

0237

BOX:

285

FOLDER:

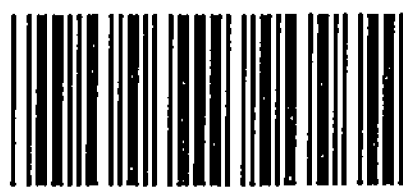
2719

DESCRIPTION:

Morris, Nathan

DATE:

11/30/87



2719

POOR QUALITY
ORIGINAL

0238

Witnesses:

Officer Munn

Counsel,

Filed, 30

day of

188

Pleaded

Not guilty Decl.

THE PEOPLE

vs.

SABBATH BREAKING.
(Section 267, Penal Code.)

Nathan Morris

F

See 1730280

RANDOLPH B. MARTINE,

May 11/19. District Attorney.

John G. Gully

A True Bill. Fine \$10.

W. W. Morgan

Foreman

J. C. Gully

POOR QUALITY
ORIGINAL

0239

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK } ss.

Nathan Morris 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.

Nathan Morris

Question. How old are you?

Answer.

42 years

Question. Where were you born?

Answer.

Germany

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

Answer.

365 East 57th St. 6 months

Question. What is your business or profession?

Answer.

Showman

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

Answer.

I am not guilty. I demand a trial by jury.

Nathan Morris

Taken before me this

27

day of *October*

188

J. M. [Signature]
Police Justice.

POOR QUALITY
ORIGINAL

0240

Sec. 151.

Police Court 3 District.

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

Whereas, Complaint in writing and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by George Morris
of No. 111 Canal Street, that on the 25 day of September
1888 at the City of New York, in the County of New York,

Nathan Morris and associates of premises No. 21
Ramsey unlawfully Exhibit to the public
Entertainments of the Stage to wit Singing
and Exhibiting a fair woman, a bearded
woman and an Elated Black woman
in violation of Chapter 249. of the
Laws of 1885

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him
forthwith before me, at the 3 DISTRICT POLICE COURT, in the said City, or in case of my absence
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
be dealt with according to law.

Dated at the City of New York, this

26 day of September 1888
George Morris

POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0241

Police Court 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Officer George H. Munn
vs.

Nathan Morris

Warrant-General.

Dated September 26th 1887

Ford Magistrate

Munn Officer.

The Defendant Nathan Morris
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

Munn Officer.

Dated September 27th 1887

This Warrant may be executed on Sunday or at
night.

John M. Ford Police Justice.

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

Dated _____ 188

Police Justice

The within named

POOR QUALITY
ORIGINAL

0242

BAILED,
No. 1, by Samuel Kaplan
Residence 59 East 8th
Street.
No. 2, by _____
Residence _____
Street.
No. 3, by _____
Residence _____
Street.
No. 4, by _____
Residence _____
Street.

Police Court- 13 District. 1584
THE PEOPLE, &c.,
ON THE COMPLAINT OF
Samuel Kaplan
11th Precinct.
William Morris
Dated Sept 26 1887
Offence Viol. Married Law
Magistrate Frank
Officer Samuel
Precinct. 11
Witnesses _____
No. _____ Street.
No. _____ Street.
No. _____ Street.
to answer G. S.
Street. Orsted

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 27 1887 J. Humphord Police Justice.

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

Dated Sept 27 1887 J. Humphord 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.

POOR QUALITY
ORIGINAL

0243

CITY AND COUNTY
OF NEW YORK, ss.

POLICE COURT, 3rd DISTRICT.

of the 11th Precinct Police George Munn
Street, aged 33 years,
occupation Police officer
being duly sworn deposes and says
that on the Sunday 25th day of September 1887
at the City of New York, in the County of New York,

Sworn to before me, this
of September 1887
day

John W. Bond

Police Justice.

Nathan Morris
did at premises No 21, Bamey unlawfully
Exhibit to the public Entertainment of
the Stage, to wit. Singing, and did
Exhibit Liquor Curiosity, a fat. woman
Woman, and Electric Skin Lady, for
which Exhibition he charged 10 Cents
admission in violation of Law and
Especially of Chapter 249. of the Laws of 1885
Deponent prays that said Nathan
be arrested and dealt with as the
Law directs. George H. Munn

POOR QUALITY
ORIGINAL

0244

District Attorney's Office,

PEOPLE

vs.

Nathan Morris

Sabbath Breaking
Officer Mum

On Sunday Sept 25th 87
At No 21. Bowery Dept
kept open a museum & show
& had singing &c

Conc B.

J. H. H.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Nathan Morris.

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

Nathan Morris

of the CRIME OF SABBATH BREAKING, committed as follows:

The said *Nathan Morris.*

late of the City of New York, in the County of New York aforesaid, on the
25th day of *September*, in the year of our Lord one thousand
eight hundred and eighty-*seven*, the same being the first day of the week,
commonly called and known as Sunday, at the City and County aforesaid, ~~unlaw-~~
~~fully did publicly sell and expose for sale to~~ *having the charge and*
control of a certain room in a certain building
there situate, did unlawfully manage
exhibit to the public and to
divers — persons to the Grand Jury aforesaid unknown, ~~certain property,~~
them and these things, a certain public
show, and exhibition of divers things
of interest and certain so called curiosities,

to the serious interruption of the repose and religious liberty of the community,
against the form of the Statute in such case made and provided, and against the peace
and dignity of the said People.

RANDOLPH B. MARTINE,

District Attorney.

0246

BOX:

285

FOLDER:

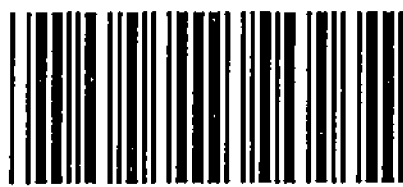
2719

DESCRIPTION:

Morris, Thomas

DATE:

11/07/87



2719

POOR QUALITY
ORIGINAL

0247

15

Counsel,
Filed 7 day of Nov 1877
Pleads,

THE PEOPLE
vs.
Thomas Morris
alias
Thomas Morrissey
Larceny and Receiving Stolen Goods.

BENJ. K. PHELPS,
District Attorney.

A True Bill.

William H. Brennan.
Charles J. D.
Lawrence.

STATE OF NEW YORK } FORM 894.
CITY AND COUNTY OF NEW YORK, } ss.: Police Court—First District.

Charles Van Delft
of No. *406 West 49th* Street, being duly sworn, deposes
and says that on the *23* day of *October* 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,

the following property, viz.: *A Case containing
twelve pairs of shoes*

of the value of *Twelve* Dollars
the property of *A R Aldmeyer and
in the care and custody of
deponent*

and that this deponent has a probable cause to suspect, and does suspect, that the said property was
feloniously taken, stolen, and carried away by *Thomas Morris*
(now present) for the reason that
deponent caught said Thomas
in the act of taking stealing
and carrying away the above
described property and found
the same in his possession
A said Case containing shoes were
stolen from the premises No 117 Chautauque
Street in said City
C Van Delft

Sworn to, before me, this

Charles Van Delft
187

Police Justice.

POOR QUALITY
ORIGINAL

0249

COUNSEL FOR COMPLAINANT.

Name,
Address,

COUNSEL FOR DEFENDANT.

Name,
Address,

Police Court—First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

Affidavit—Larceny.



Dated

187

Magistrate.

Officer.

Clerk.

Witnesses,

\$ to answer

at Sessions

Received at Dist. Atty's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

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

That

*Thomas Morris, otherwise called
Thomas Morrissey*

late of the First Ward 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 seventy-*seven* at the Ward, City and County aforesaid,
with force and arms,

*Twenty four Shoes of the value
of the value of one dollar and
and twenty Cents each Shoe
one Box of the value of one
dollar*

of the goods, chattels, and personal property of one

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

POOR QUALITY
ORIGINAL

025.1

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

That the said

Thomas Morris otherwise
called Thomas Morrissey

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

Twenty four shoes of the value
of one dollar and twenty
cents each shoe

one Box of the value of one
dollar

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

Charles Van Pel
by a certain person or

~~and certain other~~ persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

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

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

BENJAMIN K. PHELPS, District Attorney.

0252

BOX:

285

FOLDER:

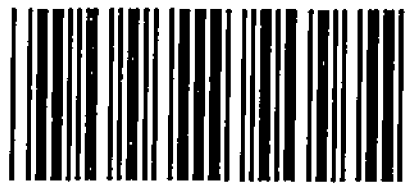
2719

DESCRIPTION:

Most, John

DATE:

11/17/87



2719

POOR QUALITY
ORIGINAL

0253

Bail fixed at
\$1500.00 10/18/90

Witnesses:

Off Post

Off Checks

Bailed by

Ida Hoffmann

62 Seventh St.

in the sum of \$5,000

on appeal from

General Account

Bond waived in

\$5000 on appeal &

cost of appeals.

