

0600

BOX:

137

FOLDER:

1419

DESCRIPTION:

Egerton, Elliott

DATE:

04/28/84



1419

0601

**BOX:**

137

**FOLDER:**

1419

**DESCRIPTION:**

Thomas, Mary

**DATE:**

04/28/84



1419

Witnesses:

Alex S. Williams

Capt Dg Cree

Michael O. Malley

145 N 27<sup>th</sup> St

I am satisfied that bail taken in this case for \$250. And in each of the other cases, six in all, in the same amount, in all amounting to \$1500. for the appearance of defendant Elliott Egerton.

My May 17, 1884

George H. Williams.  
Chief Dist. Attorney.

No. 2 Bailed by  
Leonard Branding  
169 Third Avenue.

Patrick Murray and  
157 West 10<sup>th</sup> St.

1914  
310

(II)

Day of Trial,

Counsel,

Filed 28 day of April 1884

Pleads

THE PEOPLE

~~Mc K. W. 1884~~  
Mary Thomas  
(2 cases)  
Elliott Egerton  
(6 cases)

(5-222 and 225)  
Keeping a Bawdy House.

PETER B. OLNEY,

JOHN McKEON

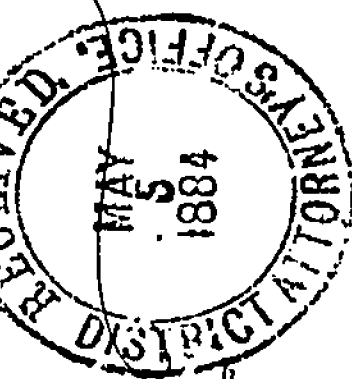
P.H. Dec. 9/97 District Attorney.  
on motion of bail. atty.

A True Bill.

Judgment Dismissed  
against both Defs.

See Indt. No. 1309

John H. Pless Foreman.



134

POOR QUALITY  
ORIGINAL

0602

On reading the affidavits filed with the indictment against the defendant, charging him with keeping and maintaining a Disorderly House or a Bawdy House or a House of Ill Fame, I recommended that the defendant be discharged and that the within indictment be dismissed.

Dated Dec 9/97

D. W. T. Chen.

ADA



0603

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 Thomas  
and  
Elizabeth Egerton

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

Mary Thomas and Elizabeth Egerton

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL FAME, committed as follows:

The said

Mary Thomas and Elizabeth Egerton  
late of the 20th Ward of the City of New York, in the County of New York aforesaid, on the 1st day of April in the year of our Lord one thousand eight hundred and eighty-four and on divers other days and times as well before as afterwards, to the day of the taking this inquisition, at the Ward, City and County aforesaid, a certain common house of ill fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said Mary Thomas and Elizabeth Egerton

and Elizabeth Egerton on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of, and against good morals and good manners, 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 Mary Thomas and Elizabeth Egerton

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

Mary Thomas and Elizabeth Egerton

late of the 20th Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the 1st day of April in the year of our Lord one thousand eight hundred and eighty-four and on divers other days and times between the said



0604

day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did maintain a certain common, ill-governed house, and in ~~the~~ said house, for ~~their~~ own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and willfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and willfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common annoyance of the said citizens, 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 ~~Mary Thomas and Elizabeth Egerton~~

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said ~~Mary Thomas and Elizabeth Egerton~~

late of the ~~20th~~ Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the ~~first~~ day of ~~August~~ in the year of our Lord one thousand eight hundred and eighty~~four~~ and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in ~~the~~ said house and place of public resort, for ~~their~~ own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women, in ~~the~~ said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully, did permit, and yet continues to permit, by which the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, 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.

PETER B. OLNEY,

**JOHN McKEON,**

*District Attorney.*

Alex S. Williams  
 Exp 29 Dec  
 Michael O'Malley  
 Nov 27 1884

Bail fixed & given as to  
 Edgar's warrant  
 indictment  
 May 17. 84  
 Myself & others  
 and others

W.P.  
 ✓ 13th Apr 28 1917  
 (II) 1310  
 Day of Trial,  
 Counsel,  
 Filed 28 day of April 1884  
 Pleads

THE PEOPLE  
 vs.  
 Mary Thompson  
 (2 cases)  
 and B  
 Elliott & others  
 (6 cases)  
 Keeping a Bawdy House.

PETER B. OLNEY,  
 JOHN MCKEON,  
 District Attorney.  
 P.H. Dec. 9/97  
 on Motion of Dist. Atty.  
 A True Bill, Indictment returned  
 against in the Depts.  
 See Indt No 1309  
 John Foreman.  
 RECEIVED  
 MAY 3 1884  
 DISTRICT ATTORNEY'S OFFICE

POOR QUALITY  
 ORIGINAL

0605

On reading the affidavits  
 filed with the indictment  
 against the defendant  
 charging him with  
 keeping and maintaining  
 a disorderly house  
 recommends that  
 the defendant be discharged  
 and that the within  
 indictment be dismissed  
 Dated 24 Dec 9/17  
 D. Mitchell  
 D.D.

