffin

No. Madison Street.

Sessions

No. ..... Street.

RECEIVED. OFFICE. OCT 10 188[illegible]

No ..... Street.

$ 300 to answer S.S.

Cull

0338

Oct. 27/89.

This is to certify that John Dalton was a scholar in my class for several months - up to June 189 - He then left and went to the "Orphans" School. - For the sake of his mother and on account of his leaving me - I beg you to be as lenient as possible with him - I think he will keep away from bad company, for it is that which has brought him into trouble -

Respectfully Yours
C. F. Cadman
P. S. No. 36
70 Thomas St

0339

T. J. NAUGHTON, M. D.

OFFICE HOURS: 8 to 10 A. M. 12 to 2 P. M. 6 to 9 P. M.

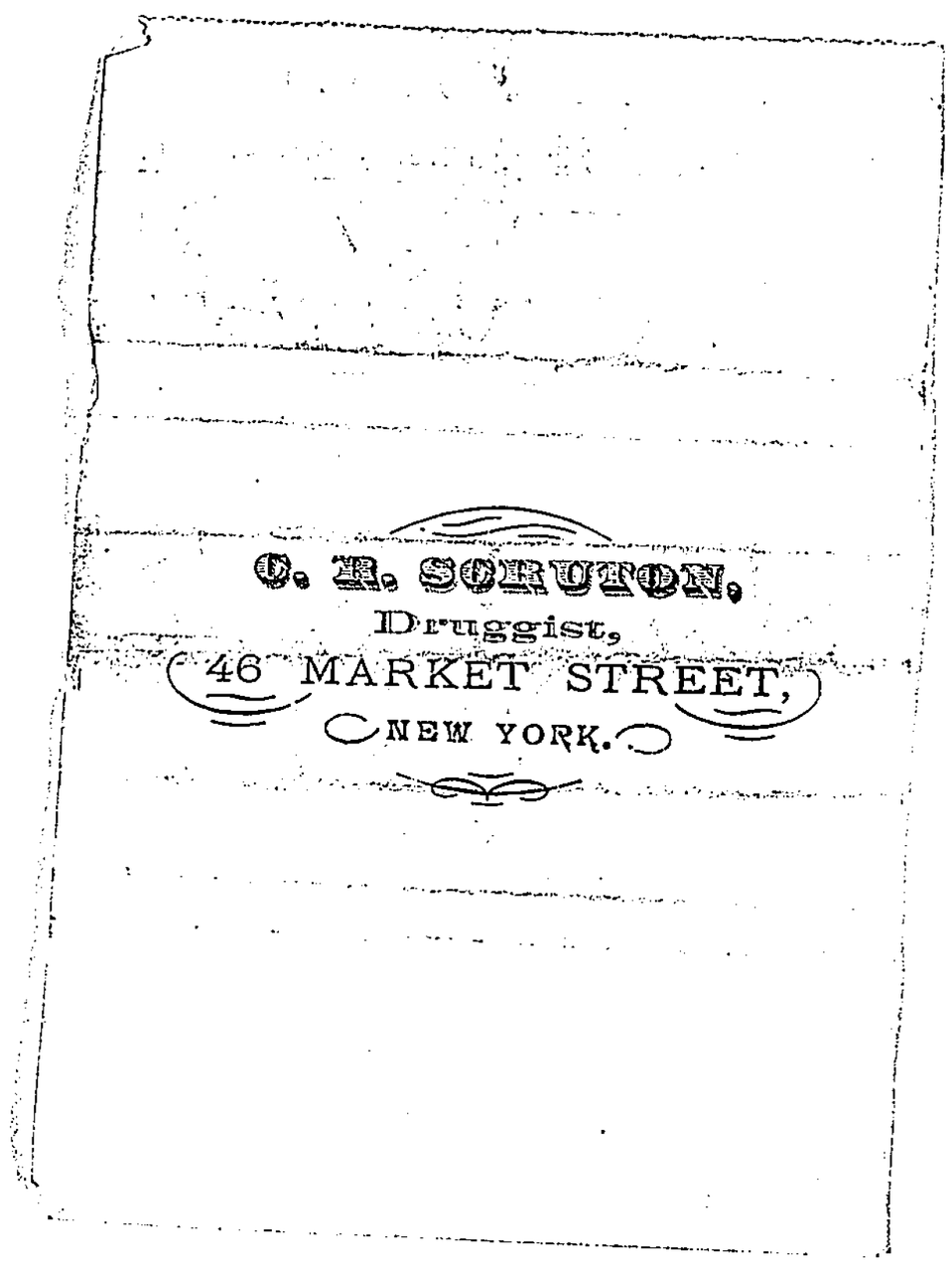
46 Henry Street, N. Y.

℞ N.Y. Oct. 14th 1887

Mrs Dalton Mother of John Dalton is sick with Bronchio Pleurisy & is in danger of growing worse due to the fact of her son being falsely arrested.

Respectfully Thos J. Naughton M.D.
Attending Phys

0340



0341

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 Dolan

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

John Dolan —

of the CRIME OF PETIT LARCENY, committed as follows:

The said John Dolan,

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

one pearl pin of the value of

four dollars,

of the goods, chattels and personal property of one Augustus Cohen,

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.

SECOND COUNT—

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

John Doe —

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, commited as follows:

The said John Doe,

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 pearl pin of the value of four dollars.

of the goods, chattels and personal property of one

Augustus Cohen, surname John Madden, (whose real Christian name is to the Grand Jury aforesaid unknown) and

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

Augustus Cohen. —

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

John Doe

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.

RANDOLPH B. MARTINE,
District Attorney.

0343

BOX:
278
FOLDER:
2665
DESCRIPTION:
Daly, Peter

DATE:
10/05/87

2665

#22

Witnesses:

Gustave Wolfenzer

Officer Haugh

Counsel,

Filed, 5 day of Oct, 1887

Pleads, Not guilty

THE PEOPLE

vs.

Peter Daly

Grand Larceny, First degree

(From the Person).

[Sections 528, 53 O, Penal Code].

RANDOLPH B. MARTINE,

District Attorney.

Pl. Oct 7 1887

House of Refuge

A True Bill.