January 28th 1890

1/14/91
do June 18/91
1892

Counsel,

Filed, 17 day of

Pleads, Chicago (18)

THE PEOPLE

vs.

~~John~~ Most

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

John Maguire

Foreman

November 29, 1890

Spied, 1890

Per one

per Dec 8/1890

Dec 18

At a Court of General Sessions of the Peace,

holden in and for the City and County of New York, at the
City Hall of the said City, on *Tues* day, the *twenty ninth*
day of *November*, in the year of our Lord One Thousand
Eight Hundred and *eighty seven*

PRESENT,

The Honorable *Refus B. Downing*

City Judge of the City of New York,

Justice of the
Sessions.

John Most is in due form of law arraigned at the
bar upon an indictment for *Misdemeanor*, and
having heard the indictment read and being asked whether he demanded a trial
thereon, answers that he does require a trial, and says that he is not guilty
thereof. Whereupon the following Jury is balloted and sworn to well and truly
try and a true verdict give according to evidence, viz:

Alfred Goodwin William Lawson William H. Fowler
John D. Redmond Benjamin O. Schenck Michael J. Mulvaney
Samuel Worms James M. Schenck Peter Caffrey
Herman Wasserman Henry W. Dodge Patrick Hall

who upon their oath aforesaid do say that the said *John Most*
is guilty of the *Misdemeanor* as by the indictment
is alleged against him,

*Counsel for defendant moves for a new trial on various
grounds which is denied by the Court*

December 8, 1887 - Court meets - same Judge presiding

It is thereupon demanded of the said *John Most*
what he hath to say why judgment should not be pronounced against him
according to law, who nothing further saith unless as before he hath said.

Whereupon it is considered, ordered and adjudged by the Court, that the
said *John Most* for the *Misdemeanor* aforesaid whereof
he is convicted as aforesaid be imprisoned in the *Penitentiary* of the City of New York
for the term of *One year*

A true extract from the minutes.

Thos. Parker
Clerk of Court.

POOR QUALITY
ORIGINAL

0255

New York General Sessions of the Peace.

THE PEOPLE

OF THE STATE OF NEW YORK,
against

Chas. Hart

Dated

Dec 8

1887

JUDGMENT ROLL.

POOR QUALITY
ORIGINAL

0256

At a General Term of the Supreme Court of the State of
New York, held in and for the First Judicial Depart-
ment, at the County Court House in the City of New
York, on the 24th day of January
in the year of our Lord one thousand eight hundred
and eighty-ninety

Present,

The Honorable Charles H. Van Brunt D. J.

The Honorable Willard Bartlett

and The Honorable Francis A. Macomber J. J.

THE PEOPLE OF THE STATE OF NEW YORK,

Respondents,

against

John Most

Appellant.

ORDER OF AFFIRMANCE.

The above-named Appellant having been, at a Court of General Sessions of the Peace,
held in and for the City and County of New York, at the City Hall in said City, on the
24th day of November in the year of our Lord one thousand eight
hundred and eighty-eighty nine, in due form of law convicted by the verdict of a jury of a
felony, to wit: misdemeanor as charged in the which
meant against him
whereupon it was considered by the said Court of General Sessions of the Peace, and ordered and
adjudged, that the said appellant for the felony aforesaid whereof he was so convicted as aforesaid
be imprisoned in the House of Correction of the City of New York
for the term of one year

And the appellant aforesaid, having thereafter duly appealed from the said judgment to
this Court, and the said appeal having come on to be heard in due form of law.

Now, therefore, after hearing William F. Howe Esquire
of Counsel for the appellant, and McKuzie Temple Esquire Assistant
District Attorney for the respondents, due deliberation being had thereon, it is

Ordered and adjudged, that the said judgment of the said Court of General Sessions of the
Peace, so appealed from as aforesaid, be, and the same hereby is in all things affirmed.
And it is further

Ordered, that the said judgment of the said Court of General Sessions of the Peace, be,
and the same is hereby directed to be, enforced and carried into execution and effect.

W. F. Howe

Copy
Edward J. Keilly
Clerk

POOR QUALITY
ORIGINAL

0257

U. S. Supreme Court,
GENERAL TERM.

THE PEOPLE,

Respondents,

vs.

John Most

Appellant.

ORDER OF AFFIRMANCE.

John H. Fillmore
RANDOLPH B. MARTINE

District Attorney.

Due service of a certified copy of the
within order, is hereby admitted.

New York,

188 .

Attorney for Appellant.

Please take notice that an order of which
the within is a certified copy, was entered
herein on the

188 .

Yours, &c.,

RANDOLPH B. MARTINE,

District Attorney.

To

Attorney for Appellant.

At a Court of General Sessions of the Peace,

holden in and for the City and County of New York,
at the City Hall of the said City, on *Thursday* day, the
eight day of *December* in the year of
our Lord one thousand eight hundred and *eighty nine*,

PRESENT,

The Honorable RUFUS B. COWING,
City Judge of the City of New York,

} Justice of the Sessions.

THE PEOPLE OF THE STATE OF
NEW YORK,

against

John Most

*On conviction by Verdict of Misdemeanor
to wit: unlawfully and maliciously
did assemble in the City of New York
with divers persons and threaten
to create riots, and to obstruct the
laws of the State of New York,*

Whereupon it is ORDERED and ADJUDGED by the Court that the
said

John Most

For the FELONY aforesaid, whereof he is convicted, be imprisoned in the
STATE PRISON, at hard labor, for the term of *One* —
year.

A true Extract from the Minutes.

[Signature]
Clerk of Court.

**POOR QUALITY
ORIGINAL**

0259

I hereby Certify, That the prisoner within named was examined
by the Court before judgment was pronounced and he stated that he
had learned practiced mechanical trade

..... Clerk.

N. Y. General Sessions of the Peace.

THE PEOPLE

OF THE STATE OF NEW YORK,

against

John Most

Dec. 8. 1889.

COPY OF SENTENCE TO

STATE PRISON,

for the term of *One* years.

At a General Term of the Supreme Court of the State of
New York, held in and for the First Judicial Depart-
ment, at the County Court House in the City of New
York, on the 24th day of January
in the year of our Lord one thousand eight hundred
and ~~eighty~~ ninety.

Present,

The Honorable Charles H. Van Brunt P. J.

The Honorable Willard Bartlett

and The Honorable Francis A. Macomber P. J.

THE PEOPLE OF THE STATE OF NEW YORK,

Respondents,

against

John Most

Appellant.

ORDER OF AFFIRMANCE.

The above-named Appellant having been, at a Court of General Sessions of the Peace,
held in and for the City and County of New York, at the City Hall in said City, on the
29th day of November in the year of our Lord one thousand eight
hundred and eighty-seven, in due form of law convicted by the verdict of a jury of a
~~felony, to wit:~~ misdemeanor as charged in the Indictment against him
whereupon it was considered by the said Court of General Sessions of the Peace, and ordered and
adjudged, that the said appellant for the felony aforesaid whereof he was so convicted as aforesaid
be imprisoned in the Penitentiary of the City of New York, for
the term of one year.

And the appellant aforesaid, having thereafter duly appealed from the said judgment to
this Court, and the said appeal having come on to be heard in due form of law.

Now, therefore, after hearing William F. Howe Esquire,
of Counsel for the appellant, and McKenzie Semple Esquire, Assistant
District Attorney for the respondents, due deliberation being had thereon, it is

Ordered and adjudged, that the said judgment of the said Court of General Sessions of the
Peace, so appealed from as aforesaid, be, and the same hereby is in all things affirmed.
And it is further

Ordered, that the said judgment of the said Court of General Sessions of the Peace, be,
and the same is hereby directed to be, enforced and carried into execution and effect.

[Signature]

Copy
Edward J. Kelly
Clk

POOR QUALITY
ORIGINAL

0261

N. Y. Supreme Court,
GENERAL TERM.

THE PEOPLE,
Respondents,

vs.

John Frost
Appellant.

Certified
ORDER OF AFFIRMANCE.

John R. Stellow
~~RANDOLPH B. MARTINE~~
District Attorney.

filed May 27 1890

Due service of a certified copy of the
within order, is hereby admitted.

New York, 188 .

Attorney for Appellant.