0606

**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 Thomas*  
and  
*Elizabeth Egerton*

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

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL FAME, committed as follows:

The said *Mary Thomas* and  
*Elizabeth Egerton*

late of the *20th* Ward of the City of New York, in the County of New York aforesaid, on the *twelfth* day of *April* in the year of our Lord one thousand eight hundred and eighty-*four*, and on divers other days and times as well before as afterwards, to the day of the taking this inquisition, at the Ward, City and County aforesaid, a certain common house of ill fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said *Mary Thomas* and

*Elizabeth Egerton* on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of, and against good morals and good manners, 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 *Mary Thomas* and

*Elizabeth Egerton*

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said *Mary Thomas* and  
*Elizabeth Egerton*

late of the *20th* Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the *twelfth* day of *April* in the year of our Lord one thousand eight hundred and eighty-*four*, and on divers other days and times between the said



0607

day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did maintain a certain common, ill-governed house, and in *their* said house, for *their* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common annoyance of the said citizens, 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 *Mary Thomas*

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said *Mary Thomas*

late of the *20th* Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the *24th* day of *April* in the year of our Lord one thousand eight hundred and eighty*two* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in *their* said house and place of public resort, for *their* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women, in *their* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully, did permit, and yet continues to permit, by which the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, 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.

PETER B. OLNEY,

**JOHN MCKEON,**

*District Attorney.*

0608

BOX:

137

FOLDER:

1419

DESCRIPTION:

Thompson, Edward

DATE:

04/09/84



1419

Witnesses :

Joseph Esselbach  
574 Avenue C  
Martin Foreman  
Officer 2nd Precinct

23

Counsel,

Filed

Pleads

*C. J. Olin*  
*dist. of Appeal* 1884  
*W. M. Kelly*

THE PEOPLE

vs.

*P*

*Edward Thompson*

*W. J. Thompson*  
*19*

Grand Larceny 2nd degree  
(From the person)  
[Sections 528, 529, 530 Penal Code].

PETER B. OLNEY,

District Attorney.

A TRUE BILL.

Foreman.

*John M. Olin*  
*C. J. Olin*  
*W. J. Thompson*  
*24th St. N.Y.*

0609



06 10

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

Edward Thompson

The Grand Jury of the City and County of New York, by this indictment, accuse  
Edward Thompson  
of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said Edward Thompson

late of the First Ward of the City of New York, in the County of New York aforesaid, on the  
fourth day of April in the year of our Lord one thousand  
eight hundred and eighty-four, in the day time of the said day, at the Ward, City and  
County aforesaid, with force and arms, a watch of the

value of ten dollars

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

Peter B. O'Brien,  
District Attorney.

12/31  
Police Court-- District. 1736

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Joseph Gualbert.  
vs.  
Dr. L.  
Attendant's Hospital.  
1  
2  
3  
4

1884

offence  
Gunn Person.

Dated April 23, 1884

Whole Magistrate.  
Martin Munn. Officer.  
2nd Precinct.

Witnesses  
John J. Gualbert.  
No. 1083. Street 5th  
April 23rd  
No. 1083. Street 5th  
No. 1083. Street 5th

Street,  
Street,  
Street,  
Street,

to answer

Com

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 April 3 1887 Wm. H. Welch 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.*

06 12

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

*Edward Thompson* 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. *Edward Thompson.*

Question. How old are you?

Answer. *19 Years.*

Question. Where were you born?

Answer. *England.*

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

Answer. *44 Forsyth Street 6 Months*

Question. What is your business or profession?

Answer. *Miner*

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.*  
*Edward Thompson*

Taken before me this *23*  
day of *April* 188*8*  
*Wm. H. McKe*  
Police Justice.



06 13

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 25 years, occupation Sequin Maker of No.

603 East 5th

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Joseph. Esselbach,

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

Sworn to before me, this 3<sup>rd</sup>

day of April 188 8

Julius Jacobs

Wm. H. H. H.

Police Justice.

06 14

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK } ss.

of No. 54 Avenue C Street, Appt. 82 Regar Market  
being duly sworn, deposes and says, that on the 1<sup>st</sup> day of April 1888

at the Plot Grounds 110<sup>th</sup> Street & 5<sup>th</sup> Avenue City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession and  
Person of deponent in the day time with intent to deprive the true  
owner thereof  
the following property, viz :

One Silver Watch of the Value  
of Ten 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 Edward Thompson (nomine)

from the fact that deponent is informed  
by Julius Jacobs that he saw the said  
Thompson take steel and carry away  
said property from the left hand pocket  
of the vest then on deponents person  
and deponent saw the said Thompson  
have said property in his hand and  
deponent took said property from  
said Thompson.

Joseph Esselbach

Sworn before me this

11<sup>th</sup> day of April  
1888  
at New York  
Police Justice,

06 15

BOX:

137

FOLDER:

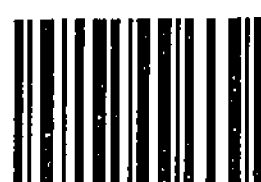
1419

DESCRIPTION:

Thompson, Rosa

DATE:

04/15/84



1419



Witnesses:

Mary E. King  
209 W 22<sup>nd</sup> St

89

Counsel,  
Filed *15* day of *April* 188*8*  
Pleads

THE PEOPLE  
vs. *144* *T*  
*Rosa Thompson*  
Grand Larceny *1st* degree  
[Sections 528, 58 Penal Code]

PETER B. OLNEY,

District Attorney.

