

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 27th 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 Ketchum.
Chief Dist. Attorney.
Ar. 2 Bailed by
Leonard Branding
169 Third Avenue.
Patrick Murray
157 West 10th St.

1914
1910

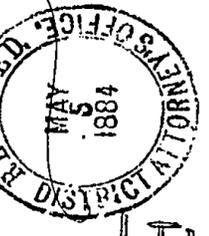
(11) 310
Day of Trial,
Counsel,
Filed 28th day of April 1884
Pleads

THE PEOPLE
vs
Mary Thomas
(2 cases)
Elliott Egerton
(6 cases)
Keeping a Bawdy House.

PETER B. OLNEY,
JOHN McKEON

P.H. Dec. 9/99 District Attorney.
on motion of bail. a. t. p.

A True Bill.
Judgment Dismissed
against both Defs.
See Indt. No. 1309
Foreman.



134

POOR QUALITY ORIGINAL

0602

On reading the affidavits filed with the indictments against the defd. out, charging him with keeping and maintaining a Disorderly House and Bawdy House or a House of Ill Fame, It is deemed that the defendant be discharged and that the within indictment be dismissed.
Saidry. Dec 9/99
D. W. T. Chas.
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 *first* 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 *first* 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 *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 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 *1st* day of *April* in the year of our Lord one thousand eight hundred and eighty *5* 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.

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

Bail fine & join as to
Edwards warrant
involvement
Mellay 17. 84
My pocket
address book

W.P. / 13th Apr 28 1917
(II) / 310

Day of Trial,
Counsel,
Filed 28 day of April 1884
Pleads

THE PEOPLE
vs.
Mary Thomas
(2 cases)
vs B
Elliott Boston
(6 cases)

PETER B. O'NEIL,
JOHN MCKEON,

P.H. Dec. 9/97
District Attorney.
on Motion of Dist. Atty.
A True Bill, In district
against inter. Defs.
See Indt No 1309

John Foreman
RECEIVED
MAY 3 1884
DISTRICT ATTORNEY'S OFFICE

Keeping a Bawdy House.

POOR QUALITY ORIGINAL

0605

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

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
Elliott Egerton

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

Elliott 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 Elliott Egerton

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows: The said Mary Thomas and Elliott 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

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*

and Elliot Egerton

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

The said *Mary Thomas*

and Elliot Egerton

late of the *20th* Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the *26th* 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

0609

23 ✓

Witnesses:

Joseph Esselbach
574 Avenue C
Martin J. J. J.
Office 202 Occident

Counsel,
Filed 9
Pleads
C. J. Miller
dist. of Appeal
1884
M. J. Kelly

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

THE PEOPLE

vs.
Edward Thompson

19
H. J. J.
J. J. J.

PETER B. OLNEY,

District Attorney.

A TRUE BILL.

Foreman.

John M. Olney
A. J. J. J.
C. J. J. J.
J. J. J. J.

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. Olney,
District Attorney.

0511

12/2
Police Court - 3
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph Smallwood
57th St. E.

Admission Stamp
Dorothy
John Person

APR 3 1884
NEW YORK

Offence
from Person

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

Dated April 3rd 1884

Magistrate

Officer

Precinct

Witnesses

No. 1, by _____
Street _____

No. 2, by _____
Street _____

No. 3, by _____
Street _____

No. 4, by _____
Street _____

\$ _____ 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 _____

Edward Thompson

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 3rd 1884 _____ Police Justice.

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

Dated _____ 1884 _____ 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 _____ 1884 _____ 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. *Winnitch*

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 *12* day of *April* 188*8*
W. H. [Signature]
Police Justice.

0613

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 25 years, occupation Julius Jacobs.
Sequin Maker. of No. 603 East 5th Street, being duly sworn deposes and

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

Sworn to before me, this 3
day of April 1888 James Jaertz

Wm. H. Hudd
Police Justice.

06 14

D.