Please take notice that an order of which
the within is a certified copy, was entered
herein on the 188 . day of

Yours, &c.,
RANDOLPH B. MARTINE,
District Attorney.

To
Attorney for Appellant.

POOR QUALITY
ORIGINAL

0262

COUNTY OF NEW YORK, ss.

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING:

John Most ^{convicted}
An indictment having been found on the 29 day of November

1887, in the Court of General Sessions of the Peace, of the County of
New York, charging

with the crime of the lawful homicide of a Misdemeanor

You are therefore Commanded forthwith to arrest the above named John Most
and bring him before that Court to ^{for judgment} ~~answer the indictment~~; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York, or if he require it, that you take him before any Magistrate
in that County, or in the County in which you arrest him, that he may give bail to answer the
indictment.

City of New York, the 27 day of January 1889.

By order of the Court,

[Signature]
Clerk of Court.

POOR QUALITY
ORIGINAL

0263

N. Y. General Sessions of the Peace

THE PEOPLE
OF THE STATE OF NEW YORK,

against

John Most

Bench Warrant for Misdemeanor.

Issued

Jan/27 188*9*

The defendant is to be admitted to bail
in the sum of.....dollars.

POOR QUALITY
ORIGINAL

0264

At a Special Term of the Supreme Court of the State of
New York, held in and for the City and County
of New York, at the County Court House in the
City of New York, on the ~~eighteenth~~ day of
~~June~~, in the year of our Lord one
thousand eight hundred and eighty ~~eighty one~~.

Present,

The Honorable

M. L. Beach

Justice.

THE PEOPLE OF THE STATE OF NEW YORK,

Respondents.

against

John West

Appellant.

Whereas, heretofore to wit: at a term of the Court of General Sessions of the Peace,
begun and holden in and for the City and County of New York, at the City Hall in
said City, on the first Monday of ~~November~~, in the year of our Lord one
thousand eight hundred and eighty ~~seven~~, to wit: on the ~~thirteenth~~ day of
~~November~~, in the year aforesaid, the above named appellant was in due form of
law convicted by the verdict of a jury of a felony to wit: ~~murder~~,
whereupon, to wit: on the ~~eighteenth~~ day of ~~December~~, then next ensuing, it was
considered by the said Court of General Sessions of the Peace, and ordered and adjudged,
that the said appellant for the felony aforesaid whereof he was so convicted as aforesaid be
imprisoned in the ~~State Prison at hard labor~~ *County Jail at New York* for the term of ~~one year~~.

And Whereas, the appellant aforesaid, thereafter duly appealed from the said judgment
to this Court.

And Whereas, at a General Term of this Court, held in and for the First Judicial
Department, to wit: at the County Court House in the City of New York, on the ~~twenty-fourth~~
day of ~~January~~, in the year of our Lord one thousand eight hundred and eighty ~~nineteen~~,
the said judgment of the said Court of General Sessions of the Peace, was by the judgment of
this Court, in all things affirmed.

And Whereas, the appellant aforesaid thereafter duly appealed from the said judgment
of this Court, to the Court of Appeals of the State of New York.

POOR QUALITY
ORIGINAL

0265

And Whereas, at a term of the said Court of Appeals, held at the Capitol in the City of Albany, on the ~~second~~ day of ~~June~~, in the year of our Lord one thousand eight hundred and ~~eighty nine~~, the said judgment of this Court was by the judgment of the said Court of Appeals, in all things affirmed, and the record herein, and the proceedings in the said Court of Appeals upon the said appeal were by the said judgment remitted to this Court, there to be proceeded upon according to law, as appears by the remittitur of the said Court of Appeals now here produced.

Now Therefore, on reading and filing the said remittitur and on motion of ~~John B. Fellows~~ Esquire, District Attorney, it is

Ordered, that the said judgment of the Court of Appeals, be and the same is hereby made the judgment of this Court, and it is further

Ordered, that the said judgment of the said Court of General Sessions of the Peace, and the said judgment of the General Term of this Court, herein, be, and the same are hereby directed to be enforced, and carried into execution and effect.

Wm Beach
JLC.

A copy

Leonard A. Giezenick
Clerk

POOR QUALITY
ORIGINAL

0266

New York Supreme Court,

SPECIAL TERM.

THE PEOPLE,

Respondents.

vs.

John Most,

Appellant.

ORDER ON REMITTITUR.

De Lancey Nicoll,
~~JOHN R. FELLOWS,~~

District Attorney.

filed Jan 18. 1891

Court of General Sessions.
of the City and County of New York.

The People } Motion for new trial
against } in arrest
John Most. & } of Judgment

The defendants move for a new trial on
the following grounds -

1. The Court erred in denying the motion
of counsel for defendant at the close of
the case for the People to direct an acquittal
on the ground that the evidence was
insufficient to support the indictment,
to the denial of which motion an exception
was duly taken.

The indictment charged the defendant
with attempting and threatening an act
tending to a breach of the peace contrary to the
provisions of section 451 of the Penal Code.

It cannot be claimed that any act
whatever was attempted all that is claimed
is that an act was threatened.

There is however a saving clause to this
section of the penal code which reads as
follows:

"But this section shall not be so

constituted as to prevent the peaceable assembling of persons for lawful purposes of protest or petition.

The question therefore upon the evidence is whether the language used constituted a threat or a mere protest.

We submit taking this evidence as a whole, that no construction can be placed upon it other than that it was a mere protest on the part of Mort, against the verdict and execution of the men at Chicago and a denunciation of those who brought about the executions.

Before examining the evidence the Court must keep in view the distinctions between a threat, a protest and a prophecy.

Here is Roth's evidence:

"Slaves; - I have just heard that the meeting which was to be held over our murdered brethren in Chicago was stopped by the police hounds - Beware you scoundrels! hereafter our Councils will be held in Secret - God - help them if they are found in our Councils!

Mort next spoke of how gallantly the men in Chicago died and for what a good cause and he was willing to die for the same cause.

"Beware, you! First comes that &

"murderer Gunnell: Gunnell that perjurer,
"he got a jury of hired capitalists who
"were well paid for their services.

"They say Lingg committed suicide - I say
"no they have murdered him for he was too
"brave to do such an act.

"The day of Revolution will soon come - First
"of all will be Gunnell; then comes Judge Gary;
"then the Supreme Court of the State of
"Illinois, then the highest murderers in
"the land the Supreme Court of the United States.
The most cowardly of all Oglesby, the Governor
of Illinois - He must not think because
he pardoned two of our brethren to a
lingering death and life imprisonment
that he will be spared.

I again urge you to arm yourself on the
day of revolution is not far off - and
when it comes see that you ~~are~~ are
ready to resist and kill those hirelings
of capitalists

What we care for their soldiers,
cannon, galling guns or police we have
a weapon a hundred fold worse than
theirs.

They think they have killed five - They
think anarchy is dead but we will have
five hundred for every one they have killed

4

If I had known the executioner who murdered - who strangled our brothers - I would never rest until he had shared the same fate.

Such evidence differs from Roth in that he testified Mort said.

Our brethren died a terrible death they were not properly hung, the weight was not heavy enough to break their necks - but their blood cries for revenge and we will revenge them.

Weyfer's testimony was similar in effect to the other witnesses.

In construing this evidence the Court must keep in view the presumption of innocence in other words that the law will not presume that the defendant intended that the words should import an unlawful act if they can be also lawfully construed.

Now what words used by Mort or according to this evidence imply a threat?

We fail to find any -

Can it be held that the words "the

"day of revolution will soon come arm yourself" constitute a threat, we submit, if anything it is a prophecy.

Neither can it be claimed that the words "God keep them (the police) if found within our secret councils" be so construed.

This might mean that the police would be lawfully prosecuted for trespassing on the rights of the people to hold secret meetings.

At any rate it does not necessarily imply an act tending to a breach of ~~contact~~ the peace.

Now take the words "I again urge you to arm yourselves, as the day of Revolution is not far off - and when it comes see that you are ready to resist and kill the henchlings of capitalists."

In the first place advising the people to arm themselves is certainly no offence.

The constitution gives every man the right to arm himself hence such advice could not be held to be unlawful.

We have before shown that saying "the revolution is not far off" is a prophecy not a threat.

When the revolution comes see that you are ready to resist - and kill the henchlings

of capitalists.

This clearly is not a threat.

That is a prophecy and the balance advice on the contingency of a revolution occurring the people should resist, the killing of the huelings, if the word means anything, refers to the resistance against the huelings of capitalists, in case of revolution.