*In Apr 16 1888*  
*M. E. King*  
**A True Bill.**  
*Pen: One year.*  
*John M. Olney* Foreman.

06 16

06 17

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

Rosa Thompson

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

— Rosa Thompson —  
of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said Rosa Thompson —

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

two knives of the value of one  
dollar each, one napkin-ring  
of the value of two dollars,  
fifty six stereopticon views  
of the value of fifty cents each,  
four cups of the value of fifty  
cents each, four saucers of the  
value of fifty cents each, three  
drinking glasses of the value of  
fifty cents each, and one hundred  
and fifty instruments of the kind  
known as postage stamps, being  
then and there unsatisfied, and of  
the value of two cents each —  
of the goods, chattels and personal property of one George E. King.

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.

Peter B. Olney,  
District Attorney.

06 18

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

89  
Police Court-12 District.  
12-5-7

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Mary L. King  
vs. Rosa Thompson  
Offence Larceny

Dated April 11 1888

Matthew Magistrate.

William Officer.

10" Precinct.

Witnesses Henry Wittin

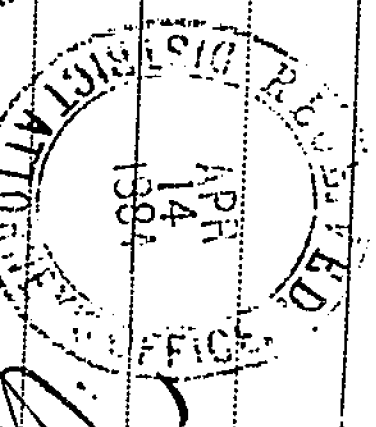
No. 10 West 10th Street

No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_

\$1000 to answer Sessions.

to answer Sessions.



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 \_\_\_\_\_

Rosa Thompson

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 April 11 1888 J. M. Patterson Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ 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 \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.



06 19

Sec. 198—200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Rosa Thompson* 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.

*Rosa Thompson*

Question. How old are you?

Answer.

*25 years 9 ages*

Question. Where were you born?

Answer.

*New Jersey*

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

Answer.

*209 West 22 St. about 14 months*

Question. What is your business or profession?

Answer.

*Sewant*

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.*

*Rosa Thompson*  
*(Mark)*

Taken before me this

day of

*April*

*1908*  
*James J. Quinn*  
Police Justice.

0620

2 District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK } ss.

*Mary C. King, aged 47 years,*  
 of No. *209 West 22<sup>d</sup>* Street, *Housekeeper*  
 being duly sworn, deposes and says, that on the *11<sup>th</sup>* day of *April* 188*4*  
 at the *day time in the City* City of New York,  
 in the County of New York, was feloniously taken, stolen and carried away from the possession  
 of deponent *with intent to deprive the true owner thereof,*  
 the following property, viz :

*Two Pearl handled Dessert Knives, one  
 silver plated Baptism ring, fifty-six  
 Stereopticon views, four Turkish cups  
 & saucers, three cut glass goblets and  
 three dollars worth of postage stamps,  
 said property being in all of the value  
 of thirty dollars*

Subscribed and sworn to this

day of

the property of *deponent and her husband,*  
*George C. King*

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 *Rosac Thompson, now*

*here, from the fact that said  
 defendant was then a servant  
 in deponent's family and had  
 access to said property. That after  
 the time of the larceny deponent  
 found the two Pearl handled Knives  
 concealed under her dress in  
 her bosom, and the remainder  
 of said property packed away in  
 a drawer of which said defendant  
 had the exclusive use, and*

Remar-James,

188-

0621

She then admitted stealing said  
property in the presence of officer  
Henry Attkin (here present)  
Sworn to before me this } Mary E. King  
11<sup>th</sup> day of April 1884  
J. M. Patterson  
Police Justice

District Police Court.

THE PEOPLE, &c.		AFFIDAVIT - Larceny	
ON THE COMPLAINT OF			
JAMES G. COLEMAN			
vs.			
JAMES G. COLEMAN			
Dated		188	
Magistrate.		Officer.	
Witnesses:			
Disposition			



0622

BOX:

137

FOLDER:

1419

DESCRIPTION:

Tierney, Patrick

DATE:

04/28/84



1419

25  
Christian's Bulletin  
Office S.B.S.

✓  
228  
Day of Trial, *Carver*  
Counsel,  
Filed *28* day of *April* 188*4*  
Pleads *Magistrate (29)*

THE PEOPLE  
vs.  
*P*  
*Patrick Tierney*  
*W. J. Tierney*

(3125)  
Assault in the Second Degree.  
(Resisting Arrest.)

