

04 10

BOX:

204

FOLDER:

2039

DESCRIPTION:

Mulvihill, John

DATE:

01/08/86



2039

0411

Q.A. Cant
Counsel,
Filed
Pleads,
Vogel
day of June 1886

Robbery, second degree.
[Sections 224 and 229, Penal Code].

THE PEOPLE

vs.

John B. Mulvihill
Complainant can't
be found July 16/87

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

James H. Haggan Foreman
rest are on list
on received July 16/87
Camp & D. H. Haggan
21st April 1887

04 12

PART III.

THE COURT ROOM IS IN THE THIRD STORY.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To Peter Mahon
of No. 744 or 746 Greenwich Street,

GREETING:

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

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

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

RANDOLPH B. MARTINE, *District Attorney.*

0413

GLUED PAGE

General Sessions.

Sworn to before me, this 188 day of
deposes and says he
copy, upon
day of
State of New York,
and County of New York,
ss.
LE
out, please state the same to the District
a fact which you think material was
any word than was produced before
in the Court.
day.
attorney's

City and County of New York, ss.:

John W. Reilly being duly
sworn, deposes and says: I reside at No. 5 Bank
Street, in the City of New York. I am a subpoena server in the office of the District Attorney of the
City and County of New York. On the 21 day of April 1887,
I called at nos. 744 & 746 Greenwich Street

the alleged residence of Peter Mahon
the complainant herein, to serve him with the annexed subpoena, and was informed by the house-
keeper of both houses that she has
resided there for the past three years
and that she knows of no one by
that name in either house and
that the said Mahon does not
reside there and she don't know
where he can be found.

Sworn to before me, this

23

day

of

April

1887

Rudolph L. Schauf

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

John W. Reilly
Subpoena Server.

Court of General Sessions.

THE PEOPLE, on the Complaint of

Peter Graham

vs.

John B. Mulvihill

Offense

RANDOLPH B. MARTINE,
District Attorney.

Affidavit of

John W. Reilly

Subpoena Duces Tecum.

Failure to Find Witness.

0414

0415

Affidavit Wanted

PART I.

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

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

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To

Peter Mahan

of No.

744 Greenwich

Street,

3^d floor

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building in the Park of the said City, on the *21* day of *February* instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

John B. Mulvihill

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

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

RANDOLPH B. MARTINE, *District Attorney.*

05

PINK

04 16

GLUED PAGE

Court of General Sessions.

THE PEOPLE

vs.

John B. Mulvihill

City and County of New York, ss.:

John W. Reilly being duly sworn, deposes and says: I reside at No. *3 Bank Street*

Street, in the City of New York. I am a subpoena server in the office of the District Attorney of the

City and County of New York. On the *14* day of *February* 188

I called at *No. 744 Greenwich Street*

the alleged residence of *Peter Mahan*

the complainant herein, to serve him with the annexed subpoena, and was informed by *the* landlady that he had moved about 6 months ago but she does not know where to and that she has not heard of him since.

Sworn to before me, this *19* day of *February*, 188
Rudolph L. Schauf
COMMISSIONER OF DEEDS,
N. Y. CITY & COUNTY.

John W. Reilly
Subpoena Server.

Court of General Sessions.

THE PEOPLE, on the Complaint of

Peter Mahan

vs.

John B. Mulvihill

Offense

RANDOLPH B. MARTINE,

District Attorney.

Affidavit of

John W. Reilly

Subpoena Server.

Failure to Find Witness.

0417

0418

1st DISTRICT POLICE COURT.

THE PEOPLE,

ON COMPLAINT OF

Peter Mahan

agst.

John B Mulvihill

Examination had December 29th 188 ✓

Before Henry Murray Police Justice.

I, David C. Seltman Stenographer of the 1st District Police

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

the original Stenographer's notes of the testimony of John Curran

John Curran Patrick Mahan John B Mulvihill
Peter Mahan

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

Dated January 1st 188 6

Henry Murray
Police Justice.

David C. Seltman
Stenographer.

0419

First District
Peace Court

The People on the
Complaint of
Pete Monahan

vs
John D. McMichael

Before Hon.
Henry Murray
Peace Justice
December 29th 85.

Pete Monahan being duly
person appeared and says
I reside at 1241 North
Street and am a man about 35
years of age in front of the premises
number 35 on the sidewalk
I saw the person that stole my watch
it was the person that is here
now. I never knew him to speak
to me by sight 4 or 5 months
I had full view of him at the
time the occurrence took place
but I saw his face, I had been
after seeing a friend of mine
to the car and was going home
and when I got back to my house

0420

2
I saw a man going in the hallway
and a lot of boys around him and
I chased them away then he
pursued me his pockets. And suddenly
came out of the store and he asked
me what I said to the boy and
I said he was going through
a window for a shot. And as I turned
away from him he struck me
on the face and then went
away. He went away and I
was afraid to go on the
floor to see if there was
no person with me at the
time. I was surrounded
by boys around

Q At the time you were surrounded did
you have your revolver?
A Yes sir as soon as I went down
on the ground my watch was
taken from me. I was struck
on the right side the while I was
on the ground my watch was stolen
from me. The defendant kicked
me down and when I got up I saw
him running from me. He kept
me down and took my watch
from me. He held me down
on the ground. He put his hand
on my neck and my breast.
(witness describing) there was

0421

3

nobody else in the street within my
view this was about half past
11 o'clock. I am not sure of the
very exact time it was I think
however $\frac{1}{4}$ to 12 o'clock. I do not in
my complaint think it was between 11⁴⁵
30 minutes to 12, I never accused
anybody else of taking my
watch.

Sworn to before me
this 29th day of November 1888

Henry Murray Justice

0422

4

John B. Mitchell being duly
sworn deposes and says.

I live at 181 Grant Street
am 28 years of age and am a
liquor dealer. and have been in
business for many years for six
months. I worked for Mr. Bogan
on the Bowery for 10 years and was
aff. I have heard the charge made
against me against me and it is
not true. I did not touch him at
all. I struck him after he struck me
and on the night in question my bar
tender was away and I was standing
bar up to 11 o'clock and in looking
up the street through the window
I saw him and his boys were pub-
licly and shouting and I went out
to see what was going on and I asked
him what was the matter and he
says you know what the matter
and with that he struck me and I
struck him back and he put his
hands around my neck and I pushed
him off and I came in the store
and sat down and immediately afterwards
a boy came in the store and said a
body was across the street with his
revolver and he saw him take off
him and when the officer came
up he said show me the man

0423

✓
That I should you ^{and} be permitted to come
and be says and you must that be
I should you ^{and} be says you and
be a I should come.

I should be before come, for
this 39th day of December

Henry Murray for a justice!

0424

6.

Patron Mackin being duly
 known as per usual ways.
 I was at 133 Pratt Street and saw
 11 years of age and sell papers.
 I know Tom Tomlochill and I saw
 him this night and I saw the
 complainant. I saw a boy by
 the name of Woolly come up
 and to this man about the
 complainant about it I saw
 know the young fellow if I saw
 him Mr Melville was fighting
 with him and he knocked him down
 and 2 fellows came from across
 the street and took his coat and
 ran away with it; I didn't tell the
 officer about it I only told Mr
 Melville I would know the
 man if I saw him again the way
 he robbed him was this, Mr
 Melville was fighting with him
 and he knocked him down and two
 fellows from across the street
 ran over and took his coat from
 him and ran away
 Good Evening

I was with my mother the
 first person told of this was Mr
 Mellochill how I came to be out
 so late was because it was Chris-
 tmas evening and I was out and

0425

7

around for my mother. I went for
two cents worth of poetry at the
grocery store corner of the m. I don't
know who keeps it the way the
watch was taken was in this way.
Mr. Melochell witnessed this man doing
and then he went away and left him
lying on the ground. And he laid there
10 minutes and then I boys came
up and took his watch when he
lost his watch. He was lying down
and when the boys took his watch
he was standing up. Nobody was
with me when I took him the
watch was gone. I told my mother
about it after words I was arrested
once for playing out at night with
papers a couple of months ago
and I was arrested for stealing and
let go & then I was arrested again
twice

I was before me 1885
the 29th day of December

John Murray Police Justice

0426

8

John Brown being duly sworn
deposes and says

I live at 140 Mulberry Street
and am 11 years of age about 11
or half past 11 o'clock Christmas
Evening I was at 135 and 137 West St.
and while I was there a fellow came
over from Pasquale Mr Mulvihill
was fighting with this man and
knocked him down and this fellow
came over and took this watch from
him and ran away with it.
and he went down the alley in 137
and then into the common yard and
around to see if anybody was
coming Mr Mulvihill up to the
knocked him down went in the
store and did not take his watch I
would know the boy that took it
if I saw him again his name was
Woolby. I did not tell anybody about
it, only my father when I went
home.

Examined

Woolby took the watch and
ran away to the alley with it
at the time he took the watch
I was about 3 inches away from him
this man was lying down at the
time of the other boy said he
was standing up he was mistaken

0427

9

because he was lying down I was
with my brother at the time I saw
He is 12 years old going on 13
he saw a person afit when I was by
took the watch he ran half way
into the alley way he went into the
yard and ran away.

Given to be true and 1885
this 29th day of December.