Take all the evidence of these witnesses and we submit that not any portion of it tends to support any charge contained in the indictment, to wit, a threat to do an act tending to a breach of the peace.

2 The verdict was against the weight of evidence.

Opposed to the evidence for the People there were called numerous witnesses for the defendant, among whom were the witnesses Philitz an unimpeachable witness, Yurpee, Rozensweig, Creelman Reporter of the New York Herald, Adolph Schenck, Morris Schultz, the defendant himself and hosts of others, all of whom completely contradicted the witnesses for the people and if ever there was a case where the Jury by their verdict must have determined a case

4
on matters not in issue and clearly against
the weight of evidence it is this case.

3. The verdict was contrary to law.

In the People v Williams 29 Hun: 500
the Supreme Court decided that this
language brought up for review the illegal
admission or rejection of evidence as well as
misdirections to the Jury.

In the course of the Trial the Assistant
District Attorney sought to introduce in evidence
a book which he claimed the defendant
had written some three years ago giving
instructions on the art of revolutionary
warfare and the use of dynamite
nitroglycerine &c.

The Court however excluded the book
and repeatedly admonished the District
Attorney to make no reference to its contents
in the presence of the Jury.

In the Examination of Joseph C. Brennan
on behalf of the people the District Attorney was
allowed against objection and exception to put
the following questions

Q. Have you read any of his writings?

Mr. Howe objected and the witness was
directed to answer.

A. Yes Sir.

This was error because it proved that
Met had written the Book.

But the ruling even erroneous, might
have been innocuous - had it not been for what
occurred immediately thereafter when this
occurred.

Q. Look at the Book which I now show you,
and state whether you have read that?

Mr Howe - I object.

Mr. Nicoll. I ask him to look at a book - and ask him
whether he has read it - I am not offering it in
evidence.

The Court - I understand that but I think it
is immaterial.

Mr. Nicoll. But your Honor will not decide so
important a matter for the prosecution without
hearing me - I do not hesitate to say that the book
which I desire the witness to look at, and which I
intend to offer in evidence, is a Manual of
Revolutionary Warfare, which I propose to prove
is a book prepared and printed and circulated
by this defendant, Met, and which is in itself
a description of that weapon which is superior
to falling guns and mitrailleuses.

The Court ~~excluded~~ excluded the evidence.

But was not the conduct of the district attorney
in stating the contents of the Book, the fact that it was
prepared printed and circulated by the defendant -

most disgraceful.

Was not the Jury informed of the book, its author and contents and thus the defendant was prejudiced.

It was similar to the District Attorney stating in the Jury's presence that he was ready to prove that the defendant was an old convict - had been in State prison for different crimes; although he well knew such evidence incompetent.

The purpose of excluding evidence is that the Jury shall not receive it or be prejudiced by it, but how can it be said that where such conduct is indulged in, the Jury does not take for granted what is said by the District Attorney of his offer to prove, especially when, although on legal grounds, the defendant causes such evidence to be rejected.

Does the defendant in such a case have that fair trial which the law guarantees to him?

We submit that the conduct of the District Attorney worked an injustice to the defendant and requires a new trial to be granted.

But the District Attorney again persisted in parading before the Jury this book and a description of it:

In the cross examination of Adolph Schenck the following question was put -

Q. Have you read any of the books of Herr Most?

A. Yes Sir.

Q. Look at that book, (handing book to witness) and tell me if you have read it.

Mr. Howe. That I object to.

A. It is a book on revolutionary warfare and I never read it.

(copy was marked)

Q. Did you ever read any instructions from the defendant as to how you should deport yourself when a witness in a Court of Justice.

Mr. Howe. That is objected to.

A. I don't understand it please.

Mr. Howe. I object for the legal reason - although the witness desires to answer it. I object to his being asked what he read.

The Court. - He asked if the defendant instructed him how to testify in this case.

Mr. Howe. & In this case - O, If he did I withdraw the objection.

The Court

In this and all cases.

Mr. Howe. Then I object -- whether the defendant has instructed him -- unless in this case.

The Court. The witness is anxious to answer the question.

Answer. Maybe you like to know how it came that I am here in the Court.

Q. No. Did you ever read in any of your works Instructions to Revolutionists - how to deport -

themselves when they became witnesses in Court of Justice.

A. No Sir - I never have.

Mr Howe. If he had I should have objected but as immaterial.

Again in Cross Examination of Moritz Schuelz:

Q. Have you studied the works of Moritz?

A. Yes Sir.

Q. Have you read all of them?

A. Yes Sir.

Q. Have you read his manual of Revolutionary Warfare?

A. Yes Sir.

Q. You have read that too?

A. I didn't understand

(The question is translated). A. Yes Sir.

Q. Have you read a book of Moritz entitled -

Mr Howe - I object to that - Now your Honor will see that the unfair object of this is to get before the Jury certain books - You heard what I stated in my opening - The British attorney gave those books in evidence on the former trial - Moritz was convicted, and there was an end of that.

The Court. Well I will let the question be asked - and then I will hear you as to whether it shall be answered or not.

Mr. Howe. It is getting the books before the
Jury in an indirect way.

The Court. Well I don't know whether
to pass upon the question in your favor
till I hear the question.

Q. Have you read a book of Maer's entitled "The
Revolutionary Science of War" a book of instruction
for the use and manufacture of Nitro glycerine
dynamite, gun cotton, bombs, poisons,
fulminating quacksilver, ignitions? Look at
the paper which I now show you and state whether
you have read that book.

Mr. Howe. Objected to as incompetent.

The Court. Whether he has read it or not
cannot make any material difference
in this case. Whether he has read a
certain book or not - that is the question.

Mr. Howe. But your Honor will see, the District
Attorney introduced it in the hearing of the Jury -

The Court. I will see to the Jury - apart from what
either one of you may say.

Mr. Howe (to witness) - The Judge says that you
must say whether you have read the book.

Mr. Nicoll. What does your Honor say that you
will instruct the Jury?

The Court. I will instruct the Jury not to
decide this case upon either your or Mr. Howe's
remarks, or what you may say.

Mr. Nicoll. If no attention is to be paid to what we may say - I think we had better retire.

The Court. You are the best Judge of that - You may retire if you wish to.

Mr. Nicoll. I shall not leave while the people's interests need to be protected.

Mr. Howe. I am glad to hear you say that.

Answer. I read it a long time ago when it first came out, but I remember very little of what is in it.

Q. Do you recollect a passage in this book.

Mr. Howe. I object to the District Attorney asking any question upon that Book.

The Court. Yes I have already ruled that out directly and of course I will not allow it indirectly.

Mr. Nicoll. It might be that your Honor would not permit the Book to go in as part of the people's case, but is it not proper for us to ~~show~~ on cross examination to show ~~that~~ what this man's views were, - what his previous utterances had been? the use of what weapons he advocated?

The Court. No I think not?

Mr. Nicoll. How can we, in presenting a case of this importance to the Jury, argue to them the probability -

The Court. (Interposing) I have ruled the Book out, and I think properly, but you might get the whole Book in, if you took it up piecemeal and

ingeniously asked "bid you read this and that?"

Mr. Nicoll. I do not propose to do anything of that sort, but your Honor knows that the people are in this position: The people have no rights such as the defendant has. They have no right to take any exception. We must confide absolutely in your Honor's protection of the rights of the people.

The Court. I will protect to the best of my ability the rights of the parties on both sides.

Mr. Nicoll. I propose to prove by this witness that in a book published by this defendant he gave instructions.

Mr. Stowe (interrupting) Now is this right, your Honor? He is claiming to the Jury -

The Court. Yes - I think that is unfair - This defendant is not on trial here for all he has written and said during his life - It is a very narrow issue. What was his speech upon this night in question, and of that speech which he uttered upon this night does not violate the law, whatever his life has been in the past, whatever books he has written, he cannot be convicted on this charge. It is a very narrow issue, what was his speech that night?

Mr. Nicoll. I ask now for the privilege of stating to the Court what I propose to prove.

The Court. I have no objection to your coming here and privately stating what you propose to prove.

Mr. Nicoll thereupon goes forward and confers privately with the Court.)

Q Now Mr. Schultze - I ask you whether you do not recollect an ~~interview~~ instruction given by the defendant Most in his book on "The Science of Revolutionary Warfare"?

A. No Sir.

Q. (Continuing) Wait a minute. Whether you do not recollect an instrument given by Most in his book on the Science of Revolutionary Warfare to such witnesses as shall be called as witnesses in judicial or Court proceedings, never to answer any questions except those tending to prove alibi or procure their liberty?