PETER B. OLNEY,  
~~JOHN JACKSON~~  
District Attorney.  
*May 16 1884*  
A True Bill.  
*John H. Olney*  
Foreman.  
*May 5 1884*  
*2. 2. 6 mms*  
*May 12 1884*

POOR QUALITY  
ORIGINAL

0623

0624

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Baruch Eisman*

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

*Baruch Eisman*

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

The said *Baruch Eisman*

late of the City and County of New York, on the *twenty-fifth* day of *April* in the year of our Lord one thousand eight hundred and eighty-four, at the City and County aforesaid, with force and arms feloniously made an assault in and upon one *Christian Miller*

then and there being a *patrolman* of the Municipal Police of the City New York, and as such *patrolman* being then and there engaged in the lawful apprehension of *the said Baruch Eisman* for *some crime to which Grand Jury aforesaid returned* and the said *Baruch Eisman* him, the said

*Christian Miller*

then and there feloniously did beat, strike, wound and otherwise ill-treat, with intent then and there to prevent and resist the lawful apprehension of *himself* as aforesaid, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

PETER B. OLNEY,

~~JOHN McKEON,~~

District Attorney.



0625

Police Court—First District.

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

of ~~the~~ the Steamboat Squad Police Christian Miller aged 65 Street,

on Monday the 21<sup>st</sup> being duly sworn, deposes and says, that  
day of April  
in the year 1884, at the City of New York, in the County of New York,

he was violently ASSAULTED and BEATEN by Patrick Tierney (now here)  
who struck deponent several blows on the  
face with his fists knocking deponent down  
and while down he kicked deponent several times  
on the body said assault was committed while deponent  
was in uniform and in discharge of his duty as a Policeman  
of the municipal police of said city, 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 the above assault, &c, and be dealt with according to law.

Sworn to before me, this

day of April 21<sup>st</sup> 1884

Christian Miller  
POLICE JUSTICE.

0626

Answered  
June 29<sup>th</sup>/85.  
R. B. Su.

0627

**State of New York.**

*Executive Chamber,*

Albany, MAY 6 1888

Sir: Application having been made to the Governor for the pardon of Alrick Tierney, who was sentenced on May 16 1884, in your County, for the crime of Assault with for the term of 2 years and 6 months to the State Prison Penitentiary, you are respectfully requested (in pursuance of § 695 of the Code of Criminal Procedure, ~~Chapter 340, Laws 1847~~) to furnish the Governor with a concise statement of the case as proven on the trial, together with any other facts or circumstances which may have a bearing on the question of granting or refusing a pardon. Be pleased, also, to state the previous character of the convict. An opinion is respectfully requested.

Each letter of inquiry from this Department should be answered on a separate sheet.

Very respectfully yours,

David B. Hill Governor.  
By Edmund J. Martin EXECUTIVE CLERK.  
To Hon. V. C. B. Martine District Attorney, &c.



0628

San Mary 2/7/88

0629

**State of New York.**

*Executive Chamber,*

Albany, MAY 6 1885

Sir:

I have the honor to inform you that an application has been made to me for executive clemency on behalf of Frederick Tierney, who was convicted before you of the offense of Assault with a Knife, in the county of Albany, and sentenced Dec. 16 1884 to imprisonment in the Albany Prison — County Penitentiary, House of Refuge, State Reformatory for the term of 2 years and 0 months, and to pay a fine of \$                    

You are respectfully requested, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, to give me your opinion of the merits of the application, together with a concise statement of the facts and circumstances as developed upon the trial or upon the preliminary examination, or before the Coroner's Jury, if no trial was had, and of any other matters which may have come to your knowledge since the conviction, which may have a bearing upon the question of extending or refusing executive clemency.

Each letter of inquiry from this Department should be separately answered.

Very respectfully,

David B. Hill

Governor.

By

Edwin Brown

Executive Clerk.

To Hon. H. Smith

0630

BAILED.  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

228  
1283  
Police Court - 11th District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Christian Mullen  
vs.  
Patrick Tierney  
1884  
OFFICE  
Assault  
2 degree

Dated 21 April 1884  
P. J. Tierney Magistrate.  
Officer, J. M. Tierney  
Precinct, 898.  
Witnesses, J. J. Tierney  
No. \_\_\_\_\_ Street, \_\_\_\_\_  
No. 100 of 100th Street,  
No. 570 to answer General  
Curtis

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 Patrick Tierney

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 21 April 1884 P. J. Tierney 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.



0631

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, ss.

1 District Police Court.

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

Question. What is your name?

Answer.

*Patrick Tierney*

Question. How old are you?

Answer.

*26 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*Jersey City about 5 years*

Question. What is your business or profession?

Answer.

*Carpenter*

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 do not know any  
thing about it  
Patrick Tierney*

Taken before me this

day of

*March 1884*

Police Justice.

0632

BOX:

137

FOLDER:

1419

DESCRIPTION:

Twaddle, Abraham

DATE:

04/21/84



1419

Witnesses:

Mary Adamson  
332 E. 119 St.

150 CH Johnson  
Counsel, Sue Schley  
Filed 21 day of April 1884  
Pleads McMillen

THE PEOPLE  
J. E. 1st  
J. E. 2nd  
Abraham  
Twaddle

PETER B. OLNEY,  
WHEELER H. PECKHAM,

District Attorney.  
12 May 1884  
pleaded guilty  
A True Bill.  
12 May 8/84 -  
13 days to plead in 1st term  
John N. Stock Foreman

12 May 1884  
pleaded guilty.  
May 6 Pen 9 months

POOR QUALITY  
ORIGINAL

0633



0634

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Abraham Swadde

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

Abraham Swadde

of the CRIME OF PETIT LARCENY, committed as follows:

The said Abraham Swadde

late of the First Ward of the City of New York, in the County of New York aforesaid,  
on the ~~Eight~~ day of April in the year of our Lord one  
thousand eight hundred and eighty~~four~~ at the Ward, City and County aforesaid,  
with force and arms,

one gold coin of  
the United States of  
America of the kind  
known as double-  
eagles, of the value of  
twenty dollars.

of the goods, chattels and personal property of one John  
Adams 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.