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY OF NEW YORK } ss.

of No. 54 Avenue C Street, Appt. 87 Regan's Market

being duly sworn, deposes and says, that on the 1st day of April 1888

at the Plot Grounds, 110th Street, + 5th 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 and carry away said property from the left hand pocket of the vest then on deponent's 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 1st day of April 1888 at New York Police Justice.

06 15

BOX:

137

FOLDER:

1419

DESCRIPTION:

Thompson, Rosa

DATE:

04/15/84



1419

06 16

89

Counsel,
Filed *15 April* 188*4*
Pleads

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

PETER B. OLNEY,
In Apr 16/84 District Attorney.
M. J. P. P.
A True Bill.
Pen: One year.
John N. Olney Foreman.

Witnesses:
Mary E. King
209 W 22nd St.

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.

0618

89
Police Court - 2
District. 1257

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary S. King
294 No. 221
Rosa Thompson

2
3
4
Offence Larceny

Dated April 11 1888

Matthew Magistrate
Cattin
Officer.

16 " Precinct.

Witnesses
Henry Wittin
No. 16 West 17th Street

No. _____ Street,
No. _____ Street,

No. _____ Street,
No. _____ Street,

No. _____ Street,
to answer Sessions,
C. Smith



No. _____ Street,
to answer Sessions,
C. Smith

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 under-
signed, 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 her 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 4 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
(Witness)

Taken before me this *11*
day of *April* 19*18*
James G. ...
Police Justice.

0520

2 District Police Court.

Affidavit—Larceny.

CITY AND COUNTY OF NEW YORK

ss.

Mary C. King, aged 47 years,
of No. 209 West 22^d Street, Housekeeper
being duly sworn, deposes and says, that on the 11th day of April 1884
at the day time in the 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
Steriptycon views, Jew & China cups
& saucers, three cut glass goblets and
three dollars worth of postage stamps,
said property being in all of the value
of thirty dollars

Statement of deponent

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

Property of

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

188-

Return for

Rosac Thompson, New
York, from the fact that said
deponent 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 deponent
has the exclusive use, and

0621

She then admitted stealing said property in the presence of officer Henry Atkin here present
Sworn to before me this 11th day of April 1884
J. M. Patterson
Police Justice

Printed by...

1884

Printed by...

District Police Court.

THE PEOPLE, &c.		AFFIDAVIT - Larceny	
ON THE COMPLAINT OF		JAMES W. COOPER	
Dated		188	Magistrate.
WITNESSES:		Officer.	
DISPOSITION		33	

0622

BOX:

137

FOLDER:

1419

DESCRIPTION:

Tierney, Patrick

DATE:

04/28/84



1419

POOR QUALITY ORIGINAL

0623

228 ✓

Day of Trial, *Carbone*

Counsel,

Filed *28* day of *April* 188*4*

Pleads *Not guilty (29)*

THE PEOPLE

vs.

P

Patrick Tierney

Chas. J. [unclear]

(B-28)
Assault in the Second Degree.
(Resisting Arrest)

PETER B. OLNEY,

~~JOHN MICKELSON~~

District Attorney.

A True Bill.

May 16 1884
John N. Olney

Foreman.

May 5 1884

L. J. [unclear]
May 12 1884

Christians Bulletin
Office S. B. S.

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

Cornelia Finney

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

Cornelia Finney

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

The said *Cornelia Finney*

late of the City and County of New York, on the *twenty* 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 Cornelia Finney* for *some crime to the Grand Jury aforesaid* and the said *Cornelia Finney* 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 Christian Miller aged 65
the Steamboat Squad Police Street,

on Monday the 21st 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

21st

1884

Christian Miller
POLICE JUSTICE.

0626

Answered

June 29th / 85.

R. B. Au.

0627

State of New York.

Executive Chamber,

Albany, MAY 6 1888

Sir: Application having been made to the Governor for the pardon of Patrick 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 310, 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.

To Hon. V. C. Martine District Attorney, &c.

EXECUTIVE CLERK.