Wm. H. H. H. Justice

0428

10

John McCann. being duly sworn deposes and says:

I am 34 years of age and I reside at 187 1/2 North. I recollect last Christmas Eve about 11:30 that night I was in Mrs. Mulvihill's place and he went out of the store because some boys came in and said there was a fight and we went out and there was a drunken man lying on the sidewalk. Mr. Mulvihill asked me if the boys he saw if it was Pop Gallagher the man that snatched out the police and he got up and said something and Mr. Mulvihill says what the matter and he says who are you I am a gentleman says Mulvihill and how long are you living around here; and he says 30 years and he asked him some names and he raised his hand to strike Mrs. Mulvihill and Mrs. Mulvihill struck him and they both got fighting and Mulvihill struck him and pushed him and he fell down on the sidewalk and I said to him you better leave him alone and took him into the store and then this boy came in and said Woody took this man's watch;

0429

11

Cont'd

I was at 20 Wall Street. This was about 1130 or right I saw not a married man I went there to get a drink and sit down and read the paper. When Mulvihill passed him down on the side walk he told him for a minute. We went in the store and left him lying on the sidewalk. There were a lot of little boys in the street at the time. The door at the place was closed. I didn't see Mr. Mulvihill take his watch. I didn't see Mulvihill put his arm around his throat or breast.

Sworn to before me
this 29th day of December 1888

Henry Henry Justice

0430

Police Court-- District.

CITY AND COUNTY
OF NEW YORK, ss

Peter Mahan
 of No *127 Mott* Street, Aged *34* Years
 Occupation *Machinist* being duly sworn, deposes and says, that on the
24 day of *December* 188*8*, at the *14* Ward of the City of New York,
 in the County of New York, was feloniously taken, stolen, and carried away from the person of de-
 ponent by force and violence, without his consent and against his will, the following property, viz:

One gold Watch and Chain
Collectively of the value of
About two hundred and seventy
five dollars

of the value of
 the property of

DOLLARS

and that this deponent has a probable cause to suspect, and does suspect, that the said property was
 feloniously taken, stolen, and carried away, by force and violence as aforesaid by

John B Mulvihill now present
That about a quarter of twelve o'clock
P.M. as deponent was passing
along Mott Street on his way home
he was suddenly assailed and
assaulted by the defendants who struck
deponent a violent blow upon the
side of his face and knocked him
down That while deponent was
so down the defendant placed his
knee on deponent's neck and while in
that position forcibly took from the possession
and person of deponent the aforesaid property
against deponent's will. the aforesaid property
and ran away *Peter Mahan*

Sworn to before me, this

188*8*

Police Justice.

0431

Sec. 195-200.

CITY AND COUNTY
OF NEW YORK

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty of the
charge*
John P. Mulvihill

Taken before me this

1888

Police Justice.

0432

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

John F. Mulvihill

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

Dated

Dec 25 188 *5*

John F. Mulvihill Police Justice.

I have admitted the above-named _____

to bail to answer by the undertaking hereto annexed.

Dated _____

188 _____

Police Justice.

There being no sufficient cause to believe the within named _____

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

Dated _____

188 _____

Police Justice.

24 Dec 29th 2 1/2 PM
(Com.)

0434

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John B. Mulvihill

The Grand Jury of the City and County of New York, by this indictment, accuse *John B. Mulvihill* —

of the CRIME OF ROBBERY in the *second* degree, committed as follows :

The said *John B. Mulvihill*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *twenty-fourth* day of *December*, in the year of our Lord one thousand eight hundred and eighty-*five*, in the *night* time of the said day, at the Ward, City and County aforesaid, with force and arms, in and upon one *Peter Mahan*, in the peace of the said People, then and there being, feloniously did make an assault, and

one watch of the value of two hundred dollars, and one chain of the value of seventy five dollars;

of the goods, chattels and personal property of the said *Peter Mahan*, from the person of the said *Peter Mahan*, against the will, and by violence to the person of the said *Peter Mahan*, then and there violently and feloniously did rob, steal, take and carry away,

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

Randolph Martin,
District Attorney

0435

BOX:

204

FOLDER:

2039

DESCRIPTION:

Murphy, James

DATE:

01/07/86



2039

0436

Witnesses:

Counsel, _____
Filed 7 day of Jan 1886
Pleads ~~Not Guilty~~

Grand Jurors, _____
[Sections 628, 631, Penal Code.]

THE PEOPLE

vs.

James Murphy

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Wm. Higgins
Jan 7/86
Foreman.

Wm. Higgins
Jan 7/86
Foreman.

0437

Police Court—First District.

Affidavit—Larceny.

City and County } ss.:
of New York,

of No. 65 Barclay Benjamin J. Guerra (Street, aged 31 years,
occupation Merchant being duly sworn

deposes and says, that on the 30th day of December 1887 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property viz :

Two Thousand Cigars valued
at One Hundred & four dollars

the property of Manuel Barrinos & Deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by James Murphy (nowhere)

from the fact that deponent missed the
aforesaid property from the above described
premises and deponent is informed
by Officer Robert Sheridan of the 25th
Precinct Police that he found the aforesaid
in the defendants possession and
deponent has since seen said property

Subscribed to before me this

day

Police Justice

0438

and identified said property as the
property taken stolen and carried away
as aforesaid

Sworn to before me this } Benjamin J. Kenna
31st day of December 1885 }
J. M. Murray Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1885 Police Justice.

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1885 Police Justice.

There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1885 Police Justice.

Police Court, District.

THE PEOPLE, &c.,
on the complaint of

Offence—LARCENY.

vs.

1
2
3
4

Dated

1885

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer

Sessions.

0439

CITY AND COUNTY }
OF NEW YORK, } ss.

Robert Sheridan
aged 34 years, occupation Police Officer of No.

24 Pleasant Place Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Benjamin J. Guerra

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

Sworn to before me, this 31st
day of Dec 1888 Robert Sheridan

Wm. Guerra
Police Justice.

0440

Sec. 198-200.

187
District Police Court.

CITY AND COUNTY { ss
OF NEW YORK,

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

Question What is your name?

Answer

Question How old are you?

Answer

Question Where were you born?

Answer

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

Answer

Question What is your business or profession?

Answer

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

Answer

I am not guilty
James Murphy
mark

Taken before me this

188

Police Justice.

0441

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 Joseph

Murphy
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 Dec 31st 1885 Wm T. Murray Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0442

Police Court 15th District 6

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Benjamin Guerra
65 Barclay
James Murphy

Grand Juror

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated Dec 31 188 5
Murray Magistrate
Sherrin Officer.
29 Precinct.

Witnesses *Call the Officer*
No. _____ Street.

No. _____ Street.

No. _____ Street,
\$ 500- to answer *Yes*

(Com)

0443

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Mumford

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

James Mumford

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

The said *James Mumford*

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

Two thousand pieces of

the value of seven cents

each.

of the goods, chattels and personal property of one *Benjamin*

Figueras.

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.

0444

SECOND COUNT—

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

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

The said *James Murphy*

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

*Two thousand papers of
the value of seven cents
each.*

of the goods, chattels and personal property of one *Benjamin*
Figuera, —

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

Figuera, —

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

James Murphy

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

RANDOLPH B. MARTINE,

District Attorney.

0445

BOX:

204

FOLDER:

2039

DESCRIPTION:

Murphy, James

DATE:

01/07/86



2039

0446

Witnesses:

62 ✓ 100R

Counsel,

Filed 7 day of Jan 1886

Pleads

Not guilty

THE PEOPLE

vs.

R

James Murphy

23. -

murdered -

murdered -

Assault in the Second Degree.
(Section 218, Penal Code.)

RANDOLPH B. MARTINE,

In Day 15/86. District Attorney.

Mr. T. C. Giddett

S. P. Three years,

A True Bill.

James Higgins

Foreman.

Jan 14

9.00

S. T. Smith,
14 Park Place, N. Y.

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

The People
against
James Murphy
Indicted for assault in the
second degree.

BEFORE

Now Henry A. Gildersleece.
And a Jury.

Witnesses :

Direct.

Cross.

Re-Direct. Re-Cross.

0448

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

-----:
The People :

against :

James Murphy :

Indicted for assault in the :
second degree :

Before

:Hon Henry A. Gildersleeve,
And a Jury.

-----:
Tried - January 14th, 1886.

Appearances:

Assistant District Attorney, Gunning S. Bedford, for the People
Mr Sullivan, for the defence.

Keran Kinsella, the complainant, being duly sworn testified that, he lived in East Morrisania, in East 147th, Street. On the evening of the 2nd of January, after having been at work cutting salt hay, all day, he went to the house of an opposite neighbor, Joseph Schwab, to ask him whether he wanted to buy any salt hay. When he came out from the house, and had got to about the middle of the street, the

0449

defendant called out, ' Now, Schwab, I have got you, you son of a bitch, and I will kill you.' Then the defendant began to throw stones at him. One struck him on the left ear, another in the side, and another on the right shoulder. From the wound in his ear, blood flowed. He did not know how many stones were thrown.

Under cross-examination, by Mr Sullivan, the complainant testified that, when he heard the defendant make the threat against Schwab, he said, 'Go in to the house, and don't be abusing people in that kind of language.' Almost immediately afterwards, the stones were thrown. The complainant admitted that, he had been arrested several times, on account of family difficulties, principally with his son, who had charged him with an assault, which he did not commit.

Joseph Schwab, being duly sworn, testified that, he lived opposite the complainant, and that he had called upon him, the witness, on the evening of the 2nd of January, to ask if he wished to buy a sack of salt hay. As the complainant was crossing the street towards his own home, he heard 'Plug' Murphy cry out, 'Now, Schwab, you dutch son of a bitch, we have got you, and we will kill you.' Both Murphys were standing at their own gate. Kinsella went into his own house

0450

after the assault. He had owned the property where he lived, and carried on the milk business, for 18 years.