Mr. Howe. That would not be competent; suppose the man had written that in his book.

The Court. The District Attorney showed me that and I said I would call him to stand if he could, that the defendant had given instructions to his associates never to answer questions excepting those which tend to prove an alibi.

Mr. Howe. In this case here certainly.

The Court. If that is so I think it is proper

fact applies to all cases.

Mr Howe. You are quite right; if he has done anything like that in this case.

Answer. I don't remember.

Mr Hummel (to the Interpreter) would he say just so, I don't remember.

The interpreter - Yes. No. I don't remember

Q. do the revolutionists believe in the use of explosives-explosives?

Mr Howe. Your Honor, is this going too far?

Mr Most was tried and convicted for this very thing -

a. Mr Nicole. He was not any such thing. Here is the indictment for an unlawful assemblage
Mr Howe. That was all in evidence on that trial.

Mr Nicole. It was not given in evidence on that trial.

Mr Howe. The question is objected to as incompetent
The Court. On cross-examination you can go into a great many questions that would not be proper on the direct. I think I will allow him to ask this person if he is in favor of using explosives.

Mr Nicole. I didn't ask the question.

Mr Howe. Mr Howe your Honor will be guarded, I know with your great care

17

for the rights of both the people and the defendant. You see that the effect of this examination is to get from this witness facts general sentiments.

The Court. Haven't I declared when the jury come to settle this case what I shall rule. This case is going to turn on what Foster's remarks were that night.

Mr. Howe. After your Honors intimation all right.

Mr. McCall. That is precisely my view, and therefore I want to show what his principles are, because I insist that he truly announced his own creed that night.

The Court. If I had his speech here before me I would settle this case very quickly, but we are groping in the dark here, and this jury will be called upon to settle it.

Answer. Certainly, everybody must believe in it; in all wars - in the wars of the Revolution, and here in America they used explosives.

Q. Ask him whether or not the Revolutionary or International Society believe in the use of explosives for the purpose of overthrowing the existing class rule or

government?

Mr. Howe. We had that from the last witness and I didn't object: Is it competent here what the International or Revolutionary Society, or the Young Men's Christian Association, believe as to what should be done in certain cases. It seems to me that as a matter of discussion and propriety as a lawyer. I should suggest that this is not competent, and moreover it will spin this case out indefinitely.

The Court. Yes: I think that perhaps we have gone far enough in that direction.

Mr. McCall. Your honor, I have asked this same question of every witness. Could there be anything more calculated to discredit a witness' testimony and cause his evidence to be thrown out, than the announcement of such a doctrine? Is it possible that I am even to be denied my right to discredit the witness.

Mr. Howe. Not what this man said. I have not seen that.

The Court. I want to keep you within proper limits that is all.

Mr. Howe. Yes anything this man says or believes in, but not what any society

says or believes in.

Mr. Nicoll. This man is a member of the Revolutionary Society. Is the defendant and I ask them what their belief is as to explosives.

The Court. You may ask him what his belief is.

Mr. Nicoll. That is the principle of the Society.

The Court. Well some of the witnesses have sworn that they did not believe in the principles of the Society.

The Court. Mr. Nicoll. I put the questions I think proper - If your Honor rules the question out, that settles it.

The Court. I will rule that out - but I will let you modify it so as to ask whether he is in favor of it.

Q. Ask him whether the Anarchical Wing of the Revolutionary Society believe in the use of explosives.

Mr. Howe. That is immaterial. It is asking what everybody else may believe, the point is what does this man believe.

The Court. Yes I will rule it out.

Again in cross examination of defendant the book and contents were again paraded to the Jury.

Q. Are you not the author of a book or

entitled "The Art of Revolutionary Warfare"

Mr. Howe. Won't answer it - he has been
tried once for them and I advise him -

Mr. Nicoll. No he has not been tried
for them.

Mr. Howe. Won't interrupt me.

Mr. Nicoll. But I will interrupt you -

Mr. Howe. What you will? Won't be rude.
I am surprised

The Court. He declines to answer, on the
ground that it might criminate him.

Mr. Nicoll. He declines to answer
whether he is the author of that book on the
ground that it tends to criminate him.

The Court. On the ground that his answer
might criminate him.

Q. Are you not the author of a book advocating
the use of explosives dynamite, nitro glycerine
and gun cotton - for destroying persons and
property.

A. Well, your Honor, (to the Court) how often
will that occur - that it comes on? I decline
to answer that question.

Q. On what ground.

A. Well on the same ground.

Q. On the ground that it will tend to
criminate you?

A. Anyhow to prejudice the Jury and that

is your purpose. I guess.?

The Court - (to witness) You need not answer, but you must put your refusal on the ground that it might incriminate you. Answer. I answer that on the same ground as the other. I answered that first on the same ground as the other -

Q Have you not circulated extensively in the United States - both in this City and Chicago - copies of the book the title of which I have just given you "The Art of Revolutionary Warfare"?

It will be seen that the bested attorney by his conduct ^{brought this case} has within the ruling of the General Term in the case of The People against Shepherd when Judge Brady said:

"The complainant who had formerly worn
" a long dress with her hair so arranged as
" to rest upon the top of her head, was put upon
" the witness stand in short clothes with her
" hair braided in a chudlike way for
" inspection by the Jury as to her ^{age} under the
" provision of law permitting that ceremony -
" Whether in the administration of criminal
" law, such a device was justifiable, may
" perhaps be a matter of taste, but the
" principle of natural justice would seem

to dictate the propriety of presenting
the complainant; in a garb similar
to that in which she was seen by
the defendant; and particularly
as the central question of the case
turned upon her age.

We are not now dealing with the
great value of the section, under
which the conviction was had, for
the preservation of the virtue of the
young. We are simply considering
the practical administration of
criminal justice by a strict &
observance of its rules of evidence
as we ought in view of the grave
consequences to the defendant
resulting from a conviction.

This seems to be peculiarly
our duty, since it appears that the
short dress of the complainant
was furnished by the Society, even
though it was not intended by
the circumstance to affect the jury
in any possible respect.

The Court erred in permitting the District
& Attorney to interrogate each witness
for the defendant as to his religious

belief and in not stopping the District Attorney in his summing up to the Jury and correcting him when he said that the Jury should refuse to believe the defendant and his witnesses because they each testified that he did not believe in a Supreme Being.

Section 3 Article I of the Constitution of this State provides that no person shall be rendered incompetent as a witness on account of his opinions in matters of religious belief.

In permitting the remarks of the District Attorney the Jury were told by the Court and that although those witnesses were competent to testify, their testimony should not be believed, even if truthful on account of their religious belief and thus the testimony of each witness for the defendant was in effect declared incompetent.

This was a clear violation of the constitution of the ~~United States~~ this State and fatal to this conviction.

4. That the verdict is contrary to law and
clearly against the evidence and
the weight of evidence.

The defendant also moves in arrest
of Judgment that the facts stated in the
indictment do not constitute a crime.

William J. Howe
& Counsel for
Defendant

POOR QUALITY
ORIGINAL

0291

Court of General
Sessions of the City
County of New York

The People
against
John A. A. A.

~~Prison~~ Motion
for renewal,

Filed Dec 8, 1887,

Howe & Hummel
Counsel for
Defendants Attorneys

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 most

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

John most

of ~~the crime of~~ a *violinist*,

committed as follows:

The said *John most*,

late of the *14th* Ward of the City of New York, in the County of New York afore-
said, on the *Twenty* day of *November*, in the year of our Lord
one thousand eight hundred and eighty ~~seven~~, at the Ward, City and County aforesaid,

*being a person of bad character and vicious habits,
and of most wicked and malicious
dispositions, and together with several
other evil disposed and vicious persons
to the number of fifty and upwards,
unlawfully, maliciously and maliciously
intending and contriving to disturb
the public peace, and to excite discontent
and disaffection, and to excite the
people of our said State, to
violence and contempt of the government
and constitution of this State, and
to raise and make insurrections, riots,
raids, and unlawful assemblies
within this State, and to obstruct the*

laws and government thereof, and to
 oppose and prevent their due execution,
 with force and arms, did unlawfully,
 knowingly, feloniously and maliciously
 assemble and gather together; and
 being so then and there assembled
 and gathered together as aforesaid,
 the said John Most, and the said
 other evil disposed and pernicious
 persons, did then and there unlaw-
 fully, knowingly, feloniously and
 maliciously threaten to raise insurrection
 and riots, routs and unlawful assemblies,
 within our said State and throughout
 the United States, and to kill and
 murder divers of the good citizens
 of the United States, and to destroy
 the laws and government thereof and
 of this State, and to oppose and
 prevent their due execution, and to
 procure and obtain arms, ammunition,
 weapons and the means wherein
 and whereby to execute and consummate
 their said most wicked and unlawful
 threats, 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.