C. Mace

Foreman.

Oct 10th

9.5.0

0345

5

Police Court— ..... **District.** **Affidavit—Larceny.**

City and County of New York, } ss.

Gustav Wulfing

of No. 575 Hamilton Avenue Greenpoint City Street, aged 13 years,

occupation Carpenter being duly sworn

deposes and says, that on the 25 day of Sept 187 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and person of deponent, in the Night time, the following property viz:

One Silver watch and Brass Chain and One gutta percha Hat all together the value of Sixteen dollars ($16.00)

the property of deponent

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

from the fact that at about One O'clock am of the above date while deponent was in the Barroom between Grand and Hester streets the said defendant came up to deponent and grabbed deponents Hat and immediately thereafter grabbed deponents watch and Chain and ran away Deponent is informed by Officer Patrick Haugh of the 6th Precinct that he saw said defendant running and saw him throw said Chain away and said Officer picked it up and deponent

Sworn to before me, this day of 188

Police Justice.

fully identified it as his property.
Sigmund further says that some
person unknown to him handed
him his wallet.

Therefore Defendant
prays that said Peter Daly
be held to answer and be dealt
with as the law directs

Sworn to before me
this 25th day of Sept 1887
B. C. Duff JP
Police Justice

✓ Gust Wilking

0347

CITY AND COUNTY OF NEW YORK, } ss.

aged 38 years, occupation Patrick Haugh Police Officer of No. 1 Precinct Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Justus Wulfing and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 23 *day of* Sept 188 } Patrick Haugh

P. C. Kipp

Police Justice.

0348

Sec. 198—200

CITY AND COUNTY OF NEW YORK, } ss.

District Police Court.

Peter Daly 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. Peter Daly

Question. How old are you?

Answer. 15 years

Question. Where were you born?

Answer, New York City

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

Answer. No 277 Hamilton st. 9 months

Question. What is your business or profession?

Answer, Newsboy

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

✓ Peter Daly

Taken before me this 23 *day of* July 188

Police Justice.

0349

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 Peter Daly

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

Dated Sept 25 188 7 ..... *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.*

0350

3 1560

Police Court — 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Gustav Wulfsen
575 Manhattan Ave.
Greenpoint Phys
Peter Daly Phys

Offence Larceny Felony

2

3

4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street,

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated Sept 25 1887

Duffy Magistrate.

Naughton Officer.

Precinct.

Witnesses Call Officer

No. Street.

No. Street.

No Street.

$ 1000 to answer

Cover

0351

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Ethan Delaney

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

Ethan Delaney

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

The said Ethan Delaney

late of the City of New York, in the County of New York aforesaid, on the twenty-eighth day of September, in the year of our Lord one thousand eight hundred and eighty-seven, at the City and County aforesaid, in the night time of the same day, with force and arms, one watch of the value of thirteen dollars, one chain of the value of one dollar, and one knife of the value of two dollars,

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

Randolph B. Martine

District Attorney.

SECOND COUNT—

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

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

The said

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,

of the goods, chattels and personal property of one

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

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

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.

RANDOLPH B. MARTINE,
District Attorney.

0353

BOX:
278
FOLDER:
2665
DESCRIPTION:
Davis, Anna

DATE:
10/26/87

2665

#333 H.P.

Witnesses:

Kate A. M. Kenney
Officer Keller

In appearing from the evidence of the complainants that the articles were taken at separate times that too long time is worth more than two dollars and recommend that a fine of $25 be accepted.

A. A. Purdy
Elizabeth Dorsett

Counsel,
Filed, 26 day of Oct 1887
Pleads, Not guilty

THE PEOPLE

vs.

Anna Davis
1/1
233 W 41

Grand Larceny, second degree
[Sections 528, 531, Penal Code].

RANDOLPH B. MARTINE,
District Attorney.

Discharged
Oct 28/87
Fined $25

A True Bill.

J. Ennis
Foreman.

Pen one yr

0355

Police Court— 2 District.

Affidavit—Larceny.

City and County of New York, } ss.

Kate H. McKinney

of No. 208 West 17th Street, aged 22 years,

occupation Housekeeper being duly sworn

deposes and says, that ~~on~~ the 29th day of September 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 day time, the following property viz:

from 11th day of August 1887 to

One gold chain of the value of fifty five dollars one gold ring of the value of fourteen dollars one table cloth of the value of seven dollars one piece of silk of the value of two dollars and seventy five cents one lamp of the value of two dollars and seventy five cents and good and lawful money of the united states to the amount and of the value of ten dollars. together of the value of Ninety one + 50/100 dollars ($91.50)

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 Anna Davis (now here)

from the fact that the said defendant was employed by deponent as a domestic from the 22nd day of June 1887 to the 29th day of September 1887 and after she left deponents employ deponent missed the above mentioned property and on Saturday evening October 15th deponent went to her the said defendants home. and there saw and fully identified the above mentioned lamp.

and since her arrest she has admitted and confessed to deponent that she did take said property. and deponent has also seen the above mentioned chain and ring in Wm Alexander's pawn office where she the said defendant had pawned them and deponent is informed by Officer John H.

Sworn to before me this ____ day of ____ 188__

Police Justice

Keller of the 16th Precinct Police that he found in the possession of the said defendant a pawn ticket representing a table cloth, and also found in her trunk the aforesaid piece of silk
Wherefore deponent charges the said defendant with feloniously taking stealing and carrying away said property.

Sworn to before me } Katie H McKinney
this 18th day of Oct 1889 }
John J Kipman
Police Justice

0357

CITY AND COUNTY
OF NEW YORK, } ss.

John H. Keller

aged ..... years, occupation Police Officer of No. 10th Precinct Police Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Kate H. W. Kinney and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 18 *day of* Oct 188 } John H. Keller

John Thorman

Police Justice.

0358

Sec. 198—200.

..... District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name.

Answer. Anna Davis

Question. How old are you?

Answer. 18 years old

Question. Where were you born?

Answer. Ohio

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

Answer. 233. W. 41st St. 2 weeks

Question. What is your business or profession?

Answer. Domestic

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

Answer.