Under cross-examination, he testified that, he had known Kinsella for 15 or 16 years, and had seen the Murphys around the neighborhood for some years. He had never had any trouble with them, but they had frequently made threats against him.

John Schaffer, of 475 Robbins Avenue, near 147th Street, testified that, he was a milkman, and that, on the evening of January 2nd, he went out to arrange the milk cans, in his cart, for the next morning. The Murphys were standing at their gate-way. They frequently made threats against him before. They said, "Schaffer, and Schwab, you dutch sons of bitches, we will kill you tonight." He reentered his house, went out through the back of his lot, to the Town Hall, made a complaint, and asked that a policeman be sent to arrest the Murphys.

Under cross-examination, he said, that, he had never had any difficulty with the Murphys, but that they had frequently threatened him, as well as Schwab, and that he was afraid of them.

Officer John Madigan, of the 33rd Precinct, tes-

0451

tified that, at about 9 o'clock in the evening of January 2nd, he was sent from the 33rd Precinct Station House, to arrest the Murphys. On the way he met Kinsella. Blood was flowing from his ear, and he said that he had been assaulted with a stone. He, the witness, arrested James Murphy, the defendant.

Under cross-examination, he said that, he did not arrest both Murphys, because it took all of one Officer's strength to arrest one of them.

For the defence, Mrs Ann Murphy, the Mother of the defendant, testified that, on the evening of the 2nd of January, the defendant was standing at the gate of her house, when Kinsella came across the street, with a shovel in his hand. He said, "Plug" Murphy, I have you now." Then he raised the shovel, and she, the witness, ran between her son, and Kinsella. She pushed her son within the gate, but Kinsella struck him upon the leg with the shovel. Then Kinsella raised the shovel, as though he intended to strike her, the witness, whereupon her son through a stone at Kinsella.

James Murphy, the defendant, gave the same version of the difficulty between Kinsella and himself, as his Mother had given. He said that, he did not throw the stone until Kinsella had struck him upon the leg with the shovel,

0452

and had raised it above his Mother's head, apparently to strike her.

Under cross-examination, the defendant admitted that, he had been sentenced to two terms on Blackwell's Island, in the Penitentiary, one of one year, and one of one month, the last beginning on January 3rd, 1886, for assault and battery. Other charges had been made against him of the same kind, but had been withdrawn, or the Police Magistrate had discharged him.

Under the charge of the Court, the Jury considered the case, and found the prisoner guilty as charged in the indictment.

0453

STENOGRAPHERS' TRANSCRIPT.

January 1886

Frank J. Beard,
Official Stenographer,
Part 2.

0454

officer McDougan S S Rec

Jan 3^d 1886

Kerion Kinsela

V. S.

A. B.

James Murphy

Held in \$1,000 B to stand trial
at C. S. Jas Melde

officer M^cCarthy

Dis Cor July 9th 1885

M^cCarthy

V. S.

Held in \$300 B for S B

James Murphy

for one month Jas White

on warrant officer M^chl

May 17 1884

Alice Murphy

V. S.

Discharged by Jas Powers

James Murphy

Warrant officer M^chl

2

Alice Jones

V. S.

Arrested April 27

1884

James Murphy

Dis by Jas Melde

Abraham Wantes

V. S.

on warrant officer M^chl

2

James Murphy

arrested April 28 1884

Fined ten dollars Jas Melde

John Reister Hassel

V. S.

on warrant officer M^chl

arrested Dec 2^d 1883

2

James Murphy

Discharged, Jas O'Reilly

James M^cWife

V. S.

Warrant officer M^chl

issued April 5 1882

James Murphy

Withdrew April 6 1882

0455

August Bertrand } officer Weeks D. Co.
V. S. } Arrested Dec 28 1886
Thomas Murphy } Fined \$5.00 for White

Kerin Kensela } A B
V. S. } officer Weeks Warrent
Thomas Murphy } Arrested Jan 4 1887
Held in \$5.00 B to stand trial
at G. S. for Gorman

officer Dubois } D. Co. June 8th 1885-
V. S. }
Thomas Murphy } Held in \$3.00 B for H. B. for
3 months for White

officer Schostke } Sept 2nd 1884
V. S. }
Thomas Murphy } B and Larceny
Held in \$1.00 B to stand trial
at G. S. for White

0456

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

POLICE COURT, 6th DISTRICT.

of No. 473 Robbins Avenue Joseph S'chwab being duly sworn, deposes and

says that on the second day of January 188 6
at the City of New York, in the County of New York, at about seven o'clock

P.M. he saw James Murphy and Thomas Murphy attack Kevin Kinsela in the street near defendant's house and said Kinsela's house and saw them throw stones at said Kinsela. Said James Murphy and Thomas Murphy first threw stones at said Kinsela, crying out "We've got you now S'chwab. We'll kill you" - mistaking said Kinsela for defendant. Kinsela then went to his house, but said ^{James} Murphy called on him to come out. Kinsela came out and the two Murphys again attacked him.

Joseph S'chwab

Sworn to before me, this

188

Police Justice.

0457

Police Court— 6 District.

CITY AND COUNTY } ss.
OF NEW YORK. }

Kerin Keneela
of No. Robbins Avenue + 147 Street, aged 48 years,
occupation Labourer being duly sworn, deposes and says, that
on the Second day of January 1886 at the City of New York,
in the County of New York, in front of defendant's said residence
and feloniously he was violently ASSAULTED and BEATEN by James Murphy, now
here, who struck defendant a violent blow
on the side and a blow on the face with stones
thrown by him

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 3d

day of January 1886 }

M. J. McElde Police Justice

Kerin Keneela

0458

Sec. 198-200

6

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

James Murphy

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

New York City

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

Answer.

No. 2125-1st Avenue; 5 months

Question. What is your business or profession?

Answer.

Iron Moulder

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

Answer.

I am not guilty. I acted in self defense. The complainant attacked me with a shovel and struck me on the leg with it. I ran away and he followed me and I was forced to take up the stone and throw it to protect myself. I knew only one stone

James Murphy

Taken before me this

2d

day of

January

1888

at

New York

City

Police Justice.

0459

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 James

Murphy

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 January 3rd 1886

Wm. H. Smith Police Justice.

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

Dated _____ 188

Police Justice.

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

Dated _____ 188

Police Justice.

0460

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court ⁴ 6th District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Kerrin Kincela

Robbins Ave &
147th St

James Murphy

Dated January 2d 1886

Wells Magistrate

Madigan Officer.

83 Precinct.

Witnesses Joseph Schwaab

No. 473 Robbins Avenue Street.

John Schaefer

No. 473 Robbins Avenue Street.

1385

No. _____ Street,

\$ 1000. to answer G.S.

Com.

Offence Assault

0461

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Munday

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

James Munday

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

The said

James Munday

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

Herin Hensela

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said *James Munday*

with *certains stones* which *he* the said

James Munday

in *his* right hand then and there had and held, the same being then and there *likely* to produce grievous bodily harm, *him*, the said *Herin Hensela*, then and there feloniously did wilfully and wrongfully strike, beat, *bruise* 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.

0462

SECOND COUNT:

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

James Murphy -

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

The said

James Murphy

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon one *Herin Kersada,*

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault: and the said *James Murphy,*

Herin the said *Herin Kersada*

with certain *stones* -

which *he* the said *James Murphy*.

in *his* — right hand then and there had and held, in and upon the *head and side* of *Herin* the said *Herin Kersada,*

then and there feloniously did wilfully and wrongfully strike, beat

bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *Herin*

Kersada, to the great damage of the said *Herin Kersada,* against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE,

District Attorney.

0463

BOX:

204

FOLDER:

2039

DESCRIPTION:

Murphy, Lawrence

DATE:

01/21/86



2039

0464

72

Witnesses:

Counsel, *Wm. H. H. H. H.*
Filed *21* day of *May* 188*6*
Pleads *Not Guilty*

THE PEOPLE

vs.

Lawrence Murphy

MISDEMEANOR

RANDOLPH B. MARTINE,

Paul H. H. H. H.
District Attorney.
April 28/87
Pleads Guilty

A True Bill.

James H. H. H. H.
Remitted to 20
Foreman.
10 days.
to pay

0465

E. G. LOVE, PH. D.,
Analytical and Consulting Chemist,
122 BOWERY,

New York, Jan 4th 1886

1532

CERTIFICATE OF ANALYSIS.

SAMPLE OF BUTTER.

Marked, No. 924; J. O'Hare, 69 Vesey St, NY Dec 29th 85
Received from B. F. Van Valkenburgh per Chas. Sears
Dec 30th 1885.

THE SAMPLE CONTAINS:

WATER, - - - -	10.24%
ANIMAL AND BUTTER FAT, -	85.62%
CURD, - - - -	1.05%
SALT, - - - -	3.09%

ANALYSIS OF THE FAT:

INSOLUBLE FATTY ACIDS, -	95.10%
SOLUBLE " " -	0.32%
SPECIFIC GRAVITY OF THE FAT	
AT 100° F., - - -	0.951

This sample is composed mainly of animal fat, and was not produced from unadulterated milk, or cream from the same. It was not produced from milk or cream alone. It contains coloring matter, whereby it is made to resemble butter, the product of the dairy; and it is in imitation and semblance of butter, produced from pure unadulterated milk or cream from the same.

Respectfully yours,

E. G. Love, Ph. D.,

Mr. B. F. Van Valkenburgh

State of New York
City of New York } ss.
County of New York

On the fourth day of January in the year
one thousand eight hundred and eighty six before me personally came
E. G. Love to me known, and known to me to be the individual
described in, and who executed the foregoing instrument, and
acknowledged that he executed the same.