Richard J. Bernathie

District Attorney.

0294

BOX:

285

FOLDER:

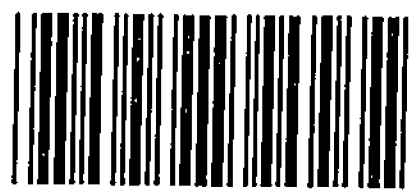
2719

DESCRIPTION:

Moss, George H.

DATE:

11/17/87



2719

POOR QUALITY
ORIGINAL

0295

26. J.B.

Counsel,
Filed, 17 day of Nov 1887
Pleads, *not guilty*

Grand Larceny Second degree
[Sections 528, 587 Penal Code]

THE PEOPLE

vs.
24. H 17
24. H 17

George H. Moss

not guilty

RANDOLPH B. MARTINE,

Attorney at Law
District Attorney.

Dec 5 PM
Dec 13 PM
Dec 14 PM
Dec 15 PM
Dec 16 PM
Dec 17 PM
Dec 18 PM
Dec 19 PM
Dec 20 PM
Dec 21 PM
Dec 22 PM
Dec 23 PM
Dec 24 PM
Dec 25 PM
Dec 26 PM
Dec 27 PM
Dec 28 PM
Dec 29 PM
Dec 30 PM
Dec 31 PM

A True Bill

In 3 PM

W. C. Maguire

Pr. Henry J. Foreman.

John H. Foreman

John H. Foreman

The defendant
was in place
of Petit Larceny
which I am
willing to
accept - G. S. P.
J. S. P.
A. S. P.

POOR QUALITY
ORIGINAL

0296

5. J.B.
counsel, _____
filed, 17 day of Nov 1887
leads, *chiquely*

THE PEOPLE
vs.
George M. Moss
Grand Larceny Second degree
[Sections 528, 581 Penal Code]

copy
RANDOLPH B. MARTINE,
District Attorney.
Nov 25 1887
Nov 29 1887
Dec 5 1887
Dec 13 1887
Dec 17 1887
True Bill
Jm 30 1887

Chas Magon
Pr. Aug 3, 1888 Foreman.
Spec. Trial Pr.
Paw 8 mo.

*undant
a plan
of Pitt Lane
the front
along to
the - 4 1/2
8 Aug 18*

POOR QUALITY
ORIGINAL

0297

Sec. 151.

2nd District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss

In the name of the People of the State of New York; To the Sheriff of the County of New York, or any Marshal or Policeman of the City of New York:

Whereas, Complaint on oath, has been made before the undersigned, one of the Police Justices in and for the said City, by Henry R. Williams

of No. 113 West 25th Street, that on the 26 day of August 1887 at the City of New York, in the County of New York, the following article to wit:

Good and lawful money of the United States to the amount and

of the value of Two (2) hundred Dollars, the property of "The Veteran Guards" w as taken, stolen, and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by George H. Moss

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the bod of the said Defendant and forthwith bring him before me, at the 2nd DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 20 day of September 1887

J. H. McCutcheon POLICE JUSTICE.

POLICE COURT, 2 DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry R. Williams
vs.

George H. Moss

Warrant-Larceny.

Dated September 20 1887

Doct. M. Colburn Magistrate

John D. Farrell Officer

The Defendant

taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Officer

Dated 1 1887

This Warrant may be executed on Sunday or at night.

J. H. McCutcheon Police Justice.

REMARKS.

Time of Arrest, _____

Native of _____

Age, _____

Sex _____

Complexion, _____

Color _____

Profession, _____

Married _____

Single, _____

Read, _____

Write, _____

POOR QUALITY
ORIGINAL

0298

Police Court—2nd District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Henry R. Williams
of No. 113 West 25th Street, aged 40 years,
occupation Cow dealer being duly sworn

deposes and says, that on the 26th day of August 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 :

Good and lawful money of the
United States to the amount
and of the value of Four (2)
hundred dollars

the property of "The Veteran Guards," a
military organization

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 George H. Moss.

From
the fact that said money was
entrusted and given into the
possession of said deponent, as
a Committee-man of said organi-
zation, for him to retain in
his possession until the Monday
following when said money was
to be deposited in Bank.

That said deponent after getting
possession of said money departed
from the City and failed to
account for said money and did
deliberately appropriate the same
to his own use. Deponent therefore
prays he may be arrested and dealt with
as the law directs Henry R. Williams

Sworn to before me, this 26th day
of September 1887
John J. McCarty
Police Justice.

POOR QUALITY
ORIGINAL

0299

BAILED,
No. 1, by _____
Residence _____ Street _____
No. 2, by _____
Residence _____ Street _____
No. 3, by _____
Residence _____ Street _____
No. 4, by _____
Residence _____ Street _____

41 85 1802
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry R. Williams
113 W. 25
George H. Moore
2
3
4
Complaint
Dated September 24, 1887
Offence Larceny
Jury

William Magistrate
McCall Officer.

Witness Charles Wick
16 Precinct.

No. 244 Charles Wick
Street.

No. 245 - 6 & 7
Street.

Thomas J. Smith
Street.

No. 113 W. 25
Street.

George H. Moore
Street.



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

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

Dated _____ 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.

POOR QUALITY
ORIGINAL

0300

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

George H. Moss

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

George H. Moss

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

The said *George H. Moss,*

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

*the sum of two hundred
dollars in money, lawful money
of the United States, and of the
value of two hundred dollars*

of the goods, chattels and personal property of ~~one~~ *the Veteran Guards*
of the City of New York

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.

Second COUNT.

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

— George H. Moss —
of the CRIME of Grand Larceny in the
second degree.

committed as follows:

The said

George H. Moss,

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms,
the sum of two hundred dollars
in money, lawful money of the
United States, and of the value of
two hundred dollars, of the goods
chattels and personal property of a cer-
tain military organization known as the
Veteran Guards of the City of New York
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.

Third COUNT.

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

— George H. Moss —
of the CRIME of Grand Larceny in the second
degree,

committed as follows:

The said

George H. Moss

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms
the sum of two hundred dollars in
money, lawful money of the United
States, and of the value of two
hundred dollars of the goods, chat-
tels and personal property of a certain
corporation called the Veteran
Guards of the City of New York
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.

Fourth COUNT.

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

George H. Moss
of the CRIME of *Grand Larceny in the second*
degree

committed as follows:

The said

George H. Moss,

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

the sum of two hundred dollars,
in money, lawful money of the
United States, and of the value of
two hundred dollars of the goods,
chattels and personal property of
an association called the Vet-
eran Guards of the City of
New York 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.

Fifth COUNT.

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

— George H. Moss —
of the CRIME of Grand Larceny in the second
degree,

committed as follows:

The said George H. Moss

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms,
the sum of two hundred dollars
in money, lawful money of the
United States, and of the value of
two hundred dollars of the goods,
chattels and personal property of
a society called the Veteran
Guards of the City of New
York, 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

Sixth COUNT.

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

— George H. Moss —
of the CRIME of Grand Larceny in the second
degree,

committed as follows:

The said George H. Moss,

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms,
the sum of two hundred dollars;
in money, lawful money of the
United States, and of the value of
two hundred dollars, of the
goods, chattels and personal
property of one, Henry R.
Williams, 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.

Seventh COUNT.

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

— George H. Moss —
of the CRIME of Grand Larceny in the second
degree,

committed as follows:

The said

George H. Moss,

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid,
at the City and County aforesaid, with force and arms
the sum of two hundred dollars
in money, lawful money of
the United States, and of the
value of two hundred dollars
of the goods, chattels, and person-
al property of a certain person
to the Grand Jury aforesaid un-
known, 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 dignities

James W. Smith
District Attorney.

0307

BOX:

285

FOLDER:

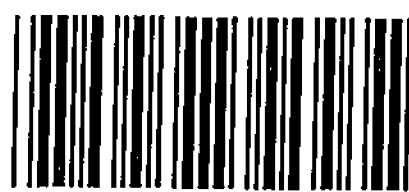
2719

DESCRIPTION:

Murphy, John

DATE:

11/23/87



2719

POOR QUALITY
ORIGINAL

0308

157 A
Counsel,
Filed 23 day of Nov 1887
Pleads, *McBulky vs.*

THE PEOPLE

vs.