I am guilty

Anna Davis
mark

Taken before me this 1st *day of* Oct 188 }

Arthur Wehrhuber *Police Justice.*

0359

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 Anna Jans

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

Dated Oct 15 *188*7 John Flammer *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.*

0360

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street,

No. 3, by

Residence Street,

No 4, by

Residence Street.

333

Police Court-- 2 District. 1709

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Kate H. McKinney
208 W. 17th St

1 Anna Davis

2

3

4

Offence Larceny (Kelny)

Dated Oct 18th 1887

Bouman Magistrate.

Keller & Gill Officers

16 Precinct.

Witnesses John H. Keller

No. 16th Precinct Police Street.

George Gill

No. 16th Precinct Police Street.

No. Street.

$ 700 to answer

Case

0361

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Anna Davis

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

Anna Davis —

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

The said Anna Davis,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the twenty-ninth day of September, in the year of our Lord one thousand eight hundred and eighty-seven, at the City and County aforesaid, with force and arms, one chain of the value of fifteen dollars, one ring of the value of fourteen dollars, one table-cloth of the value of seven dollars, one piece of silk of the value of two dollars and seventy five cents, one lamp of the value of two dollars and seventy five cents, and the sum of ten dollars in money, lawful money of the United States, and of the value of ten dollars,

of the goods, chattels and personal property of one

Kate M. McKinney, —

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.

Randolph B. Martine

District Attorney.

0362

BOX:
278
FOLDER:
2665
DESCRIPTION:
Davis, Thomas H.

DATE:
10/26/87

2665

Witnesses:

Mr Or W Rossiter

J. Chadoyne

#375 Weld Lane & Mallory
71 Broadway
For Plaintiff

Counsel,

Filed 26 day of Oct 1887

Pleads Guilty with leave
to withdraw plea (29)

THE PEOPLE

40.
262 H 1 yrs.

vs.

Thomas H. Davis

Grand Larceny, 2nd degree
(MISAPPROPRIATION.)
[Sections 528 and 531, of the Penal Code].

RANDOLPH B. MARTINE,

District Attorney.

Now, on 2 AM
P & Rw 1/29 pleads guilty.

A True Bill.

S.P. 4 yrs & 10 mos

J. C. Jones

Foreman.

0364

Police Court— 2d District. Affidavit—Larceny.

City and County of New York, } ss.

Edward V. N. Rossiter

of ~~No.~~ Grand Central Depot, 42 Street ~~Street~~ and 4th avenue, aged 43 years, occupation Treasurer being duly sworn deposes and says, that on the 13th day of October 188 7 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

Good and lawful money of the United States of the amount and value of One hundred and forty 00/100 Dollars ($140.00)

the property of The New York Central and Hudson River Railroad Company and in deponent's charge and custody

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 H. Davis (now here) with the intent to deprive the true owners of said property, from the following facts, to wit: that said defendant was employed by said Company as Assistant Agent and Cashier at 60th Street Freight Station and by virtue of said position it was defendant's duty to receive and collect moneys due said Company for Merchandise or other articles transported and freighted over said Company's Road.

Deponent further says that he is informed by Jacob Chadeayne who is the Cashier for the firm of George E. Ketchum and Company, that on the

Sworn to before me, this day of 188

Police Justice

aforesaid day, he Chadeayne did give and deliver to Cornelius Briggs (who is a passenger by the New York Central and Hudson River Rail-road Company) a check for Seven hundred and twenty nine 89/100 Dollars together with the aforesaid sum of good and lawful money of the amount of One hundred and Forty Dollars, and said Chadeayne did so give to said Briggs said check and said property to be in payment for transportation of freight over said Company's road and therefore due said Company.

Deponent further says that he is informed by said Cornelius Briggs that he Briggs gave, handed and delivered to said Defendant the said check and money.

Deponent further says that said defendant did transmit and give to deponent the said check but omitted and failed to transmit ~~the said~~ and give to deponent the aforesaid sum of money and has not since given to deponent the said sum of money but did convert the same to his own use and profit.

Deponent therefore charges the said Thomas H. Davis with having committed the said Larceny and asks that he may be dealt with as the law may direct.

Sworn to before me this 20th day of October 1887

E. L. Rossiter

John Guerman

Police Justice

0366

CITY AND COUNTY OF NEW YORK, } ss.

Jacob Chadeayne

aged 25 years, occupation Cashier of No. 422 West 59th Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Edward V. N. Rossiter and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 20 *day of* October 185 } Jacob Chadeayne

John J. Kennan

Police Justice.

0367

CITY AND COUNTY OF NEW YORK, } ss.

Cornelius Briggs

aged 15 years, occupation Messenger of No. 201 West 60th Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Edward T. N. Rossiter and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 20 *day of* October 188 } Cornelius Briggs

Police Justice.

0368

Sec. 198—200.

2d District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Thomas H. Davis 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 H. Davis

Question. How old are you?

Answer. 40 years

Question. Where were you born?

Answer. Preston, Connecticut

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

Answer. No 262 West 126 Street and about 1 month

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 guilty

T H Davis

Taken before me this 9th *day of* October 188

Police Justice.

0369

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 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 20 188 7 John J Kenna *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.*

0370

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street,

No. 3, by

Residence Street.

No. 4, by

Residence Street.

#375

Police Court-- 2 District. 1726

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edward V. N. Rossiter
Central Depot
Thomas H. Davis

2

3

4

Offense Larceny Felony

Dated Oct 20 188

D. J. Sonnan Magistrate.

O'Brien, McCauley, Rogers Officer.

C. O. Precinct.

Witnesses Jacob Chadeayne

No. 422 West 57 Street.

Cornelius Briggs

No. 201 West 60 Street.

F. A. Haskell

No. 325 West 58 Street.

$ 250 to answer

D. W. [illegible]

Edward V. N. Rossiter
Central Depot

OCT 21 1887
DISTRICT ATTORNEY'S OFFICE

0371

Form 29. A 10-13-82.

CASH REPORT.

New York Central & Hudson River R. R. Co.