Joseph E. Ketchum
Notary Public

and sold the same to a

for the agreed price thereof amounting to the sum of \$ 1.00;

0466

No. 924.
Jan 4th 1886

J

STATE OF NEW YORK,
County of New York

ss. :

Charles A.

of 350 Washington St.

0467

E. G. LOVE, Ph. D.,
Analytical and Consulting Chemist.

STATE OF NEW YORK,
County of New York

ss.:

g 350 Washington St.

That he resides in the City of Orange, being duly sworn, deposes and says:
and is an expert and State of New York, and is 49 years of age,
That on the 29th day of December, 1885, in the
of New York occupied by him, No. 69 Vesey street, in the City

and State of New York, one James Murphy, against the
form and statutes in such cases made and provided, and in violation thereof, and against the peace of the
people of the State of New York, had in his possession, with intent to sell the same for Butter made from unadul-
terated Milk or Cream, a number of pounds of a substance, product, manufacture and compound, which was not
Butter made from unadulterated Milk or Cream, but had been made by manufacturing, mixing and compounding with
and adding to a small quantity and proportion of natural Milk, Cream or Butter a large quantity and proportion of
animal fats or animal or vegetable oils, and was a manufactured oleaginous substance not produced from Milk or
Cream; that it had been and was colored with some coloring matter whereby the same was made to resemble Butter,
the product of the Dairy, and was so colored thereby, in semblance of and resembled Butter, and did resemble Butter
the product of the Dairy; that the said James Murphy

offered said substance, product, manufacture and compound for sale as and for
Butter made from unadulterated Milk or Cream at such time and place, with intent to sell the same as and for Butter
made from unadulterated Milk or Cream, and did sell some considerable portion thereof, to wit, 2 pounds
as and for Butter, the product of the Dairy, and represented the same to be Butter at such time
and place; that the said substance, product and compound was not natural Butter produced from pure unadulterated
Milk, or Cream of the same, and was not Butter the product of the Dairy, and was not made exclusively from Milk or
Cream, or both; that it contained some substance for the purpose and with the effect of imparting thereto a color
resembling that of yellow Butter, and was in imitation and semblance of natural Butter produced from
pure unadulterated Milk or Cream of the same, and was colored by some substance to resemble yellow
Butter, and was in semblance of natural Butter; that the same was a substance known as Oleomargarine; that it had
been made, manufactured and rendered after April thirtieth, 1885, out of some animal fat, or animal
or vegetable oils not produced from unadulterated Milk, or Cream of the same, in imitation and semblance
of natural Butter, produced from pure unadulterated Milk, or Cream of the same, by mixing, compounding with
and adding to a small quantity of Milk, Cream or Butter a large quantity and proportion of some animal fats or animal
or vegetable oils not produced from Milk or Cream, with design and intent to render, make and produce an article,
substance and human food in imitation and semblance of natural Butter. That the same was not manufactured, or in
process of manufacture on April thirtieth, 1885, but has been rendered, manufactured, compounded and mixed since
April thirtieth, 1885, as deponent is informed and believes.

That the tube in which the same was contained did not have the words "Oleomargarine Butter"
upon the top or side thereof, and such words were not burned in or painted thereon with permanent
black paint, in a straight line not less than one half inch in length, where deponent could see such brand;
that no printed label, bearing the words "Oleomargarine Butter" was delivered therewith to the purchaser thereof.

Deponent further says that on said 29th day of December
1885, he went to the said James Murphy in said City and County, and told said Murphy of said
that he wanted to buy some Butter; that said Murphy
~~showed deponent a number of pounds of the said Oleomargarine hereinbefore mentioned, offered the same to deponent~~
for sale, and sold the same to deponent; that he so sold to deponent 2 pounds
thereof, and deponent then paid to him therefor the agreed price thereof, amounting to the sum of \$ 1.00;
that, as deponent believes and charges, the said Murphy at the time
of so offering and selling the same, well knew that it was Oleomargarine, and had been manufactured and colored as
hereinbefore stated; that he did not tell deponent at any time that the said Oleomargarine so sold to deponent was not
Butter, the product of the Dairy; that deponent saw the tube in which the said Oleomargarine was contained, and no
printed label bearing the words "Oleomargarine Butter," was delivered by said Murphy

December 30th to deponent with the Oleomargarine sold to him; that on
1885, deponent delivered a sample of such Oleomargarine, so
purchased by him as aforesaid, to E. G. Love a chemist of
the city of New York N. Y., and caused the same to be analyzed by
such chemist, as shown by the annexed certificate of such chemist.

Wherefore, deponent prays that a warrant may issue for the arrest of the said Murphy
and that he may be dealt with as the law directs.

Sworn to before me this 15th
day of January 1886
Robert B. Clark
Justice

0468

Warrant
Court of New York
County of New York

THE PEOPLE, &c.,

vs. James Murphy

Affiant Charles Deane
300 Washington St.

Witnesses E. G. Love

Residence 123 Boverly

G. W. Maxwell

Residence 350 Washington St.

Residence

0469

POLICE COURT 12th DISTRICT.

City and County of New York, ss.:

THE PEOPLE,

vs.

On Complaint of

For

James Murphy

Charles Sears

Misdemeanor

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

Dated Jan 15 188 6

Lawrence Murphy

Solomon B. Smith Police Justice.

0470

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, { ss

12th District Police Court.

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

Question. What is your name?

Answer. *Lawrence Murphy*

Question. How old are you?

Answer. *36 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *64 Prospect St Brooklyn. 3 mos*

Question. What is your business or profession?

Answer. *Dealer in Butter and Cheese*

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
Lawrence Murphy

Taken before me this

12th

John J. Murphy
Deputy District Attorney

0471

Sec. 151.

Police Court _____ District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by *Charles Sears*
of No. *350 Washington* Street, that on the *29* day of *December*
188*5* at the City of New York, in the County of New York,

James Murphy did unlawfully
sell, for Batten, a substance
known as Oleomargarine in
violation of the Statute in such
case made and provided

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

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

Dated at the City of New York, this *15* day of *January* 188*6*
Edouard Smith
POLICE JUSTICE.

0472

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Deans

vs

Lawrence James Murphy

Warrant-General.

Dated Jan'y 15 1886

Smith Magistrate.

McCormick Officer.

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

McCormick Officer.

Dated Jan'y 15th 1886

This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

Time of Arrest, 9²⁵ AM

Native of DC

Age, 36

Sex,

Complexion,

Color, IV

Profession, Driver

Married, Yes

Single,

Read, Yes

Write, Yes

64 Prospect St Bklyn

0473

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 _____

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

Dated *January 15* 188 *Solomon D. Smith* Police Justice.

I have admitted the above-named _____

to bail to answer by the undertaking hereto annexed.

Dated *Jan 15* 188 *Solomon D. Smith* Police Justice.

There being no sufficient cause to believe the within named _____

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

Dated _____ 188

Police Justice.

0474

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Charles Sears
350 Washington
Lawrence Murphy

Offence Mrs Anne and

BAILED,

No. 1, by Andrew Martin

Residence 47 Vesey Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated January 15 1886

Magistrate
McCormick
Precinct.

Witnesses W.W. McEteer
No. 350 Washington Street.

O.G. Love
No. 122 Bowery Street.

No. 300 to answer G.S.

Bailed

0475

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Lawrence Murphy

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

Lawrence Murphy

(Chap. 458, Laws of 1885, § 3.) of a Misdemeanor, committed as follows:

The said *Lawrence Murphy*

late of the City of New York, in the County of New York aforesaid, on the 29th day of *December*, in the year of our Lord one thousand eight hundred and eighty-*five*, at the City and County aforesaid, *two pounds* — of a certain oleaginous substance and compound, not made nor produced from milk or cream (a more particular description of which said substance and compound, and of the ingredients and matters of which the same was made and produced, is to the Grand Jury aforesaid unknown, and cannot now be given), unlawfully did sell, and cause and procure to be sold to one *Charles Sears*, for butter, the product of the dairy; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SECOND COUNT: (Chap. 246, Laws of 1882, § 1.)

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

Lawrence Murphy

of a Misdemeanor, committed as follows:

The said *Lawrence Murphy*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold, at retail, to one *Charles Sears*, *two pounds* — of a certain substance, not butter, commonly called oleomargarine, and did then and there falsely represent the same to the said *Charles Sears*, —

to be butter; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

0476

THIRD COUNT: (Section 480, Penal Code.)

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

Lawrence Murphy

of a Misdemeanor, committed as follows:

The said *Lawrence Murphy*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell, and cause and procure to be sold, to one

Charles Sears, as an article of food ~~two pounds~~ of a certain substance in imitation of a certain article of food, to wit: butter, without disclosing such imitation by a suitable and plainly visible mark or brand; against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

FOURTH COUNT: (Chap. 238, Laws of 1862, § 3.)

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

Lawrence Murphy

of a Misdemeanor, committed as follows:

The said *Lawrence Murphy*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, a certain parcel containing ~~two pounds~~ of a certain article and substance in semblance of butter, not the legitimate product of the dairy, and not made exclusively of milk or cream, but into which divers oils and fats not produced from milk or cream, entered as component parts (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), the same being then and there an article and substance required by law, in case of retail sales in parcels, to be sold from a tub, firkin, box or package, distinctly and durably stamped, branded or marked upon the top and side with the words "Oleomargarine Butter;" only, where it could be plainly seen, in Roman letters, burned in or painted thereon with permanent black paint in a straight line, and not less than one-half inch in length, and wherewith the seller was then and there required by law, to deliver to the purchaser, a printed label, bearing the plainly printed words "Oleomargarine Butter" only, in Roman letters not less than one-half inch in length, in a straight line, unlawfully did then and there sell and cause and procure to be sold at retail to one *Charles Sears*.

from a certain ~~tub and box~~ which was not then and there stamped, branded or marked as aforesaid, and did then and there unlawfully omit to deliver therewith to the said *Charles Sears*, a label of the kind and description aforesaid, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

0477

FIFTH COUNT : (Chap. 215, Laws 1882, § 2.)