John Murphy

Dec 7 1887
RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

John Magann
Foreman

John P. D. J.
John P. D. J.
1912 Per. 7.7

Chambers very
had
Witnesses

POOR QUALITY
ORIGINAL

0309

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To

of No.

Martin S. Sanger
Dirt Scow named the Porpoise

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 *7* 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

John Murphy
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 1887

RANDOLPH B. MARTINE, *District Attorney.*

POOR QUALITY
ORIGINAL

0310

Court of General Sessions.

THE PEOPLE

vs.

John Murphy

City and County of New York, ss.:

Henry E. Bullen

being duly

sworn, deposes and says: I am a Police Officer attached to the 21st Precinct,

in the City of New York. On the 5th day of December 1887,

I called at the foot of East 39th Street.

the alleged place of employment of Martin Swanger

the complainant herein, to serve him with the annexed subpoena, and was informed by one of the laborers on the scow that the said Swanger had gone to "Sea", and that he does not know when he will return.

Sworn to before me, this

day

of

Dec 7

1887

Rudolph L. Schauf

Henry E. Bullen

COMMISSIONER OF DEEDS.

N. Y. CITY & COUNTY.

POOR QUALITY
ORIGINAL

0311

Court of General Sessions.

THE PEOPLE, on the Complaint of

Martin Schwanz

vs.

John Murphy

Offense:

RANDOLPH B. MARTINE,
District Attorney.

Affidavit of Police Officer

Henry G. Bullen

21st

Precinct.

Failure to Find Witness.

POOR QUALITY
ORIGINAL

0312

Police Court— District.

City and County } ss.:
of New York,

of a *deft* *seaw* named *the Porpoise* Street, aged *27* years,
occupation *Boatman* being duly sworn
deposes and says, that the premises *Ny* *said* *seaw* Street, Ward
in the City and County aforesaid the said being a *boat*

and which was occupied by deponent as a *residence*
and in which there was at the time a human being, by name *Martin Swanger*

were BURGLARIOUSLY entered by means of forcibly *breaking*
opening the lock fastening the
door of a small house on
said *deft* *seaw*, *opening*
said *door*
on the *30* day of *October* 188*7* in the *day* time, and the
following property feloniously taken, stolen, and carried away, viz:

a small row boat of
the value of about *Three*
dollars *\$3.00*

the property of

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

for the reasons following, to wit:

That at the time
mentioned Deponent saw
Defendant & others, not yet
arrested, in the act of break-
ing into said house, & taking
& stealing the aforesaid boat
& going away with the same.
Martin Swanger

Sworn to before me
the 31 day of October 1887
Police Justice

POOR QUALITY
ORIGINAL

0313

Sec. 198-200.

X District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer,

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

Answer.

Question. What is your business or profession?

Answer,

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

Answer.

I was in another boat with some boys. A number of other boys wanted ~~him~~ us to take them with us & when we refused they stole a complainant's boat & broke into the house and desecrated. I am not guilty of the crime of Burglary.
John J. Murphy

Taken before me this

day of

Police Justice.

POOR QUALITY
ORIGINAL

0314

BAILED,
No. 1, by _____
Residence _____
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

240/454 1790
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

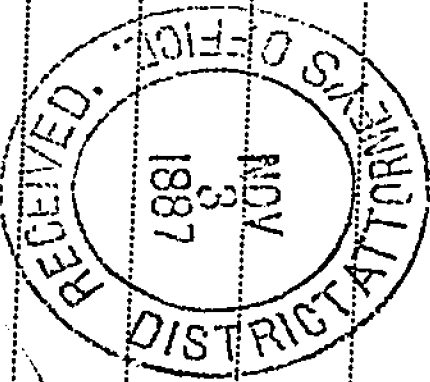
Martin Duran
John Murphy
Barry

2
3
4
5
6
7
8
Offence

Date Oct. 31 188

Magistrate
Cullen
Officer

Witnesses
No. 1
No. 2
No. 3
No. 4
Street



No. _____
Street _____
to answer

(Signature)

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 \$100 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. 31 188 Police Justice.

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

Dated _____ 188 Police Justice.

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

Dated _____ 188 Police Justice.

POOR QUALITY
ORIGINAL

0315

PART I.

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

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

Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To

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 Sessions Building, in the Park of the said City, on the 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

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 1887

RANDOLPH B. MARTINE, *District Attorney.*

Court of Gen. Sessions:

The People
vs

John Murphy.

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.

100 EAST 23^d STREET,

New York, Oct. 31 1887

CASE NO. 32121 OFFICER Barkley
DATE OF ARREST Oct. 31st
CHARGE Burglary
AGE OF CHILD Fifteen years.
RELIGION Catholic
FATHER Dead
MOTHER Dead
RESIDENCE No. 318 E. 40th Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT the boy
has a long criminal record.

Feb. 25, '85 - Arrested for burglary. No complain-
ant appearing, he was discharged
Dec. 6, '86 - Arrested for larceny. Convicted
in Court of Special Sessions and discharg-
ed to his father
Jan. 27, '87 - Arrested for disorderly Conduct
Mar. 13 '87 - arrested for disorderly Conduct
June 1st " Arrested for larceny - Committed
to N.Y. Cath. Protectory by Justice White
July 6th - arrested for stealing \$20 from
money drawer No. 572. Second arr.
Escaped from 21st Precinct Station.

All which is respectfully submitted,

Wm. J. Henry
President

To The Dist. Atty.

POOR QUALITY
ORIGINAL

0317

Court of
General Sessions

The People

vs

John Murphy

PENAL CODE, §
Burglary

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.

POOR QUALITY
ORIGINAL

0318

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 Cunningham

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

John Cunningham

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

The said

John Cunningham

late of the ~~Ward of the City of New York~~, in the County of New York
aforesaid, on the ~~thirtieth~~ day of ~~October~~, in the year
of our Lord one thousand eight hundred and eighty-~~seven~~, with force and arms, about the
hour of ~~three~~ o'clock in the ~~day~~ time of the same day, at the ~~Ward~~
City and County aforesaid, the dwelling house of one ~~Martin Swanger~~
~~there situate, the same being a building, the~~
~~site a parcel, being a place called the "Parson"~~
~~usually occupied by persons residing therein at night,~~
there situate, feloniously and burglariously did break into and enter, there being then and there some
human being, to wit: ~~the said Martin Swanger.~~

within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels
and personal property of the said ~~Martin Swanger.~~

in the said dwelling house then and there being, then and there feloniously and burglariously to steal,
take and carry away,

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

POOR QUALITY
ORIGINAL

0319

SECOND COUNT—

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

John Murphy
of the CRIME OF ~~GRAND LARCENY, IN THE~~

~~DEGREE~~, committed as follows :

The said *John Murphy*

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 new coat of the value of
three dollars,*

of the goods, chattels and personal property of one

Martin Swanger.

in the dwelling house of the said

Martin Swanger.

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

Richard J. Kane
District Attorney.

0320

BOX:

285

FOLDER:

2719

DESCRIPTION:

Murphy, Patrick F.

DATE:

11/28/87



2719

POOR QUALITY
ORIGINAL

0321

Witnesses:

477.
Counsel, *LHB*
Filed *28* day of *Nov* 188*7*
Pleads *Not Guilty*

THE PEOPLE

vs.

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

B
Patrick J. Murphy

dec 7 1887
RANDOLPH B. MARTINE,
Dec 9 1887
District Attorney.

A True Bill.

W. C. Maguire

Foreman,
Post II Dec 9 1887

True and Legitimate

POOR QUALITY
ORIGINAL

0322

Police Court—1st District.

City and County { ss.:
of New York,

Herman Strom
of No. 380 Grand Street, aged 32 years,
occupation Merchant being duly sworn

deposes and says, that on the 19 day of November 1887 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Patrick Murphy
(now here) who wilfully and maliciously
cut and stabbed deponent on the head
with a knife then and there held in his
hand. That said deponent thereafter
threw an iron stove cover at him

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 20 day }
of Nov 1887 } H. Strom

James C. Smith Police Justice.

POOR QUALITY
ORIGINAL

0323

Sec. 108-200

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty
P F Murphy

Taken before me this

day of

Jan

188

Samuel J. McQuinn
Police Justice.