Coff Station,

Oct 13 18 7

Treasurer:

Herewith find enclosed

Bills		
Frac. Currency and Change		
Checks	63	88
Vouchers		
Total,	63	88

To be applied as follows:

On Local Ticket Account		
" Freight do	63	88
" Foreign Ticket do		
Total,	63	88

E A Durfee

Agent.

This Report to be enclosed with the money.

229586
6388
28.629.05

0372

107.18
58.00
102.00
67.20
16.00
44.00
156.00
50.00

$631.88

State of New York,

City and County of New York, ss

Francis B Haggen being duly sworn says that he is employed as Cashier at the Office of the Treasurer of The New York Central and Hudson River Railroad Company in the Grand Central Depot 42d St & Fourth Ave that he has been so employed for a number of years last past.

That it is part of his duty to receive from the freight agents of said company the moneys by them collected for freight charges, and said freight agents in sending said moneys to said Treasurer's office accompany the same with slips or statements stating the amount remitted; that in the remittance received from Thomas H. Davis, the assistant agent and cashier of said Company at their 60th street freight station in the City of New York for the 13th day of October, 1887, there was no money in bills and no accounting for the $140.00 paid in cash to said Davis on that day by Jacob Chadeayne, book keeper of Ketchum & Co. as stated by said Chadeayne and Cornelius Briggs

The slip for said 13th day of Oct 1887 calls for $140 accompanied by a Check only
said slip is here to annexed marked in blue pencil "A"

Deponent further says that the check of Ketchum & CO bearing date March 25 1887 — for $197.98 — attached to the affidavit of said Jacob Chadeayne was never paid to, received or had in any way by the said Railroad Company; that the several sums of money stated in the af idavit of said Chadeayne to have been paid by him to said Davis McKleuzie were never received, turned

over to, had or accounted for to said railroad company in any way.

Sworn to before me
This 24th day of October, 1887

F. B. Hagner

C M Conville
Notary Public (12)
New York County.

State of New York,

City and County of New York, ss.

E.V.W. Rossiter being duly sworn says that he is the Treasurer of The New York Central and Hudson River Railroad Company, a corporation formed pursuant to the laws of the State of New York, and operating railroads between the City of New York and the City of Buffalo, and that his office is in the Grand Central Depot in the City of New York.

That Thomas H. Davis for several years prior to the 14th day of October, 1887, was ~~the assistant agent and~~ cashier of said Company at their 60th street freight station in the City of New York, and as such assistant agent and cashier it was part of the duties of said Davis to receive the charges & due to said company for the transportation of merchandise to the City of New York, and to daily send to the office of deponent the amount of the charges by him so received.

capacity assistant agent from Jany 1, 1887

Deponent further says that having been informed that said Davis had embezzled the moneys of said Company and had fled from the City of New York and that subsequently he was captured at Camden, N.J. and was brought to Police Headquarters in the City of New York, ~~and that~~ deponent, on the 20th day of October, 1887, went to said Police Headquarters and there in an interview with said Davis said Davis admitted to deponent that he had taken and converted to his own use the moneys of said company and that ~~he then~~ at the Police Court Jefferson market when said

Davis was arraigned

and there was turned over and handed to deponent as Treasurer Davis admitted

of said Company $400.00 in bank bills which he said was

part of the moneys of said Company that he had theretofore

taken, embezzled and converted to, his own use.

Sworn to before
me this 24 day of Oct 1893 E. L. Doherty
C. McConville
Notary Public (23)
New York County.

E. V. N. Rossiter.

State of New York,

City and County of New York, ss

F. A. Haskell being duly sworn says that he is the General Freight Agent of The New York Central and Hudson River Railroad Company, a corporation formed pursuant to the laws of the State of New York, and operating railroads extending from the City of New York to the City of Buffalo, having charge of the freight stations of said Company in the City of New York; that he knows Thomas H. Davis; that said Thomas H. Davis was the ~~assistant agent and~~ cashier in the employ of said Company at their 60th street freight station in the City of New York for several years prior to October 15th 1887, and also assistant agent at said station from January 1887; that said Davis was on duty on October 14th 1887, but between the end of business hours of October 14th and the beginning of business hours October 15th he departed and fled from the City of New York; that part of the duties of said Davis as such assistant agent and cashier was to receive money in payment of freight charges on merchandise brought to the City of New York; that it was his duty to remit daily to the Treasurer of said Company at his office in the Grand Central Depot in the City of New York the moneys by him daily received with a slip detailing the amt

Sworn to before me this 4 day of Oct 1887.

C. M. Coville
Notary Public (52)
New York County

F. A. Haskell

State of New York
City & County of New York ss

Jacob Chadeayne of No 422 West 57th street in said City being duly sworn says, that he is bookkeeper for George E. Ketchum & Co dealers in Hay Grain meal etc with place of business on 11th ave in said City extending from the 2d to the 3d street.

That on the 13th day of October 1887 he received a note in the handwriting of Ohman H Davis assistant agent and Cashier of the New York Central & Hudson River Railroad Company at the station of said Company at 60th street & North River enclosing freight bills against Ketchum & Co for freight charges on merchandise consigned to said Ketchum & Co & delivered to them by said Railroad Company, which note was presented to deponent by one Cornelius Biggs a messenger in the employment of said Company, & which note requested the payment of said bills - $700 in cash and the balance by check. Deponent gave to said Biggs $140. in Bank bills & the balance of the amt of the freight bills in a check for $529.89

Deponent further says that at the following date he paid freight bills in favor of said Company & against said Ketchum & Co in cash

People
vs
Thomas H Davis

Penal Code
§528
§530
§531
§533 Grand Larceny
1st degree Lower than
$500 / not less than
5 nor more than 10 yrs
§534 Grand Larceny
2e degree Lower than
$25 / not exceeding
$500 / not less than 2
nor more than 5 yrs

0382

Court of General Sessions
of the Peace

The People &c
agt
Thomas H Davis

City & County of New York ss:
Adelene Davis
being duly sworn says that she
resides at No 262 West 126th Street
in the City of New York, that she is
of the age of sixty seven years and
is the mother of the defendant
Thomas H. Davis, and that deponent's
husband Albert H. Davis father of
said Thomas H Davis died in August last
that prior thereto both said Albert
H Davis and deponent for some nine
years last past depended upon said Thomas H.
Davis for support and lived with
him, That said Thomas H. Davis
was brought up by deponent as an
honest Christian Youth, that for
many years and until the present
time she knows him to have been a
good son, a faithful husband and a
kind father, and that his fall has been
a great surprise and grief to deponent