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

Lawrence Murphy

of a Misdemeanor, committed as follows :

The said *Lawrence Murphy*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one

Charles Sears, Two pounds

of a certain article and substance in semblance of natural butter, and known as oleomargarine or imitation butter, the same not being the legitimate product of the dairy, and not being made exclusively from milk or cream, or both, with salt or rennet, or both, with or without coloring matter or sage, but into which divers oils, and animal and other fats, not produced from milk or cream, had been introduced (a more particular description of which said article and substance is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

SIXTH COUNT : (Chap. 458, Laws of 1885, § 2.)

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

Lawrence Murphy

of a Misdemeanor, committed as follows :

The said *Lawrence Murphy*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, did unlawfully sell and cause and procure to be sold to one

Charles Sears, Two pounds

of a certain article, substance and compound in imitation and semblance of, and designed to take the place of natural butter produced from pure, unadulterated milk, or cream of the same the said article, substance and compound, so sold as aforesaid, being rendered and manufactured out of divers animal fats and oils not produced from unadulterated milk, or cream from the same, the said article, substance and compound not being manufactured or in process of manufacture on the ^{30th} ~~thirtieth~~ day of April, in the year of our Lord one thousand eight hundred and eighty-five (a more particular description of which said article, substance and compound, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

RANDOLPH B. MARTINE,

District Attorney.

0478

BOX:

204

FOLDER:

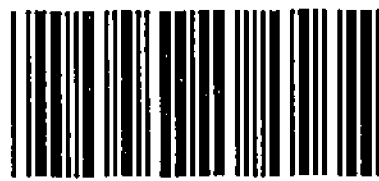
2039

DESCRIPTION:

Murphy, Michael

DATE:

01/12/86



2039

0479

109

Counsel,

Filed

12

day of

January

1886

Pleads,

vs.

THE PEOPLE

vs.

R

Michael Murphy

Burglary in the Third Degree.

[Sections 408, 506, 522 & 532]

RANDOLPH B. MARTINE,

District Attorney.

Pr. Dec. 12/86
pleads 13/86.

A True Bill

S. H. Higgins

Foreman

0480

Police Court First District.

City and County } ss.:
of New York,

of No. 290 + 291 West James Courtenay Street, aged 23 years,
occupation Wholesale Rag & Metal Dealer being duly sworn

deposes and says, that the premises No. 290 + 291 West Street, 5th Ward
in the City and County aforesaid the said being a four-story brick building

and which was occupied by deponent as a Rag & Metal Store House
and in which there was at the time ~~a~~ no human being, by name

were **BURGLARIOUSLY** entered by means of forcibly prying open
the front door leading to West Street and
raising a large wooden bar on the inside
of said door and entered therein

on the 5th day of January 1886 in the Thick time, and the
following property feloniously taken, stolen, and carried away, viz:

One large copper boiler of the
value of Five Dollars

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

Michael Murphy (now here)

for the reasons following, to wit:

That deponent securely locked
and fastened the doors and windows of the
aforesaid premises at about the hour of six
o'clock & fifteen P.M. on the 5th day of January
1886 and on the morning of the 6th day of
January 1886 at about the hour of ten o'clock
A.M. deponent found the aforesaid premises
had been burglarized and the aforesaid
property taken stolen and carried away

0481

and defendant is informed by Officer William Nesbitt of the first Precinct Police that he found a copper boiler in defendants possession which defendant admitted and Confessed to Officer Nesbitt that he had feloniously taken Stolen and Carried away the aforesaid boiler from the aforesaid premises

Sworn to before me this

6th day of January 1886

John D. Smith

Geo J. Constry

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated 1886 Police Justice.

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

Dated 1886 Police Justice.

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

Dated 1886 Police Justice.

Police Court, District,	Office—BURGLARY.
THE PEOPLE, &c., on the complaint of	
1.	
2.	
3.	
4.	
Dated 1886	Magistrate.
	Officer.
	Clerk.
Witnesses,	
No.	Street,
No.	Street,
No.	Street,
\$	to answer General Sessions.

0482

CITY AND COUNTY }
OF NEW YORK, } ss.

William Nesbitt
aged 30 years, occupation Police Officer of No.
1st Precinct Street, being duly sworn deposes and

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

Sworn to before me, this 6th } William Nesbitt
day of January 1886 }

John D. Smith
Police Justice.

0483

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, { ss

District Police Court.

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

Question What is your name?

Answer *Michael Murphy*

Question. How old are you?

Answer *23 years 2 age*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *I have no home here at present*

Question What is your business or profession?

Answer. *Seaman*

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

Answer. *I am guilty of the charge.*

Mike Murphy

Taken before me this

6

1887

at

St. Paul

Police Justice.

0484

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 _____

Michael Murphy

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

Dated *Jan'y 6* 188

Solomon B. Smith Police Justice.

I have admitted the above-named _____

to bail to answer by the undertaking hereto annexed.

Dated _____ 188

Police Justice.

There being no sufficient cause to believe the within named _____

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

Dated _____ 188

Police Justice.

0485

Police Court-- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James Courtney
290 & 294 West St.
Michael Murphy

Office of Magistrate
L. W. C. C.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated January 6th 1886

Sprieth Magistrate

M^{rs} Nesbitt Officer.

Precinct.

Witnesses Call the Officer

No. Street.

No. Street.

No. Street.

\$ 500 to answer G. S.

Cow

0486

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Munday

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

Michael Munday

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

The said *Michael Munday*

late of the *Fifth* Ward of the City of New York, in the County of New York, aforesaid, on the *25th* day of *January*, in the year of our Lord one thousand eight hundred and eighty-*six*, with force and arms, at the Ward, City and County aforesaid, a certain building there situate, to wit: the *store house* of one

James Rantner

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

James Rantner

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

0487

SECOND COUNT—

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

Michael Murphy

of the CRIME OF *Petit* LARCENY, —

committed as follows :

The said *Michael Murphy*

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

one copper binder of the value of
fifty five dollars.

of the goods, chattels and personal property of one *James Rantney*. —

in the *store house* of the said *James Rantney*. —

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

Randolph Martin,
District Attorney

0488

BOX:

204

FOLDER:

2039

DESCRIPTION:

Murphy, Thomas

DATE:

01/07/86



2039

0489

Witnesses:

63

Counsel,

Filed

7 day of

188

Pleads

6

THE PEOPLE

ASSAULT IN THE FIRST DEGREE, ETC.
(Sections 217 and 218, Penal Code).

19. *not returned*
to court
for

Thomas Murphy

RANDOLPH B. MARTINE,

For Day 12/12 District Attorney.

Pleads *Not Guilty*

See: Day 12/12

A True Bill.

Chas. H. Haggans

Foreman.

Jan-27th
A. L. B.

0490

Police Court—6th District.

CITY AND COUNTY
OF NEW YORK,

ss. Kerin Kinsella, 48 years old

of No. Robbins Avenue and 147th Street,

New York City

being duly sworn, deposes and says, that

on second

the

day of

January

in the year 1886 at the City of New York, in the County of New York,

in Robbins Avenue

he was violently and feloniously ASSAULTED and BEATEN by

Thomas Murphy

who, together with James Murphy, struck
deponent violent blows with stones
thrown by him and by him and inflicted
severe bruises on deponent's person

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 3^d day
of January 1886

Kerin Kinsella

W. A. Wade

POLICE JUSTICE.

0491

W

Police Court (p) District.

THE PEOPLE, Etc.,
ON THE COMPLAINT OF

AFFIDAVIT—A. & B.
FELONIOUS.

Kevin Kinsella

vs.

Thomas Murphy

Dated January 3rd 1886

Welder Magistrate

Weeks Officer

Lownd Precinct.

Witnesses, ~~Attest~~

Louis Bopp

Robbin Avenue

near 14th Street

is a MulKman

0492

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, { ss.

District Police Court.

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

Question What is your name?

Answer

Thomas Murphy

Question How old are you?

Answer

20 years

Question Where were you born?

Answer

East Morrisene N.Y.

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

Answer

480 Roblin Av Morrisene

Question What is your business or profession?

Answer

Rail Road

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

Answer

Not guilty

Thomas Murphy

Taken before me this

4

day of

January 1886

Police Justice.

0493

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

Defendant

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

Dated *January 4* 188 *6* *John Korman* Police Justice.

I have admitted the above-named _____

to bail to answer by the undertaking hereto annexed.

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named _____

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

Dated _____ 188 _____ Police Justice.

0494

Police Court 6 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Kerin Winsella

N.Y. Co 10 Ave. # 125 St

1 *James Murphy*

2

3

4

Office *Deputy*

Dated *January 13* 188 *6*

Graham Magistrate

Specks Officer.

6 Canal Precinct.

Witnesses *Joseph Schwab*

No. *473* *Robbins Ave* Street.

John Schaefer

No. *475* *Robbins Ave* Street.

No. _____ Street.