Peter B. Olney  
District Attorney

0635

2100000000

0636

J. W. PITNEY & CO.,  
CARRIAGE BUILDERS,

458 & 460 Third Avenue,  
Bet. 31st & 32d Sts.

New York, May 1<sup>st</sup> 1887

Mr Adams.

I shall not be able  
to attend Court with you on Tuesday  
as I am very unexpectedly called East to  
attend the funeral of a sister and shall be  
absent the most of the week and if you  
can show the following to Mr. [unclear]

In January Abraham Lucadela came  
to work for Mr. [unclear] and on the 11<sup>th</sup> inst.  
I gave him ten (10) dollars to buy some  
goods. He did not buy them nor return  
the money neither have I seen him,  
since to give any account of himself.

D. J. [unclear]  
book keeper for J. W. P.



0637

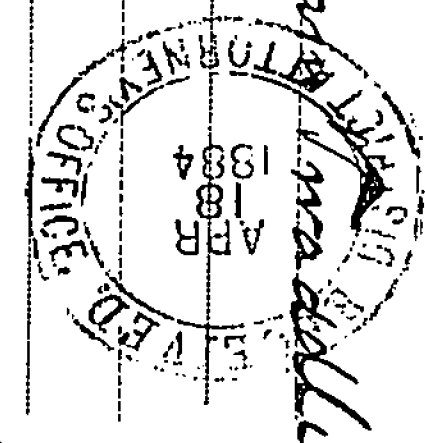
BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

Police Court 5 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry Adenauer  
372 8119

Abraham Traddie



Offence Petit Larceny

Dated Apr 17 1884

J. C. Reilly Magistrate.

Geo W Howard Officer

12 Precinct.

Witnesses \_\_\_\_\_

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

§ 514 to answer \_\_\_\_\_

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 Abraham Traddie

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 Apr 17 1884 Samuel C. Reilly 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.

0638

City and County of New York, ss.:

POLICE COURT 5 DISTRICT.

THE PEOPLE,

On Complaint of

Mary Adamson

For

P. L.

Abraham Twaddle

After being informed of my rights under the law, I hereby ~~waive~~ <sup>demand</sup> a trial, by Jury, on this complaint, and my right to make a statement in relation to it 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 Apr 17 188 4

Abraham Twaddle

Samuel C. Kelly Police Justice.

0639

Sec. 198—200

CITY AND COUNTY }  
OF NEW YORK, } ss.

5 District Police Court.

*Abraham Traddle* 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. *Abraham Traddle*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *213 E 121<sup>st</sup> St* *9 mo*

Question. What is your business or profession?

Answer. *Blacksmith*

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* *Abraham Traddle*

Taken before me this *17*

day of *April*

188*8*

*Joseph C. Kelly*  
Police Justice.



0640

5th

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY  
OF NEW YORK, } ss.of No. 322 East 119th Street, Mary Adamsonbeing duly sworn, deposes and says, that on the 5th day of April 1884  
at the \_\_\_\_\_ City of New York,in the County of New York, was feloniously taken, stolen and carried away from the possession  
deponent in the night time

the following property, viz :

good and lawful money consisting  
of a piece of gold coin of the  
denomination and value of  
Twenty dollarsthe property of deponent and her husband John  
Adamson

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 Abraham Traddle (now here)That deponent gave said money to said  
defendant to have changed in said  
date. That deponent did not see said  
defendant until he was arrested April  
1884 by officers Ross & HeardDeponent says that said defendant  
did not return said gold piece or  
the change thereof. Wherefore she charges  
said defendant with feloniously stealing  
and carrying the same off as proved  
Mary Adamson

Sworn before me this

17 day of April

1884  
Police Justice,

0641

**BOX:**

137

**FOLDER:**

1419

**DESCRIPTION:**

Vanghn, Edward

**DATE:**

04/02/84



1419

Witnesses:  
Patrick McEntire

33V  
Cochran X

Day of Trial,

Counsel,

Filed, 2 day of April 1884  
Pleads Not Guilty

THE PEOPLE

vs.

P

Edward Vaughn

W. B. O'Neil

Assault in the First Degree.

PETER B. OLNEY,

District Attorney.

May 8th

Speed of Court of

A TRUE BILL

Calvin B. Kinn

Foreman.