Deponent further says that she believes her son to be truly penitent and begs the mercy of the Court in this behalf

Sworn to before me this 1st day of November 1887

John Reilly
Commr of Deeds
N. Y. City

Adeline Davis

0384

Court of General Sessions
of the Peace

The People &c
agt
Thomas H. Davis

City & County of New York ss:

Alice G. Davis
being duly sworn says that she resides at No 262 West 126th Street in the City of New York, that she is the wife of the defendant Thomas H. Davis, that she has been married to him sixteen years and has four living children, the oldest fifteen years and the youngest two years of age, that during that time the said Thomas H. Davis has been a kind and indulgent husband and father, of sober and temperate habits and a good but in no way extravagant provider for his family. That the knowledge of his fault has been a great surprise and grief to her.

Sworn to before me
this 1st day of November 1887
John Reilly
Commr of Deeds
N. Y. City.

Alice G. Davis

0385

Court of General Sessions
of the Peace

The People &c
agt
Thomas H. Davis

City & County of New York ss:

Edward D. Defew

being duly sworn says that he resides in the City of New York at No 18 East 125th Street and does business at No 103 Murray Street being of the firm of Wright, Defew & Company, Wholesale Grocers and Provision Dealers, that he is and has been well acquainted with Thomas H. Davis the defendant for the past eleven years, and knows him to have been a kind and indulgent husband, father and son, that to his knowledge the said Davis bore a good reputation and was of correct and temperate habits

Sworn to before me this 1st day of November 1887

Edward D Defew

John J. Reilly
Commr of Deeds
N. Y. City

0386

Court of General Sessions
of the Peace

The People &c
agt
Thomas H. Davis

City & County of New York ss:
Sinclair Adam
being duly sworn says that he is a
Mechanical Engineer and resides at
No 357 West 18th Street in the City of
New York, that he has known the
defendant Thomas H. Davis for the
past five years and always found
him honorable and honest in his
dealings and that said Davis so
far as deponent knows and believes
has always hitherto borne a good
reputation as a man and a citizen

Sworn to before me
this 1st day of November 1887 } Sinclair Adam

John Reilly
Commr of Deeds
N. Y. City

0387

Court of General Sessions
of the Peace

The People &c
agt
Thomas H. Davis

City & County of New York ss:

Henry G. Dorsch
being duly sworn says that he resides
at No 939 Tenth Avenue in the City
of New York and is a contractor for
woodwork of buildings and has an
office at Rs 413 & 415 East 25th Street
New York, that he has known
the defendant Thomas H. Davis
during the past ~~[illegible]~~ three years
and that his reputation for truth
and honesty has been of the best
Deponent further says that he
personally knows the persons whose
names are subscribed to the annexed
certificate, and that each and all of
them are well known business men in
the localities in which they reside

Sworn to before me
this 1st day of November 189[illegible]

Henry G Dorsch

John Reilly
Commr of Deeds
N. Y. City

0388

Court of General Sessions
of the Peace

The People &c
agt
Thomas H. Davis

City & County of New York ss:

Henry G. Dorsch
being duly sworn says that he resides at No 939 Tenth Avenue in the City of New York and is a contractor for woodwork of buildings and has an office at No 413 & 415 East 25th Street New York, that he has known the defendant Thomas H. Davis during the past ~~[illegible]~~ three years and that his reputation for truth and honesty has been of the best

Deponent further says that he personally knows the persons whose names are subscribed to the annexed certificate, and that each and all of them are well known business men in the localities in which they reside

Sworn to before me
this 1st day of November 189[illegible]

Henry G Dorsch

John Reilly
Commr of Deeds
N. Y. City

0389

To the Honorable the Justice
holding the General Sessions
of the Peace,

Dear Sir

We the undersigned citizens and residents of the City of New York do hereby certify that we have been and are well acquainted with Thomas H. Davis residing at No 262 W 126th St New York now under indictment for Grand Larceny in the second degree, that he has always borne a good reputation and has been highly regarded by us hitherto. In view of his previous good character and the fact that he has a wife and four children to support, we earnestly suggest to the consideration of the Court that Justice may be satisfied by a light sentence

New York October 31st 1889

Name	Residence
S Emory Holman M.D.	330 W 57th St
Chas Kellers	450 Bway
Emil C. G. von Pein	939 Tenth Ave
Aug C. Schwager	1056 - 10th Ave
Max Oppenheimer	936 - 10th Ave
Jno J. Hallenbeck	171 West 63rd St

0390

D Thurman 939. 1. Ave
George Schlosser 94 9-10-ave
H R Falconer 128 W 29th St
Franz Siegert 209 W. 60 St
Philip Synger 935 10th ave
August Kriete 511 Wes 28 St
Henry Schweckendick 322-10th Ave
John F. Rottmann Jr 314 W 47th St
Henry G Dorsch # 413 and 425 E. 25th St
Jacob Heiss 918 — 9th Ave
Geo. H. Schneider 947-10th Ave
Chas. R. Duffy M.D. 945 10 Ave

N. Y. General Sessions Court.

The People &c

AGAINST

Thomas H. Davis

Affidavits as to Character

McADAM & McADAM,

Attorneys for Defendant

No. ~~18~~ 171 Broadway,
New York.

To.....

Attorney for.....

Due and timely service of a copy of the within is hereby admitted.

Chadeayne 2

~~Said Davis informs me~~

a messenger coming from said Davis & which messenger deponent understands is dead viz

1887 March 12 $500.
" April 2 $200.
" May 10 $287.87
" June 3 $290.00
" June 30 $100.00
" July 27 $150.17

On check said Davis sent a note by the messenger requesting an amount named in cash

On March 25 1887 deponent not having cash on hand gave the amount check for $197.28 to the order of said Davis, so that he could get the cash, and the endorsement on the back of said check "J H Davis" is the signature of said Davis.