\$ *500* to answer *G.S.*

[Signature]

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0495

Police Court, Sixth District,

New York, 18th

Sept 2^d 1884

officer Schack 33^d Prec^t Papers sent to S, & ^{slps}
James Lawler } Grand Jurors pro Welch
v. s. Thomas Murphy } Held in \$1000 B to Ans & S

June 8th 1885-

officer Dubois 33 Prec^t } Held in \$300 B. & B.
v. s. Thomas Murphy } for 3 months pro White

Jan 2^d 1886 on warrant

officer Weeks 6th Dist Court D B

August Bertrand } Fined 5 pro White
v. s. Thomas Murphy }

officer Weeks 6 Dist Court Jan 4 1886

Keras Kensela } Held \$500 B. & S.
v. s. Thomas Murphy } pro Gorman

0496

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Murphy

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

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

The said *Thomas Murphy*
late of the City of New York, in the County of New York aforesaid, on the
second day of *January*, in the year of our Lord
one thousand eight hundred and eighty-*six*, with force of arms, at the City and
County aforesaid, in and upon the body of one *Kevin Keusella*,
in the peace of the said People then and there being, feloniously did make an assault
and *Kevin* the said *Kevin Keusella*,
with *a* certain *stones* -

which the said *Thomas Murphy*
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,
~~the same being such means and~~
~~force as were likely to produce the~~
~~death of the said Kevin Keusella,~~
with intent *Kevin* the said *Kevin Keusella*,
thereby then and there feloniously and wilfully to kill, against the form of the statute
in such case made and provided, and against the peace of the People of the State of
New York and their dignity.

SECOND COUNT:

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

The said *Thomas Murphy*
late of the City and County aforesaid, afterwards, to wit: on the day and in the
year aforesaid, at the City and County aforesaid, with force and arms, in and
upon the body of one *Kevin Keusella* -
in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make an assault, and *Kevin* the said
Kevin Keusella,
with *a* certain *stones* -

which *Kevin* the said *Thomas Murphy*
in *his* right hand then and there had and held, the same being
stones - likely to produce grievous bodily harm, then and
there feloniously did wilfully and wrongfully 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.

0497

THIRD COUNT---

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

The said

Thomas Murphy
late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body
of one *Kevin Keusella*,

in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make an assault, and *Kevin Keusella*,

in and upon the *head and body* of *Kevin Keusella* the
said *Kevin Keusella*, did then and there
feloniously, wilfully and wrongfully strike, beat, ——— bruise and wound,
and did thereby then and there feloniously, wilfully and wrongfully inflict
upon *Kevin Keusella* the said *Kevin Keusella*,
grievous bodily harm, to the great damage of the said *Kevin Keusella*,
against the form of the statute in such case made and provided, and against the peace
of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE,

District Attorney.

0498

BOX:

204

FOLDER:

2039

DESCRIPTION:

Murphy, Thomas

DATE:

01/08/86



2039

0499

Witnesses:

16 L. A. Kinsley
Counsel,
Filed 8 day of Jan 1886
Pleads, *M. G. Kelly*

Grand Larceny, (Ex Degree,
(From the Person.)
[Sections 528, 530, 550 Penal Code].

THE PEOPLE

vs.
70 *shewell*

Thomas Murphy
H.D.

RANDOLPH B. MARTINE,

District Attorney.

Pr Jan 1886
Pleads Rele

A T T W

J. P. Davis

Wm. H. Haggins

Foreman.

0500

Police Court—

District.

Affidavit—Larceny.

City and County } ss.:
of New York,John Maloney
of the House of Detention Street, aged 39 years,
occupation Sailor being duly sworndeposes and says, that on the 31 day of December 1885 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the Night time, the following property viz:

One dollar lawful money in
Silver and Nickel Coins and
one baggage check representing
clothing left in charge of Old
Colony Steamship Company, and
of the value of ten dollars (collectively
of the value of eleven dollars)

the property of

Deponent who was
asleep at the time

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by Thomas Murphy (now

present) that on the night in
question deponent was asleep
in the liquor store No 486 Pearl
Street, and at the time had said
property in a pocket of the trousers
then worn by him. That when
deponent awoke he discovered that
the same had been stolen and
carried away and deponent is
now informed by Officer Moyland
3 Precinct that the defendant
presented the baggage check at the
office of said company on Dec 28 N River
and demanded the property which the
check represented. That deponent identified
said check as the one stolen from him on the aforesaid night.

John Maloney

Sworn to before me, this 1 day of

John Maloney 1885

John Maloney Police Justice.

0501

CITY AND COUNTY } ss.
OF NEW YORK, }

aged 42 years occupation Police Officer of No. the 3 Precinct Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of John Maloney

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

Sworn to before me, this

day of

188

Jeremiah Moyland
Police Justice.

0502

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

District Police Court.

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

Question. What is your name?

Answer

Question. How old are you?

Answer

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer

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

Answer

I am not guilty of the charge
Thomas Murphy

Taken before me this

day of *February* 188*8*

John J. Murphy
Police Justice.

0503

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

Thomas Murphy
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 *January 2* 188 *John 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 he to be discharged.

Dated _____ 188 _____ *Police Justice.*

0504

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Maloney
House of Detention
Thomas Murphy

2

3

4

Dated

188

Magistrate

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

(*Om*)

0505

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Murphy

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

Thomas Murphy
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

Thomas Murphy

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *thirtieth* day of *December*, in the year of our Lord one thousand eight hundred and eighty *three*, in the *night* time of the said day, at the Ward, City and County aforesaid, with force and arms,

divers coins, of a number, kind
and denomination to the Grand
Jury aforesaid unknown, of
the value of one dollar, and
one hundred checks of the
value of ten dollars.

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

0506

SECOND COUNT—

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

Thomas Murphy
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Thomas Murphy*

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

*one baggage check of the
value of ten dollars*

of the goods, chattels and personal property of one *John Maloney*

by *acertain person* of persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said *John Maloney*

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

Thomas Murphy

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

RANDOLPH B. MARTINE,

District Attorney.

0507

BOX:

204

FOLDER:

2039

DESCRIPTION:

Murphy, Thomas

DATE:

01/26/86



2039

0508

BOX:

204

FOLDER:

2039

DESCRIPTION:

Mahoney, Edward

DATE:

01/26/86



2039

0509

261.

Witnesses:

Counsel, *J. B. Murphy*
Filed *26* day of *January* 188*6*
Pleads *Murphy*

THE PEOPLE
vs.
Thomas Murphy
Edward Mahoney
Grand Larceny 2nd degree
[Sections 628, 68, 550, Penal Code.]

RANDOLPH B. MARTINE,
2nd day 27/16. District Attorney.
No 2 pleads P.L. Pen Bond.
A True Bill.
Chas. J. 5/16. 1/16.
Chas. J. 5/16. 1/16.
Foreman.

Feb 5
Feb 4
G. S. D.

05 10

Police Court—1st District.

Affidavit—Larceny.

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

Herman Popper
of No. 456 Greenwich Street, aged 26 years,
occupation Liquor Dealer being duly sworn
deposes and says, that on the 21st day of January 1886 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property viz:

One overcoat, and one
fur coat valued at
at Thirty Dollars
\$30.00

the property of Joseph Livingstone and in
the care and custody of deponent and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by Edward Mahoney and Thomas
Murphy (both now here) who were acting
in concert from the fact that said coats
were in a box in a room in the
rear of deponent's store. Edward
Mahoney admitted in the presence
of Thomas Hillis that he and
said Murphy had taken said
property and pawned it in
Diamond's Pawn Office.

Wherefore
deponent charges said defendants
with taking, stealing and carry-
ing away the aforesaid property.
Herman Popper

Sworn to before me, this

20

day

of January 1886

James M. Kelly Police Justice.

0511

CITY AND COUNTY }
OF NEW YORK, } ss.

Thomas Lellis
aged 28 years, occupation Cook of No.

456 Greenwich Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Herman Popper

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

Sworn to before me, this

day of

January 1886

Thomas Lellis
his mark

Sam'l C. Kelly
Police Justice.

05 12

Sec. 198-200.

102 District Police Court.

CITY AND COUNTY OF NEW YORK, ss

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

Question What is your name?

Answer.

Thomas Murphy

Question. How old are you?

Answer.

30 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

Cor of North Moore & West St one week

Question What is your business or profession?

Answer.

Boiler maker

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
his
Thomas X Murphy
mark

Taken before me this

day of January 1888

Samuel C. McElroy Police Justice.

0513

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss

15th District Police Court.

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

Question. What is your name?

Answer.

Edward Mahoney

Question. How old are you?

Answer.

26 years

Question. Where were you born?

Answer.

New York City

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

Answer.

100 Washington & Canal Streets one year

Question. What is your business or profession?

Answer.

Coal passer and fireman

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

Answer.

I am guilty of the charge I was intoxicated at the time and Murphy told me where the coats were and I pawned the coats and gave the ticket to Murphy

Edward. Mahoney

Taken before me this

day of

1886

Police Justice.

05 14

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 Thomas Murphy

and Edward Mahoney

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 July 22 188

Sam'l C. Kelly Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated _____ 188

Police Justice.

There being no sufficient cause to believe the within named _____

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

Dated _____ 188

Police Justice.

05 15

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court

15th St District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Herman Popper
456 Greenwich St.

1 Thomas Murphy

2 Edward Mahoney

3 _____

4 _____

Dated Jan 22 1886

Magistrate

George Walsh Officer.

Precinct.

Witnesses Thomas Lellis

No. 453 Greenwich Street.