24m 6m 17

Monday April 24 1884

May 2 1884

POOR QUALITY  
ORIGINAL

0642



0643

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*Edward Vaughan*

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

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

The said *Edward Vaughan*

late of the City of New York, in the County of New York, aforesaid, on the *Second* day of *March* in the year of our Lord one thousand eight hundred and eighty *four* with force of arms, at the City and County aforesaid, in and upon the body of *Patrick McSwinee* in the peace of the said people then and there being, feloniously did make an assault and *in* the said *Patrick McSwinee* with a certain *knife* which the said *Edward Vaughan*

in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound with intent *in* the said *Patrick McSwinee* 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

*Edward Vaughan*

of the CRIME OF Assault in the Second Degree, committed as follows:

The said *Edward Vaughan*, late of the City and County of New York, 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 *Patrick McSwinee* then and there being, feloniously did, wilfully and wrongfully, make an assault and *in* the said *Patrick McSwinee* with a certain *knife* which the said *Edward Vaughan*

*Vaughan* in *his* right hand then and there had and held, the same being an instrument likely to produce grievous bodily harm, feloniously did, wilfully and wrongfully then and there beat, strike, stab, cut 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.

PETER B. OLNEY,

JOHN McKEON, District Attorney.

0644

Police Court 11 District.

1229

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Edw. M. White*

*208 E 59*

*Edmund Chapman*

1  
2  
3  
4

*Delonious A. B.*

Dated *March 29* 188*4*

*John M. Maltby* Magistrate.

*John Maltby* Officer.

Precinct.

No. 4, by

Residence

Street.

No. 3, by

Residence

Street.

No. 2, by

Residence

Street.

No. 1, by

Residence

Street.

Witnesses *Alfred Chapman*

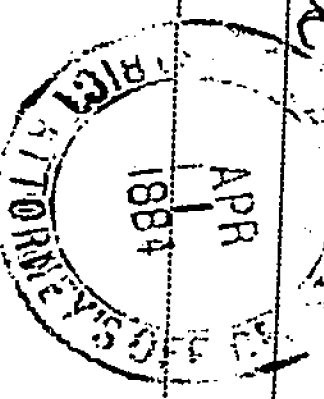
No. *Unitarian* Street.

No. *70 St. Leonard St.*

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

*John M. Maltby* Sessions.



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

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

Dated *March 29* 188*4* *John M. Maltby* 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.

0645

Sec. 198-200

✓ District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Edward Vaughan* 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.

*Edward Vaughan*

Question. How old are you?

Answer.

*18 years.*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*3249 East 60th 6 years*

Question. What is your business or profession?

Answer.

*Driver*

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

Answer.

*I am not guilty of the charge Edward Vaughan*

Taken before me this

day of

1884

Police Justice.



0646

POLICE COURT 4 DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*John J. Malloy*

*Edward* vs. *Baughman*

AFFIDAVIT.

Dated

*March 3*

188

*Welde*

Magistrate.

*Malloy*

Officer.

Witness,

Disposition

*Committed to*

*await receipt of injuries*

*The Justice presiding  
at the 4th Dist. Police  
Court will please hear  
and determine this case  
as Justice  
Police Justice*

*delivered by J. J. Malloy on  
March 3rd 1884  
Darius McEntee*

0647

POLICE COURT, \_\_\_\_\_ DISTRICT

of No. Mr S. J. Hume Street, being duly sworn, deposes and says,

that on the 22<sup>nd</sup> day of March 1884

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

at the City of New York, in the County of New York, he arrested  
Edward Vaughan now present  
charged with feloniously cutting  
and wounding one Patrick McEntee  
upon his neck with some sharp  
instrument & inflicting injuries of such  
a serious character as to necessitate  
his removal to Hospital - That in  
deponents presence the wounded man  
identified the defendant as the person  
who did so cut & wound him & deponent  
asks that Vaughan may be dealt with as the  
law directs  
John J. Molloy.

Sworn to defend me, this

07

188

July

M. M. M. Police Justice

0648

Presbyterian Hospital  
March 5<sup>th</sup>. 84

To whom it may concern:  
This will certify that  
Patrick McAuliffe is  
still under treatment here.  
His condition is not quite  
so favorable as on Monday  
last, but yet his condition  
is not dangerous, and  
unless complications set  
in he will soon recover.

Alpheus Freeman  
House Surgeon



POOR QUALITY  
ORIGINAL

0649

Presbyterian Hospital  
March 3<sup>rd</sup>. 84

This will certify that  
Patrick McDutcht was  
brought here last night  
suffering from a wound  
of the neck.

He is still a patient here and  
is out of danger unless  
some complication  
occurs

Alpheus Freeman M.D.  
House Surgeon

POOR QUALITY  
ORIGINAL

0650

Presbyterian Hospital  
March 7<sup>th</sup> 44.

This will certify  
that Patrick McAuliffe  
is somewhat better  
than on the 5<sup>th</sup> inst.  
He will in all  
probability recover  
unless some unforeseen  
development occurs.

Alpheus Freeman M.D.  
House Surgeon.

0651

Presbyterian Hospital  
March 11<sup>th</sup> 84

To whom it may concern:

Patrick McAtee is  
still a patient here and  
I am still unable to  
report him as out  
of danger

A. Freeman M.D.  
House Surgeon -



0652

Presbyterian Hospital  
March 13<sup>th</sup> 84

To whom it may concern:

This will  
certify that Patrick  
McAntee is still under  
treatment here for a  
wound of the neck.