And the $500 in cash paid March 12 1887 and said check for $197.28 paid freight bills of which the amounts thereon are part — the other freight bills have been duly receipted by the shippers.

Said check for $197.28 was returned in due course by the Home Bank. Ketchum & Co as a paid voucher.

Sworn to before me this 24th day of Oct 1887

Jacob Chadeayne

C M Coleville
Notary Public (77)
New York County

0393

State of New York,

City and COUNTY of New York, ss.

Cornelius Briggs being duly sworn says that he resides at 201 West 60-street that he is in the employment of The New York Central and Hudson River Railroad Company as a messenger at the 60th street freight station in the City of New York, and has been so employed ~~for~~ since June 15 ~~years last past~~; 1887 that on the 13th day of October, 1887, he was sent by Thomas H. Davis, the assistant agent and cashier of said Company at said 60th street freight station ~~with a note and certain freight bills~~ to Ketchum & CO at their place of business, 11th avenue between 62nd and 63rd streets, taught $200.00 in money in payment of freight bills ~~which note and freight bills he delivered to Jacob Shadeayne, the book keeper of said Ketchum & CO; that said note was open and requested the payment of said freight bills $200.00 in cash and the balance in check~~; that ~~said~~ Jacob Chadeayne book keeper of Ketchum & Co gave to deponent $140.00 in cash and the balance by a check for $ ——— ;which cash and check deponent on the 14th day of October, 1887, delivered to said Thomas H. Davis.

C. Briggs

Sworn to before me this 24 day of Oct 1887

C. McConville

Notary Public (92)

New York County

Cornelius Briggs.

0395

Form 12—G.

Geo. E. Welshair & Co. 60th St. Station, N. Y., 188

To New York Central and Hudson River Railroad Co. Dr.

For Transportation and Charges from Chgo. Ill. to N.Y.

Car No. 18362

Orig. Car No. 1401

R L. W. B. No. 1630. Back Charges.

	WEIGHT	RATE	AMOUNT	
Oats	30300	30	91	00
Cartage,				

Received Payment for AGENT, [illegible]

The Cartage on Goods sent with Company's Receipt Book is written in Ink. If any excess is collected, notify General Freight Office.

TERMS—CASH BEFORE DELIVERY.

The Property will be Delivered only on Presentation of this Bill to Tallyman.

0396

Form 12—G.

TERMS—CASH BEFORE DELIVERY.

Geo. E. Rehlaender 60th St. Station, N. Y., 188

NY

To New York Central and Hudson River Railroad Co. Dr.

For Transportation and Charges from Chgo. 3/19 E/B. 22

Car No. 7776

Orig. Car No. 374

L. W. B. No. 1636. Back Charges.

Cats. 24700 80

WEIGHT	RATE	AMOUNT	
		24	50
		74	10
		98	60

Received Payment for AGENT

The Cartage on Goods sent with Company's Receipt Book is written in Ink. If any excess is collected, notify General Freight Office.

Cartage,

The Property will be Delivered only on Presentation of this Bill to Tallyman.

0397

New York Mch 25 1887

No 53443

THE HOME BANK
654 EIGHTH AVENUE

Pay to the order of T. H. David $98/100 Dollars.

One Hundred Ninety-seven and

$197 98/100

Geo. E. Kelsey & Co

John C. Rankin Jr. 34 Cortlandt St. N.Y.

0398

F. K. Davis

0399

Geo E Ketchum & Co

60th St. Station, N. Y., 188

To New York Central and Hudson River Railroad Co. Dr.

For Transportation and Charges from Chic 3/19 Feb 2

Car No. 1847

L. W. B. No. 1480 Back Charges.

Orig. Car No. 6012

Car

WEIGHT	RATE	AMOUNT
36100	30	108 30

Received Payment for AGENT, F C Dennis

The Cartage on Goods sent with Company's Receipt Book is written in Ink. If any excess is collected, notify General Freight Office.

Cartage,

TERMS—CASH BEFORE DELIVERY.

The Property will be Delivered only on Presentation of this Bill to Tallyman.

0400

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 H. Davis.

The Grand Jury of the City and County of New York, by this indictment, accuse Thomas H. Davis of the CRIME OF Grand LARCENY, in the second degree, committed as follows:

The said Thomas H. Davis,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the 13th day of October, in the year of our Lord one thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid, being then and there the clerk and servant of a certain corporation called the New York Central and Hudson River Railroad Company,

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

the true owner thereof, to wit: the sum of one hundred and forty dollars in money, lawful money of the United States, and of the value of one hundred and forty dollars,

the said Thomas H. Davis, afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, did feloniously appropriate the said sum of money,

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

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

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

RANDOLPH B. MARTINE,
District Attorney.

0401

BOX:
278
FOLDER:
2665
DESCRIPTION:
Davis, William

DATE:
10/26/87

2665

#329 H/P

Witnesses:

A Davis

Officer Powers

On the within withdrawal of the complaint, and all the facts I recommend a dismissal of the indictment.

[illegible]
Asst. District Attorney

Counsel,

Filed, 26 day of Oct 1887

Pleads, Not guilty

THE PEOPLE

vs.

William Davis

Grand Larceny Second degree

[Sections 528, 531, Penal Code].

RANDOLPH B. MARTINE,

District Attorney.

Oct 27 Pr 2 ADP
Pr 2 Oct 27/87
Disch'd by the Ct on his own rec'g.

A True Bill.

J. C. Mills,

Foreman.

0403

Police Court— 3 —District.

Affidavit—Larceny.

City and County of New York, } ss.:

Abraham Davis

of No. 28 Ridge Street, aged 48 years, occupation Sailor being duly sworn deposes and says, that on the 1st day of Oct 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 day time, the following property viz:

One Gold Watch of the Value of Eighty 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 William Davis Brother from the fact that the said William has admitted an interest to deponent in the presence of Officer Lawrence P. Powers that he stole the said Watch and pawned it for Twenty five dollars and gave to deponent the pawn ticket representing the above property

his
Abraham x Davis
mark

Sworn to before me, this 1st day of Oct 188 7

Police Justice.

0404

CITY AND COUNTY OF NEW YORK, } ss.