POOR QUALITY
ORIGINAL

0324

BAILED,
No. 1, by Daniel Sullivan
Residence 24 James Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

Police Court 1913
District 1

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Samuel Brown
38 Grand St
Brooklyn

1. Samuel Brown
2. Samuel Brown
3. Samuel Brown
4. Samuel Brown

Offence Felony
Assault

Dated Nov 20 188 7

W. A. Kelly Magistrate.
Brett Officer.

4 Precinct.

Witnesses _____

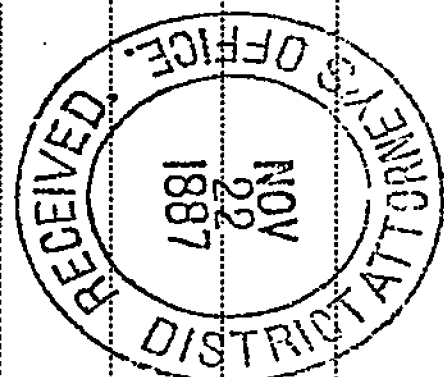
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 1000 to answer 28

Bailed



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 1000 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 Nov 20 188 7 Daniel Sullivan Police Justice.

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

Dated Nov 20 188 7 Daniel Sullivan 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.

POOR QUALITY
ORIGINAL

0325

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF STATE OF NEW YORK,

against

Salvador X. Munday

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

Salvador X. Munday

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

The said

Salvador X. Munday

late of the City of New York, in the County of New York aforesaid, on the
nineteenth day of *November*, 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 *Herman Shon*,
in the peace of the said People then and there being, feloniously did make an assault,
and *him* the said *Herman*,

with a certain *knife*

which the said

Salvador

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 *Herman*.

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

Salvador X. Munday

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

The said

Salvador X. Munday

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 *Herman Shon*.

in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make another assault, and *him* the said

Herman

with a certain

knife

which the said

Salvador

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.

Samuel J. Friedman

District Attorney.

0326

BOX:

285

FOLDER:

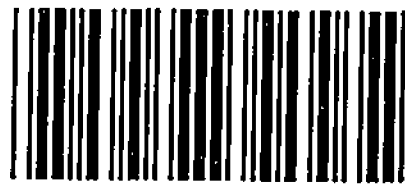
2719

DESCRIPTION:

Murray, Francis

DATE:

11/09/87



2719

0327

BOX:

285

FOLDER:

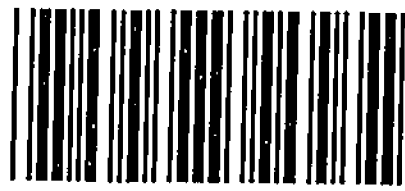
2719

DESCRIPTION:

McGuire, Christopher

DATE:

11/09/87



2719

POOR QUALITY
ORIGINAL

0328

Counsel,

Filed, 9 day of Nov 1887

Pleads,

THE PEOPLE

vs.

Grand Larceny, second degree
[Sections 528, 581, 550, Penal Code.]

Francis Murray

and

Christopher Mc Gune

RANDOLPH B. MARTINE,

District Attorney.

A True Bill

Chas. Magoun

Foreman.

(Read) (Read) (Read)
Each S.P. 2 yrs.

Witnesses:

POOR QUALITY
ORIGINAL

0329

Police Court—1st District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 331 West 43rd Street, aged 34 years,
occupation Plumber being duly sworn

deposes and says, that on the 24 day of October 1887 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the night time, the following property viz :

A quantity of lead
pipe and a brass pump
and brass cocks all
being valued at seventy-
five dollars

the property of

R 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 Francis Murray and

Chrisopher McQuinn (both
now known to be acting in
concern) for the reasons follow-
ing to wit: on the above de-
scribed date the said property
was in premises Nos 10 & 11 South
Sto which premises the deponent was
repairing and having missed
the said property is informed
by John Rums for persons
that the said defendants
sold to him (Rums) the afore-
said property which property
the said deponent has since seen
and identified as the stolen property
Isaac McConkey

Sworn to before me, this 24 day of October 1887
at New York
Saml. McQuinn
Police Justice.

POOR QUALITY
ORIGINAL

0330

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 58 years, occupation Jump Dealer of No.

9 South Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Francis Conkey

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

Sworn to before me, this

day of October 1888

John D. Durr

Sam'l C. Duffell
Police Justice.

POOR QUALITY
ORIGINAL

0331

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

of No. 1st Precinct Police Street, aged 28 years,
occupation Police Officer being duly sworn deposes and says
that on the 26 day of October 1887

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

Francis Murray and
Christopher M. Quins (with
himself) for stealing a quantity
of lead pipe and deponing
prays the said defendants
be held to enable him to
secure the owner of said
property.

James Oates

Sworn to before me, this 26 day
of October 1887

Samuel J. Smith, Police Justice.

POOR QUALITY
ORIGINAL

0332

Police Court, 1 District,

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Butts
vs.
Francis Murray
Christopher McGinn

AFFIDAVIT.

Dated Oct 27 1887

J. P. Kelly Magistrate.

Butts & McGinn Officer.

Witness, _____

Disposition, \$1000 &

Oct 27. 2 P.M.

POOR QUALITY
ORIGINAL

0333

Sec. 198-200.

17th District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question What is your name?

Answer

Francis Murray

Question. How old are you?

Answer

26 Years

Question. Where were you born?

Answer.

New York State

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

Answer.

10 South St 2 weeks

Question What is your business or profession?

Answer

Laborer

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

Answer.

I am not guilty the defendant McQuinn had the lead pipe & C and said it was given to him and he asked me to go with him to sell it

Frank McQuinn

day of

Taken before me this

188

Police Justice.

POOR QUALITY
ORIGINAL

0334

Sec. 198-200.

1st District Police Court.

CITY AND COUNTY
OF NEW YORK, ss

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

Question. What is your name?

Answer

Christopher McGuire

Question. How old are you?

Answer

25 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

10 South St 10 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

Christopher McGuire

//

Taken before me this
day of

188

Notary Public Justice.

POOR QUALITY
ORIGINAL

0335

BAILLED,
No. 1, by.....
Residence.....
No. 2, by.....
Residence.....
No. 3, by.....
Residence.....
No. 4, by.....
Residence.....

Police Court

District

1st-1885

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles M. Conkey
331 W. 43

Francis M. Murray
Johnston & McNeill

Offence
Grand Larceny

Dated Oct 27 188

Attest
Cates & Murphy
155
Magistrate
Officer

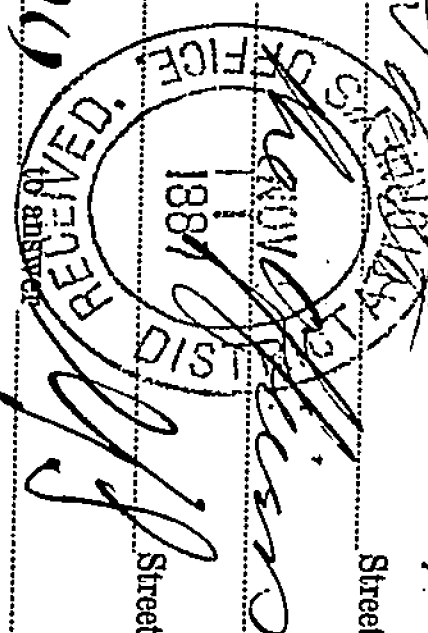
Witnesses
James M. Murray
155
Precinct

No. 1, by Mary M. Conkey
Street

No. 2, by Charles M. Conkey
Street

No. 3, by Charles M. Conkey
Street

No. 4, by Charles M. Conkey
Street



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

Defendants

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \$1000 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 27 188 Police Justice.

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

Dated..... 188 Police Justice.

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

Dated..... 188 Police Justice.

POOR QUALITY
ORIGINAL

0336

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Francis Murray
and
Richard James McTigue

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

Francis Murray and *Richard James McTigue*

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

The said *Francis Murray* and *Richard James McTigue*, both —

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

a quantity of lead pipe
(a more particular description of
which is to the Grand Jury aforesaid
unknown) of the value of thirty
dollars, one brass pump of the
value of thirty dollars, and ten
brass cocks of the value of
two dollars each.

of the goods, chattels and personal property of one

Isaac McTigue

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.

SECOND COUNT—

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

Francis Murray and Christopher McFigue

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

The said *Francis Murray and Christopher McFigue, both* —

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

a quantity of lead pipe, a more particular description whereof is to be found among aforesaid indictment) of the value of fifty dollars, one brass gun of the value of thirty dollars, and ten brass rods of the value of two dollars each,

of the goods, chattels and personal property of one

Isaac McFigue

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

Isaac McFigue

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

Francis, Murray and Christopher McFigue

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.