0628

Jan May 27th

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 Patrick Tierney, who was convicted before you of the offense of Assault and Battery, in the county of Westchester, and sentenced Dec. 16 1884 to imprisonment in the Sing Sing Prison - County Penitentiary, House of Refuge, State Reformatory for the term of 2 years and 6 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. J. Smith

0630

228

Police Court - 1288
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Christian Miller

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence



Office Assault 2 degree

Dated

21 April 1884

P. J. Murphy Magistrate

St. Anthony Officer

St. Anthony Precinct

Witnesses *St. Anthony*

No. *St. Anthony* Street

St. Anthony

No. *St. Anthony* Street

St. Anthony

No. *St. Anthony* Street

St. Anthony

St. Anthony

St. Anthony

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. Murphy* 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

1 District Police Court.

CITY AND COUNTY }
OF NEW YORK, ss.

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 *9*
day of *August* 188*4*
[Signature]
Police Justice.

0632

BOX:

137

FOLDER:

1419

DESCRIPTION:

Twaddle, Abraham

DATE:

04/21/84



1419

POOR QUALITY ORIGINAL

0633

150 CH Johnson
Counsel, *Amie Schley*
Filed 21 day of *April* 1884
Pleads *Not guilty*

W. E. 1st 09
W. E. 1st 09
Abraham
Twaddle
Petit Larceny, and Receiving Stolen Goods.
(Sections 529, 532.)

PETER B. OLNEY,
WHEELER H. PECKHAM,

District Attorney.

12 May 1884
pleads guilty
A True Bill.
12 May 8/84 -
12 May 8/84 -
pleas to plea not drawn
John N. Stock Foreman

12 May 1884
pleads guilty.
May 9 on other

Witnesses
Mary Adamson
322 E. 119. St.

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 Swaddle

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

Abraham Swaddle

of the CRIME OF PETIT LARCENY, committed as follows:

The said Abraham Swaddle

late of the First Ward of the City of New York, in the County of New York aforesaid, on the 29th day of April in the year of our Lord one thousand eight hundred and eightyfour 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 Admison 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

Travellers

0636

J. W. PITNEY & CO.,
CARRIAGE BUILDERS,
458 & 460 Third Avenue,
Bot. 31st & 32d Sts.

New York, May 1st 1887

Mr Adams.

I shall not be able
to attend Court with you on Sunday
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 Adams

In January Abraham Lucadello came
to work for Mr Adams, and on the 15th of
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. Bennett
book keeper for J. W. P.

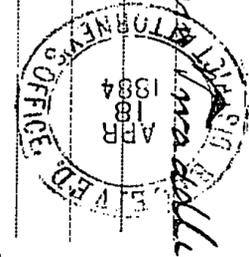
0637

Police Court - 5 District. 1275

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry Adelman
372 8119

Abraham Traddie



Offence Petit Larceny

Dated Apr 17 1884

J. C. Rully Magistrate

Room 44 Howard Offers

12 Precinct

Witnesses J. C. Rully

No. Street

No. Street

No. Street

to answer

Handwritten flourish

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 J. C. Rully 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

POLICE COURT 5 DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

Abraham Twaddle

On Complaint of *Mary Adamsen*
For *P.L.*

After being informed of my rights under the law, I hereby ~~wave~~ ^{demand} 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 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. *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 121st St 9mo*

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*
Samuel M. Kelly
Police Justice.

0640

5th District Police Court.

Affidavit—Larceny.

CITY AND COUNTY OF NEW YORK, } ss.

Mary Adanson

of No. 322 East 119th Street,

being 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 of 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 dollars

the property of deponent and her husband John Adanson

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 on said date. That deponent did not see said defendant until he was arrested April 1884 by officers Ross & Heard

Deponent 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 as aforesaid Mary Adanson

Sworn before me this

17 day of April

1884

Police Justice,

Sam'l Co. Kelly

0641

BOX:

137

FOLDER:

1419

DESCRIPTION:

Vanghn, Edward

DATE:

04/02/84



1419

POOR QUALITY ORIGINAL

0642

33V
Cocletto X

Day of Trial,

Counsel,

Filed, 2 day of April 1884
Pleads Not Guilty

THE PEOPLE

vs.