Laurence P Powers

aged 32 years, occupation Police Officer of No.

7 Precinct Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of H R Davis

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

knowledge.

Sworn to before me, this 8 *day of* Oct 188 7

Laurence P. Powers

J M Deutsch

Police Justice.

0405

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

William Davis 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. William Davis

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. Russia

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

Answer. 28 Ridge St 3½ years

Question. What is your business or profession?

Answer. Tailoring

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

Answer. I am guilty of the charge

W. Davis

Taken before me this 8 *day of* May 188 7

Police Justice.

0406

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

The People
on complaint of
Abraham Davis
against
William Davis

I hereby consent to waive the usual two days notice after pleading and that the case be set down for trial for October 27th, 1887.
N. Y. Oct. 26th, 1887

H. F. Rapper
Asst. Atty.

General Sessions

The People —
on complaint of
Abraham Davis
against
William Davis

Consent to place case
on calendar for trial

M. F. Reppen
Deputy Atty

0408

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

The People v c on complaint of
Abraham Davis
against
William Davis

I Abraham Davis the com=
plainant do hereby declare that I do
not desire to prosecute the defendant
on the charge of grand larceny but de=
sire to withdraw the same not believing
the defendant guilty. The defendant is
my son and the watch which ~~been~~ was alleged
to have been stolen from me was given to
him by my wife his mother for the pur=
pose of raising money to enable him to
leave the city and make his living elsewhere
because said defendant could not agree
with his brothers and sisters at ~~home~~
home there being six of them at home. The
defendant never was arrested before and

0409

if I had had time for reflection I would not have made any complaint against him. I discovered the fact that he was innocent and that his mother had given him the watch after I had made the complaint at the Police Court. I also discovered from conversation with my son that he said he was guilty in the Police Court to prevent trouble between my wife and myself and to shield his mother.

Abraham X Davis
mark

People
v
William Davis

04 10

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 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 18 188 ..... *Police Justice.*

I have admitted the above-named .....

to bail to answer by the undertaking hereto annexed.

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

There being no sufficient cause to believe the within named .....

..... *guilty of the offence within mentioned, I order he to be discharged.*

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

0411

#329 Police Court--3 District. 1710

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Abraham Davis
vs 8 Ridge
William Davis
2
3
4

Offence Larceny Grand

Dated Oct 18 1887

J M Patterson Magistrate.
Powers Officer.
7 Precinct.

Witnesses Case on Officer
No. Street.
No. Street.
No Street.
$ 1000 to answer G S
Comd

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

0412

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
William Davis

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

— William Davis —

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

The said William Davis,

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

one watch of the value of

of eighty dollars,

of the goods, chattels and personal property of one Abraham Davis,

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.

Randolph B. Martine

District Attorney.

0413

BOX:
278
FOLDER:
2665
DESCRIPTION:
Delaney, Ann

DATE:
10/12/87

2665

Witnesses:

Ellen Mullen

Upon the withdrawal signed by the complainant herein stating that the fault on both sides was equal & that complainant was drunk, I recommend that defendant be discharged upon her own recognizance.

Dec 8/87

V. M. Davis
Assistant

Counsel,

Filed 12 day of Oct 1887

Pleads Not guilty

THE PEOPLE

vs.

Pr Dec 8. 87 Dis'ch'd by the Ct on her own recog.

Ann Delaney

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

Order to ADP
Dec 8 PB ADP

RANDOLPH B. MARTINE,
District Attorney.

Oct 17 Pr ADP

A True Bill. ~~Out of custody~~

~~DEH~~

Foreman.

Off for the term
complainant about
being imposed

0415

Police Court— X District.

City and County of New York, } ss.:

Ellen Mullen

of No. 516 East 16th Street, aged 33 years,

occupation Housekeeper being duly sworn

deposes and says, that on the 5 day of October 188 7 at the City of New

York, in the County of New York,

She was violently and feloniously ASSAULTED and BEATEN by Ann Delaney (now present) who struck Deponent on the head with a heavy iron kettle cutting & injuring Deponent

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 5 day of October 188 7 } Ellen Mullen

Henry Murray Police Justice.

0416

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

..... District Police Court.

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

Question. What is your name?

Answer. Ann Delaney

Question. How old are you?

Answer. 36 years

Question. Where were you born?

Answer, Ireland

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

Answer. 516 East 16 Street 8 months

Question. What is your business or profession?

Answer, Housekeeper

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. Not guilty. I did not touch Complainant. She has frequently annoyed & insulted me but I have always avoided ~~to~~ a quarrel with her. The injury was inflicted upon her by her husband. I did not strike her with a kettle nor anything else. She is in the habit of getting drunk & fighting with her husband.

her
Ann x Delaney
mark

Taken before me this 9 day of October 188 9

Police Justice.

0417

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

Dated October 5 188 7 *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.*

0418

223 #139 1640

Police Court 1 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Ellen Mullen

~~516 E 16 St~~

419 East 18 St

Ann Delaney

2

3

4

Offence Felonious Assault

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated October 5 188

Murray Magistrate.

Dunn Officer.

18 Precinct.

Witnesses Annie Schia

No. Monia 623 & 615 Street.

No. Street.

No. Street.

$ 300 — to answer

OCT 7 1887 RECEIVED DISTRICT ATTORNEY'S OFFICE

(Cons)

0419

District Attorney's Office.

(Part 2

PEOPLE

vs.

Ann Delaney

Assault

Nov 15/87

Witnesses

Ellen Mullen attatchment

Off Dunn P

Annie Schearonia P

by Moore

0420

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

N Y Nov 14th 1887
Confined Mrs Mullan
Saturday Morning Nov
12th at 6 a.m. must
stay in bed
Dr Thompson
339 E 20th St

The People of the State of New York, To the Sheriff, Deputy Sheriffs, and Policemen of the City and County of New York, *Greeting:*

We Command You, *and each of you That you attach and take the body of*

Ellen Mullin

who stands charged before our Justices of our Court of General Sessions of the Peace, in and for the said City and County, with a Contempt, and ~~him~~ her forthwith bring before our said Justices, to be dealt with according to law.