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

05 16

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 Mahoney
and
Thomas Murphy

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

Edward Mahoney and Thomas Murphy
of the CRIME OF GRAND LARCENY IN THE ~~second~~ DEGREE, committed
as follows:

The said *Edward Mahoney and*
Thomas Murphy each —

late of the First Ward of the City of New York, in the County of New York aforesaid
on the ~~twenty first~~ day of *January*, in the year of our Lord
one thousand eight hundred and eighty-~~six~~ —, at the Ward, City and County
aforesaid, with force and arms,

one overcoat of the value of
Twenty dollars, and one coat
of the value of ten dollars.

of the goods, chattels and personal property of one *Joseph*
Simpson, —

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.

05 17

SECOND COUNT—

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

Thomas Murphy—

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

The said

Thomas Murphy

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

*one overcoat of the value
of twenty dollars, and one
coat of the value of ten
dollars.*

of the goods, chattels and personal property of one

Joseph Sismington
son, by one Edward Anderson and

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

Joseph Sismington—

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

Thomas Murphy

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

RANDOLPH B. MARTINE,

District Attorney.

05 18

BOX:

204

FOLDER:

2039

DESCRIPTION:

Murray, Michael

DATE:

01/26/86



2039

0519

242

Counsel,
Filed *D. P. Mitchell*
day of *Aug* 188*6*
Pleads, *Mohr* *July 27*

GAMING HOUSE, &c.
[Sections 843, 844 and 887 Penal Code].

THE PEOPLE
vs.
B

Michael Murray

RANDOLPH B. MARTINE,
Attorney
District Attorney.

A True Bill.

James H. Higgins
Foreman
Part III Nov 10. 1887

Indictment dismissed

Witnesses:

*For the reasons stated
in annexed report
of Asst. Dist. Atty.
dated 9th of June
that within indictment
be dismissed & shall
be discharged.*

*Nov 10. 1887
Randolph B. Martine
Dist. Atty.*

0520

Police Court-- 2nd District.

Michael G. Muldowney
of No 127, East 12th Street
upon his oath complains that Michael Murray
at premises No. 13 West 28th Street, in the City
and County of New York, unlawfully keeps and maintains a Gambling House, and knowingly
permits divers, idle, disorderly and evil disposed persons to resort there, to gamble and play at
cards and games of chance for money, in violation of the law, and to the common nuisance of the
People of the State of New York.

Deponent further says that in said premises on the 18th day of
January 1886 said Michael Murray
did unlawfully and feloniously ^{keep} ~~deal~~ the game called Faro, and did then and there within the space
of twenty-four hours win from deponent the sum of one dollar
at said game, and that within said premises are exhibited, kept and used by the said
Michael Murray
faro and other gambling tables, checks, cards, devices and apparatus, for the purpose of gambling,
the discovery of which would tend to establish the truth of the charge herein made.

Sworn to before me, this 19th
day of January 1886

Michael G. Muldowney

P. G. Duffy

Police Justice

0521

Police Court-- 2 District.

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

To the Officers of Police, and Patrolmen, of the Police Department of said City, and to each of them:

Whereas, complaint on oath has been made before me one of the Police Justices in the City of New York, by Michael G. Mullooney of No. 127 East 12th Street, that the premises known as No. 19 West 28th Street in said City, are kept and maintained by

Michael Murray

as a Gambling House and a place of resort for idle and disorderly persons, to gamble and play at cards and games of chance for money in violation of the law, and to the common nuisance of the People of the State of New York, and that in said premises on or about the 18th day of January 1886 said Michael Murray did feloniously win and receive from complainant one dollar in money, at, and by means of keeping ~~dealing and playing~~ the game called Faro, and that upon and within said premises may be found faro and other gambling tables, checks, cards, devices and apparatus used solely for the purpose of gambling, and the discovery of which might tend to establish the truth of said complaint.

These are therefore, in the name of the People of the State of New York, to Command you, the said Officers and Patrolmen, and each of you, to enter the said premises and therein make diligent search for such gambling tools, devices and apparatus, and if such be found to bring the same forthwith before me, or some other Police Justice for said City together with the said Michael Murray and all other idle and disorderly persons who may be found and arrested upon and within said premises, to answer the said charge, and to be dealt with according to law.

Given under my hand and seal this 19th day of January 1886 at the City of New York.

P. J. Caffrey
POLICE JUSTICE.

0522

Police Court..... District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

vs.

WARRANT FOR GAMBLING.

Dated, 18

..... Magistrate.

..... Officer.

Defendant

*This warrant may be
Executed at night or on
Sunday*
taken and brought before

P. G. Duffy
as within commanded

Disposition *Police Justice*

0523

Sec. 108-200.

21

District Police Court.

CITY AND COUNTY {
OF NEW YORK, } ss

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

Question What is your name?

Answer

Michael Murray

Question. How old are you?

Answer

40 years old

Question. Where were you born?

Answer.

Vermont

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

Answer.

Gilsey House

Question What is your business or profession?

Answer

No business

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

Michael Murray

Taken before me this

21st

day of *November* 1888

John J. Buckley
Police Justice.

0524

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

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

Dated Jan 20th 1886 P. G. Duffy Police Justice.

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

Dated Jan 20 1886 P. G. Duffy Police Justice.

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

Dated _____ 188 _____ Police Justice.

0525

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

M. G. Mullowney

127 East 12th

1 Michael Murray

2

3

4

Offence/Keeping and Maintaining a Gambling House

Dated

January 19th 1886

P. G. Duffy Magistrate

Capt Williams Officer.

19 Precinct.

Witnesses

No.

No.

No.

\$500

to answer

Bailed

0526

District Attorney's Office.

PEOPLE

vs.

Michael Murray
Gunning

Let this case
be disposed of
on 10th inst as
per endorsement,
Nov 5/87 P.B.M.
To Mr Parker

0527

N. Y. GENERAL SESSIONS.

-----X
The People
vs.
Michael Murray

Keeping Gambling House

-----X
Defendant was indicted for the offense above-named upon the 26th day of January, 1886, upon the information of one Michael J. Mullowney, an employee of the World newspaper of this City.

The circumstances which led to the information, as related by complainant, are as follows:

Pursuant to a directions from the management of the journal mentioned, Mullowney called at the premises No. 13 West 28th Street, and rang the bell. The door was opened by a negro to whom he said, "I understand there is a game up stairs; I would like to go up." The negro muttered something which was unintelligible to the complainant, and left him standing either at the outer door or in the vestibule, and proceeded towards the back part of the hall, going, according to complainant's recollection, into the back room. He reappeared in a moment, and another man, who was unknown to complainant, looked out from the front parlor door, his head alone being visible. Complainant heard no conversation between the negro and said stranger, nor saw any sign, but immediately thereafter the stranger disappeared, the negro returned to the front door and said to complainant that he guessed it

0528

was all right. Complainant went up stairs and entered a room, containing apparatus for gambling, there being two dealers (strangers to complainant) at a game of faro, and several people engaged in said game. Complainant engaged in said game and lost one - dollar.

Complainant was not and is not acquainted with the man who had appeared in the door-way of the hall below, nor was any statement made as to his identity while in said house; nor any statement made or questions asked as to who kept the gambling establishment in question.

The facts of complainant's visit were published next day in the World, and came to the attention of Inspector Williams, then Captain of the 19th Precinct, in which the said premises were located. He immediately went to the World office with the publication in question and requested that the reporter be permitted to make information against the proprietor of the premises in question, which was acceded to, and the information made the same morning. Search warrant was immediately issued, and under authority thereof the said premises were searched from cellar to roof, without the discovery of any gambling tools, devices or apparatus.

I have conferred with Inspector Williams, who made the arrest in person, and he has acquainted me with the facts of the search, and has also informed me that he was unable to obtain any evidence showing that the defendant was the occupant or lessee of the premises in question, or that he maintained a gambling establishment alleged

0529

to have been there located. He has stated also, that from the time of the information herein to the present, no such establishment as that charged has been maintained upon said premises.

The affidavits of both complainant and Inspector are hereto appended.

Upon all these facts it appears to me impossible to sustain the material allegation of either count of the indictment, and I accordingly recommend that it be dismissed.

Dated, October 13th, 1887.

A. D. Parker

0530

THE PEOPLE OF THE STATE OF
NEW YORK,

against

Michael Murray

Report

RANDOLPH B. MARTINE,
DISTRICT ATTORNEY,
N. B. CHAMBERS STREET,
NEW YORK CITY.

Approved
10/18/87
KO

0531

-----X
The people

vs.

Michael Murray
-----X

City and County of New York, SS:

Michael G. Mullenney, being duly sworn deposes and says: I reside at ¹²⁴124 E. 12th Street, in this City. I am and was upon the 18th of January, 1886, in the employ of the New York World. Upon said last mentioned day pursuant to instructions from the management of said newspaper I proceeded to the premises No. 13 West 28th Street, for the purpose of ascertaining whether a gambling establishment was there maintained. I rang the front door bell of said house. The door was opened by a negro to whom I said, "I understand there is a game up stairs, and ~~that~~ I would like to go up". Said negro thereupon went to the back part of the hall ^{and disappeared}, leaving me standing at the door or within the vestibule. I am not certain now whether he went into the back room at the end of the hall or merely to the door of said room, but ^{as said negro returned where I stood,} in a moment, a man, who was a stranger to me, put his head out of ^{the front door} ~~the door~~ and looked towards me. I do not remember whether any conversation then took place between said stranger and said negro, but said stranger disappeared and said negro came to me and said ^{"I will go all right."} ~~I would go up stairs.~~ I went into the room up stairs where a table and gambling apparatus were situated, and found ^{the} dealers in a game of faro,

0532

who ~~was~~ subsequently replaced by another dealer,
and several people engaged in said game. I engaged in
said game and lost a dollar. Next day, I made infor-
mation herein at the request of Captain Williams.