P

Edward Vaughn

11 P
1884

Assault in the First Degree.

PETER B. OLNEY,

District Attorney.

May 8th

Speed of Court of

A TRUE BILL

Calvin B. Knott

Foreman.

D. G. M. ...

Monday April 21st 1884

Witnesses:
Palk McEntire

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 *two* with force of arms, at the City and County aforesaid, in and upon the body of *Patrick McInerney* in the peace of the said people then and there being, feloniously did make an assault and *in* the said *Patrick McInerney* with a certain *rapor* 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 McInerney* 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 McInerney* then and there being, feloniously did, wilfully and wrongfully, make an assault and *in* the said *Patrick McInerney* with a certain *rapor* which the said *Edward*

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

1229
Police Court 4 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Patrick M. White
208 E 59
Edward Maguire

1
2
3
4
Office
Delonious A.M.B.

Dated *March 29* 188*8*

John M. Murphy Magistrate.

John M. Murphy Officer.
Precinct.

Witnesses *Alfred Thompson*

No. *1* *Anthony's Workshop* Street.

No. *70* *81st* *Madison* St.

No. _____ Street.

No. _____ Street.

Done to answer *5* Sessions.
Done



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 *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*8* *John M. Murphy* 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 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. *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. *374 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 *29*
day of *March* 188*4*
[Signature]
Police Justice.

0646

POLICE COURT 4 DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
John J. Malloy
Edward vs. Baughman

AFFIDAVIT.

*del. at 11:30 a.m. on
March 3rd 1884
Daniel McEntee*

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

Dated March 3, 1884

Weld Magistrate.

Malloy Officer.

Witness, Ed. McEntee

Disposition Committed to
await receipt of injuries

0647

STATE OF NEW YORK }
CITY AND COUNTY OF NEW YORK } POLICE COURT, DISTRICT

John J. Malloy
of No. *the 28th Precinct* Street, being duly sworn, deposes and says,
that on the *2nd* day of *March* 1884

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
deponent's 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. Malloy.

Sworn to before me this *2nd* day of *March* 1884
Wm. W. Weeks
Police Justice

0648

Presbyterian Hospital
March 5th. 84

To whom it may concern:
This will certify that
Patrick McAtee 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 Speman
House Surgeon

POOR QUALITY
ORIGINAL

0649

Presbyterian Hospital
March 3rd. 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 7th 44.

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

Alpheus Freeman M.D.
House Surgeon.

0651

Presbyterian Hospital
March 11th 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 13th 84

To whom it may concern:

This will
certify that Patrick
McIntee 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.
Head 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 McDutee 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 21st 1884

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 1884

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

A. Freeman
House Surgeon

0657

Police Court 4 District 10

CITY AND COUNTY OF NEW YORK, } ss.

of No. 278 East 59 Street,

Patrick M. Intee being duly sworn, deposes and says, that
on Sunday the 20 day of March

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 (deponent)

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 29 day

of March 188

Patrick McIntee

P. J. [Signature]

POLICE JUSTICE.

0658

Testimony in the
Case of
Edward Vaughn
filed April

1884.

0659

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

Patrick McJutee, sworn. I live at 208 East Fifty Ninth St. and lived there on the 2nd 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 halloing and the man next door went for an officer. The prisoner stood in the ~~room~~ ^{kitchen} 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 saw 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 Mc Intee 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 2nd to the 28th of March. Catherine Mc Intee sworn. I am the wife of the complainant and resided with him on the 2nd 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

0662

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 ^{before I saw him bleed} 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 ^{effect} 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
halloving "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 2nd 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.

0554

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, dont 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

Ella 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, "Ella, 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, dont 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 Mc Intee 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. Mc Intee, 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 ~~to~~ ^{two} years and six months.