Witness, *Hon. Rufus B. Cowing — City Judge of our said City, this Eleventh day of November in the year of our Lord, one thousand eight hundred and eighty-Seven.*

BY THE COURT.

John Parks Clerk of Court.

0421

New York General Sessions of the Peace.

THE PEOPLE
Of the State of New York,
against
Ann Delaney

Ellen Mullin
421 E 18th St
Top floor

Dated, November 11th 1887

ATTACHMENT FOR A CONTEMPT.

Off Dunn 18

New York General Sessions.

PEOPLE ON MY COMPLAINT,

VERSUS

Ann Delany

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. I am fully recovered from any injuries which I have received and the complainant I know to be a respectable woman.

I have no desire to see her punished further as she has been confined now for over two months — I therefore pray the Court to discharge the defdt

Ellen McCleer

Dated New York
Dec 8. 1897

And Complainant further says that she was in fault herself, and was under the influence of liquor at the time and has since by advice of her pastor taken the pledge to keep sober.

Ellen McCleer

0423

STEPHEN S. BLAKE. THOMAS J. SULLIVAN.

BLAKE & SULLIVAN,
Counsellors-at-Law,
73 CENTRE STREET.

New York, Nov 29 1887

Mr Parker

Will you please inform this girl when her mothers case Ann Delany will be tried. The Complainth is well - If you can put it on this week, some day certain we will subpoena witnesses

Respy

BLAKE & SULLIVAN,
COUNSELLORS AT LAW,
No. 71 CENTRE STREET, N.Y.

0424

Peo.
v.
Ann Delaney.

0425

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF STATE OF NEW YORK,

against

Ann Delaney

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

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

The said Ann Delaney

late of the City of New York, in the County of New York aforesaid, on the Third day of October, in the year of our Lord one thousand eight hundred and eighty-seven, with force and arms, at the City and County aforesaid, in and upon the body of one Ellen Mullen, in the peace of the said People then and there being, feloniously did make an assault, and her the said Ellen Mullen, with a certain knife, which the said Ann Delaney, in her right hand then and there had and held, the same being a deadly and dangerous weapon then and there wilfully and feloniously did ~~cut, stab~~ strike, pierce and wound, the said Ellen Mullen, with intent her the said Ellen Mullen, 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 Ann Delaney

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

The said Ann Delaney

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 Ellen Mullen, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and her the said Ellen Mullen, with a certain knife, which the said Ann Delaney, in her right hand then and there had and held, the same being an instrument and weapon likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully ~~cut, stab~~ strike, pierce 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.

Randolph W. Parmenter

District Attorney.

0426

BOX:
278
FOLDER:
2665
DESCRIPTION:
deVildre, James C.

DATE:
10/31/87

2665

#396

Counsel,

Filed 31 day of Oct 188 7

Pleads Not guilty

THE PEOPLE

vs.

James C. de Valdez

H.D.

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

RANDOLPH B. MARTINE,
District Attorney.

Nov 2nd, 1887

A True Bill.

J. C. Mills
Foreman.

Nov 2/87

Discharged on his own recognizance —

Witnesses:

Jacob Larsen

Officer Smith

The complainant states that he believes that the defendant is of good character & did not intend to cut him — Both had been drinking together — I believe from all the facts that the cut was the result of accident.

Nov. 2, 1887.

P. H. Dwyer,
Asst Dist D.A.

0428

Police Court— 1st District.

City and County of New York, } ss.:

Jacob Larsen

of No. 126 Canal Street, aged 24 years, occupation Seaman being duly sworn deposes and says, that on 23rd day of October 188 at the City of New York, in the County of New York he was violently and feloniously ASSAULTED and BEATEN by James C. Devlan (Now here) did wilfully and maliciously cut and stab deponent in the left side of the neck with the blade of a pocket knife the defendant held in his hands and said assault was committed

with the felonious intent to take the life of deponent, ~~or~~ and 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 188 . } Jakob Larsen

Sam'l C. Reilly Police Justice.

0429

Sec. 198—200.

1st District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

James C Devilbiss 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 C Devilbiss

Question. How old are you?

Answer. 49 years

Question. Where were you born?

Answer. Louisiana

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

Answer. 118½ Henry Street 6 Months

Question. What is your business or profession?

Answer. Seaman

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

Answer. I am not guilty

J. C. de Vildre

Taken before me this 10th *day of* _____ 188

Police Justice.

0430

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 One *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 23 188 Saml Corkhill *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.*

0431

#396 1st 1744

Police Court — 1st District

THE PEOPLE &c.,
ON THE COMPLAINT OF

Jacob Larsen (1729)
James C Devlac
2
3
4

Offence Larceny Assault

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated Oct 25 188
O'Reilly Magistrate.
John H Smith Officer.
4 Precinct.
Complainant committed
No. Street.
to the House of Detention
in default of $100 to appear
No. Tom Police Justice
No. Street.
$1000 to answer
Committed

0432

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 1 DISTRICT.

John N. Smith

of No. 44 Greenwich Street, aged 26 years,

occupation Police Officer being duly sworn deposes and says

that on the 23 day of October 188?

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

from being is a material witness

for the People against one

John C. Dridan charged with

felonious assault and de-

praved believing that said

person will not appear

at the Trial prays he may

be committed to the House

of Detention for witness

John N. Smith

Sworn to before me, this day of 188

Police Justice.

0433

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF STATE OF NEW YORK,

against

James R. de Vilaine

The Grand Jury of the City and County of New York, by this indictment, accuse James R. de Vilaine —

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

The said James,

late of the City of New York, in the County of New York aforesaid, on the Twenty third day of October in the year of our Lord one thousand eight hundred and eighty-seven, with force and arms, at the City and County aforesaid, in and upon the body of one Jacob Sarsen, — in the peace of the said People then and there being, feloniously did make an assault, and Him the said Jacob, — with a certain Knife — which the said James — 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 cut, stab and wound,

with intent Him the said Jacob — 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 James de Vilaine — of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said James,

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 Jacob Sarsen, — in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and Him the said Jacob, —

with a certain Knife — which the said James — in His right hand then and there had and held, the same being an instrument and weapon likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully 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.

Randolph B. Martine

District Attorney.