He has just recovered from  
an attack of profuse secondary  
haemorrhage, and the  
chances of recovery are better  
than they were one week  
ago, but I am not  
able to pronounce him  
out of danger

Alpheus Freeman M.D.  
House Surgeon

0653

Presbyterian Hospital,

70th ST. AND MADISON AVE.

New York, *Mar 17* 1884

To whom it concerns —

Patrick McIntee is progressing  
very well at present. He  
is not out of danger.

A. Freeman M.D.  
Head Surgeon

0654

Presbyterian Hospital,

70th ST. AND MADISON AVE.

New York, March 19 1884

To whom it may concern:

This will certify  
that Patrick McIntee is  
rapidly improving -  
I will probably be  
able to pronounce him  
out of danger in  
a few days, if no  
unfavorable change  
occurs -

A. Freeman  
House Surgeon



0655

Presbyterian Hospital,

70th ST. AND MADISON AVE.

New York, *March 21<sup>st</sup>* 188*4*

To whom it concerns-

This will  
certify that Patrick  
McIntee is now  
practically out of danger  
and if everything goes  
well I expect he will  
be out in a short  
time.

A. Freeman  
House Surgeon

0656

Presbyterian Hospital,

70th ST. AND MADISON AVE.

New York, March 25 188 4

To whom it may concern:  
This is to certify that Patrick McFater  
is out of danger  
and will be able  
to leave the hospital  
in a few days.

A. Freeman  
House Surgeon

0657

Police Court—<sup>16</sup> District.

CITY AND COUNTY  
OF NEW YORK, { ss.

of No. <sup>28 from</sup> *Patrick M. Intee* Street,

*Sunday* the *20* day of *March* being duly sworn, deposes and says, that

in the year 188 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

*Edward Vaughan (corpus)*  
*who willfully maliciously*  
*and feloniously cut and*  
*stabbed this deponent on*  
*the throat with a*  
*razor then and there*  
*held in the hand of*  
*the said defendant*

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

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

Sworn to before me, this

of

day

188

*March 29* *Patrick McIntee*  
*P. J. McGuffey* POLICE JUSTICE.



0658

Testimony in the  
Case of  
Edward Vaughan  
filed April

1884.

47  
 The People } Court of General Sessions. Part I.  
 v. Edward Vaughn } Before Recorder Smyth. May 8<sup>th</sup>, 1884.  
 Indictment for assault in the first degree.

Patrick McIntee, sworn. I live at 208 East Fifty Ninth St. and lived there on the 2<sup>nd</sup> of March last on the top floor front; we have three rooms - myself and wife. The time this occurred my wife was in bed with her little sister when her mother came into the room between 9 and 10 o'clock at night. I went into the middle bed room to save this little girl. I had been asleep on the lounge in the front room. I went into the rear room on account of the mother pulling the little girl out of the bed; she is about 13 years old; it must have been about 8 o'clock when my wife and her little sister went to bed. I said to her mother, "Don't be pulling the girl that way, you will hurt her." I then felt the hand on my forehead, my head drawn back, and I got the slash of the razor. My brother-in-law Edward Vaughn did it. He came in after the mother. I had seen him just before my head was pulled back; he was in the kitchen. I saw the razor in his hand. He cut me on the left side of the neck. My mother-in-law and the prisoner did not

0660

occupy those rooms at that time. They lived in Sixtieth St. between First and Second Aves. They did not come there that night by my invitation. After the cutting I turned around and said, "Eddie, now you are satisfied." He said, "yes, I will give you another one. I said, "Don't." As soon as I put my hand up those two fingers run in the cut and then I took my hand that way and I closed the cut up; my wife jumped out of bed and my mother-in-law commenced to halloo; the little girl commenced hallooing and the man next door went for an officer. The prisoner stood in the ~~room~~<sup>kitchen</sup> all the time; he cut me in the bed room. He was arrested about five or ten minutes afterwards. I was taken to the Presbyterian hospital on the 2nd of March between 9 and 10 o'clock and remained there until the 28th. Cross Examined. My mother-in-law came with the intention of taking the little girl home; the girl came to our house that Sunday afternoon about half past one o'clock. She slept nights in our house before that. The prisoner's mother came in first and he came immediately after. I am a cattle driver. I had done or said nothing to the prisoner or his mother before I was hurt.



0661

Adolphus Freeman sworn. I am a physician attached to the Presbyterian hospital in this city. Patrick McIntee was a patient there. I had charge of him; he had a wound running transversely across the neck; when I saw the wound it was sewed up I could not tell you its depth. It was a dangerous wound and apparently made with a sharp instrument. He was under my treatment from the 2<sup>nd</sup> to the 28<sup>th</sup> of March. Catherine McIntee sworn. I am the wife of the complainant and resided with him on the 2<sup>nd</sup> of March. I occupied the parlor room that night. I went to bed about 1/2 to 9 with my sister. I believe she is twelve years old. I was awakened that evening. My husband was lying on the lounge in the front room when I went to bed. I was awakened by the noise. My mother pulled the child out of bed. I just turned around and I saw my husband bleeding. I heard nothing that took place before that. I was awake two or three minutes before I discovered my husband bleeding. The noise of my mother illusing the little girl woke me up. My brother was in the kitchen after the cutting. I jumped out of bed and grabbed hold of my brother

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I held him with a razor in his hand.  
My mother ran to the window and she  
halloed "murder" two or three times. My  
brother ran after her, took hold of her by the  
throat and threw her down on the floor  
and said that he would cut her throat,  
as well as Paddy's, that is, my husband's.  
My sister ran down stairs for an officer  
and I held him till the officer came.  
Cross Examined. I saw or heard of nothing  
pass between my husband and brother.  
I drank two glasses of ale that day for my  
chinner and nothing but ale. I was not  
under the influence of drink when I went  
to sleep. I immediately jumped out of bed  
after the child was taken out <sup>effect</sup> by its  
mother. I saw my brother in the front  
room while I was in bed. When I went to  
bed that night the prisoner was not in  
the house, but he was there before that, he  
came there about five o'clock and stayed  
about 10 or 15 minutes and said he would  
come back again. I did not see him  
again till I saw my husband bleeding.  
I did not notice my mother in the bed-  
room. I heard no outcry before I got up.  
The only outcry I heard was my mother  
halloeing "murder" out of the window.



0663

Kate Vaughn, sworn and examined for the defence testified. I am the mother of the prisoner and lived in the State about 18 years. I was in the apartments of my son-in-law on the night of the 2<sup>nd</sup> of March. I went in between ten and eleven o'clock. I wanted to get my little girl whom McIntee refused to give me. He opened the door for me. I went into the bed room and took hold of my little girl. I found McIntee's wife lying very drunk; she had a black eye, she had her clothes on. I found my little girl lying near her, her clothes on just the same. McIntee was behind my back watching to see what I wanted. I took hold of my little girl without asking anybody's liberty and insisted she shall come home with me. McIntee's wife held her tight, and he (McIntee) came and took hold of me by the hair of the head. The little girl is going on 13. Mrs. McIntee is my eldest child; the prisoner will be 18 soon. McIntee took me by the hair of the head and immediately pulled me to the ground, pulled me along the floor and swore a terrible oath that he would put me out of the window and blow my brains out on the sidewalk.



0664

if I did not leave her - she belonged to him in the future and I should have no claim upon her. He pulled me close to the window and he reached his hand and pushed the window open to pitch me out. He kicked me severely in the sides and back and if he had his shoes on he would have severely hurt me, but he was in his stocking feet. "Eddie," the prisoner, took hold of him and he said, "McIntee, that is my mother, she is not very strong, don't hit her so heavy." McIntee made an attempt to bite him in the hand. I do not know whether he did or not, and in a few minutes after I found a sudden relief and stood up and I saw McIntee bleeding. McIntee's wife came up immediately and said to her brother, "You cut me too," taking hold of his hand with the weapon in it. I could not say if it was a knife or a razor, it was found on the floor next morning. My son called for an officer. I was not thrown down by my son; he did not threaten to cut my throat; he sat on a chair quite helpless and waited till the officer came. He was very much excited indeed.

0665

Ellie Vaughn sworn. I was in my brother-in-law's house the night of this trouble. In the morning my mother asked my brother-in-law could I go home? He said no, that he would knock her head and my sister's head against each other, that I belonged to him. In the night time I was in bed when she came and asleep; she caught hold of me and said, "Ellie, come home." My brother-in-law ran in the bed room after her and caught her by the hair and knocked her down. He dragged her from the bed room to the kitchen, said a very bad word, and said that he would not let go of her till he would put her out of the window. Then my brother Eddie said, "Paddy, let go of my mother, for she is not strong, don't pull her." He attempted to make a punch for her and as he did Eddie cut him in the throat. He lifted up the window and was going to throw her out. Mc Intee and his wife drank beer and brandy that day; she had a black eye and staggered. At the time my mother caught hold of me and pulled me out of bed. Mc Intee was behind her and had hold of her hair. They said I should not go home, I belonged to them.



0666

Edward Vaughn sworn. I went over on this night with my mother to get my sister. She went into the bed room and took hold of my little sister to fetch her out. My married sister caught hold of my little sister and said she should not go. My mother pulled and she let go and my little sister fell on the floor. Then my big sister jumped up and so did McIntee who was sitting on the lounge at the time. He caught hold of my mother and he pulled her by the hair into the room, saying, that he would be sure to crack her neck out of the window this time, so he could have full charge of my sister. I got up and caught hold of him and said, "Mr. McIntee, wont you please let go of my mother." He said, "no," and turned round to beat me. I had a razor in my pocket and I said, "Paddy, if you dont let go of me, I will cut you." He said, "I will let go when she will drop to the ground." I turned around and cut him. I got that razor from a young man that afternoon to shave myself with. It is not true what my married sister says that I threw my mother on the floor and threatened to use the razor on her.



0667

Patrick Mc Intee and his wife were recalled and contradicted the statements of the witnesses for the defence.

Officer John J. Malloy testified that he arrested the prisoner shortly after ten o'clock in Mc Intee's room. Mc Intee had a severe cut in the throat. I searched the prisoner and found a razor and asked him why he cut the man? He said he did not know he did it until it was done. He made no charge against the complainant for abusing his mother, but his sister.

The jury rendered a verdict of guilty of assault in the second degree with a recommendation to mercy. He was sent to the State prison for ~~the~~<sup>two</sup> years and six months.