While I was in the building there was no statement
made to me as to the identity of the stranger in the
hall below, or as to who kept said establishment. I saw
in the Police Court, ^{a day or two after} ~~at the time~~ I made the information,
^{a man whom I took to be} the stranger whom I had seen in the hall ^{on the occasion of my visit above mentioned,} ~~the day before,~~
and who, I was informed, was the defendant herein.

This constitute all the details of my connection
with the case.

M. G. Muldowney

Sworn to before me this

13th day of October, 1887.

A. B. Parker
Notary Public
N. Y. C.

0533

THE PEOPLE OF THE STATE OF
NEW YORK,

against

Michael Murray

*Opposition
of
M. G. Mulvaney*

RANDOLPH B MARTINE,

DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,
NEW YORK CITY.

0534

-----X
The People

vs.

Michael Murray
-----X

City and County of New York, SS:

Alexander S. Williams being duly sworn deposes and says: I am an Inspector of Police in the City of New York. On the 19th day of January, 1886, I was Captain of said police in charge of the 19th Precinct. Upon the morning of said last mentioned day, my attention was drawn to an article in the "World", stating in substance that a gambling establishment existed at No. 13 West 28th Street in said City, and giving an account of a visit made to said establishment by a reporter of the said journal. With a copy of said publication, I immediately visited the office of said journal and requested that the employee thereof who visited the premises in question should be permitted or instructed to make information thereof at the proper police court. This was acceded to on the part of the management of said journal, and the information herein was thereupon made. Search warrant was immediately issued upon the said information, and I, in person, arrested the defendant herein, and made a search through said premises from cellar to roof without finding any gambling tools, devices or apparatus.

0535

No evidence was obtainable by me that the defendant herein was the lessee or manager of this said establishment. Since the date of said information no such establishment has existed in said premises, and they were vacated at that time.

Sworn to before me this

29th day of October, 1887.

Alexander J. Williams

A. D. Barker
Notary Public
Ky. Co.

0536

THE PEOPLE OF THE STATE OF
NEW YORK,

against

Michael Murray

Opponent

R. S. Williams

RANDOLPH B. MARTINE,
DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,
NEW YORK CITY.

0537

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Murray

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

(Sec. 343
Penal Code) of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING, committed
as follows:

The said

Michael Murray

late of the *Twenty-first* Ward of the City of New York in the County of New
York aforesaid, on the *eighteenth* day of *January* in the year of our
Lord one thousand eight hundred and eighty-*eight*, and on divers other days and
times as well before as after, to the day of the taking of this inquisition, at the Ward, City and
County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building
there situate to be used for gambling; 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. (Sec. 344 Penal Code).

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

Michael Murray

of the CRIME OF ALLOWING A ROOM, ESTABLISHMENT, TABLE AND APPA-
RATUS TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said

Michael Murray

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, and on said other days and times, at the Ward, City and County aforesaid, a certain

0538

room in a certain building there situate, and a certain gambling table, and establishment, and diver cards, chips, devices and apparatus, a more particular description whereof is to the Grand Jury aforesaid unknown, and cannot now be given, the same being suitable for gambling purposes, with force and arms, feloniously did allow to be used for gambling purposes, 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. (Sec. 385 Penal Code).

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

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

The said

— Michael Murray —
late of the Ward, City and County, aforesaid, afterwards, to wit : on the day and in the year aforesaid, and on said other days and times, at the Ward, City and County aforesaid, with force and arms, a certain common gaming-house, there situate, for *his* lucre and gain, unlawfully and injuriously did keep and maintain ; and in *his* said common gaming-house, then and on said other days and times, there unlawfully and injuriously did cause and procure divers idle and ill-disposed persons to be and remain, and the said idle and ill-disposed persons, on the day and in the year aforesaid, and on said other days and times, to game together and play at a certain unlawful game of cards called *Far* — , in the said common gaming-house aforesaid, there did unlawfully and injuriously procure, permit and suffer, and the said idle and ill-disposed persons, then, and on said other days and times, in the said common gaming-house aforesaid, by such procurement, permission and sufferance of the said

— Michael Murray —
there did game together and play at said unlawful game of cards, for divers large and excessive sums of money, to the great annoyance, injury and damage of the comfort and repose of a great number of persons, good citizens of our said State, there inhabiting and residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

RANDOLPH B. MARTINE,

District Attorney.

0539

BOX:

204

FOLDER:

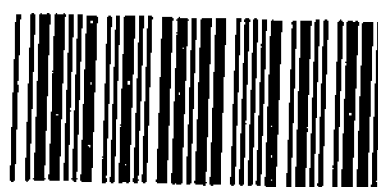
2039

DESCRIPTION:

Myers, George W.

DATE:

01/26/86



2039

0540

BOX:

204

FOLDER:

2039

DESCRIPTION:

Traphagen, Richard D.

DATE:

01/26/86



2039

0541

Geo. W. Parry
Ch. 20th. clay co

Counsel,
Filed day of 1886
Pleas,
Ch. 20th. clay co
Ch. 20th. clay co
THE PEOPLE

[Sections 848, 844 and 885 Penal Code].
GAMING HOUSE, &c.

vs.
George W. Myers
Richard D. Trophagan
(2 cases)

RANDOLPH B. MARTINE,

District Attorney.

Ch. 20th. clay co
Park 11th May 11/87

Both plead guilty
A True Bill.

May 11th 1887
Crawford Higgins

Foreman
Judges 7 Suspended

W. H. J. W. H. J.
S. C. A. R. L. D.

0542

STATE OF NEW YORK.
CITY AND COUNTY OF NEW YORK,

POLICE COURT,

DISTRICT.

George F. Lewisof Central Office

Street, being duly sworn, deposes and says,

that on the

20

day of

January1886

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

RD. Traphagen

at No 18 William Street

unlawfully keeps and maintains a Gambling House and place of resort for gambling and did then and on said day permit divers idle disorderly and wil disposed persons to resort there to gamble and play at cards and games of chance for money in violation of the Law and to the common nuisance of the People of the State of New York

That at the aforesaid time and place said defendant sold deponent \$6. Composition checks representing divers sums of money of the value of Ten dollars That deponent did then and there engage in the game called "Draw Potter" with said defendant and five others whose names are unknown and lost seven dollars of said checks and that he ^{said deponent} thereafter purchased ~~the~~ ^{more} checks of the value of \$24 from a colored man who was in charge and that he said colored man immediately handed said sum of money to said Traphagen; That deponent then and there again engaged in said game with said five others and another man who took ^{said Traphagen's} place in said game and ^{deponent} played in said game for about one hour and

0543

left said table where they were engaged
at the game and took \$26⁸⁰/₁₀₀ in checks
and said Traphagen gave ^{said deponent} him money
in payment for the same and invited
him to call again. Deponent says
that he saw said persons purchase
and receive checks from said Traphagen
and he said Traphagen put the money
which he received there in his
pocket. Deponent further says that in
said premises are exhibited, kept &
used by said Traphagen gambling
tables, checks cards. The discovery of
which would tend to establish the
truth of the charge herein made.

Ssworn to before me this George J. Lewis
21 day of Jan 1886
Samuel O'Reilly Police Justice

POLICE COURT—DISTRICT—

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated

188

Magistrate.

Officer.

Witness.

Disposition

0544

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, { ss

1st District Police Court.

George W. Meyers 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.

George W. Meyers

Question. How old are you?

Answer

47 years

Question. Where were you born?

Answer.

New York City

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

Answer.

263 West 47th St. 1 1/2 years

Question. What is your business or profession?

Answer.

Janitor

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

Answer.

I am not guilty. I
demand a trial by jury
Geo W Meyers

Taken before me this

day of

1886

Police Justice.

0545

STATE OF NEW YORK. } ss: " " POLICE COURT, 1st DISTRICT.
CITY AND COUNTY OF NEW YORK, }

George F. Lewis

of No. *Central Office* Street, being duly sworn, deposes and says,

that on the *21st* day of *January* 188*6*

at the City of New York, in the County of New York, *he arrested George*

W. Meyers for Violation of Gambling Law and in his possession was found several packs of marked playing cards

George F. Lewis

Sworn to before me, this

of *January* 188*6*

& & day }

Samuel M. Smith Police Justice.

0546

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

POLICE COURT, 10th DISTRICT.

George F. Lewis

of No. *Central office* Street, being duly sworn, deposes and says,

that on the *21st* day of *January* 188*6*

at the City of New York, in the County of New York, *he arrested me*

*George W. Meyers who is the
Colored man named in the
annexed affidavit charged
with Violation of Gambling
Laws.*

George F. Lewis

Sworn to before me, this *21st* day of *January* 188*6*

Samuel M. Smith
Police Justice.

0547

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 George M.

Meyers

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 5 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

January 22 188 6

Samuel O'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 he to be discharged.

Dated

188

Police Justice.

0548

BAILED,

No. 1, by

Office

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

J. P. J. Howard
21 Park Row Street.
541 Dean Street Brooklyn.
William Dooley Street.
19 Charles Street.
Street.
Street.

Police Court

87 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

George F. Lewis
vs.
George W. Meyers
vs.
R. D. Traphagen

2
3
4

W. J. and Mary Ann
Offence

Dated

January 22 1886

Magistrate

Officer.

Precinct.

No 2 Warrant issued
not arrested

No.

Street.

No.

Street.

No. 1

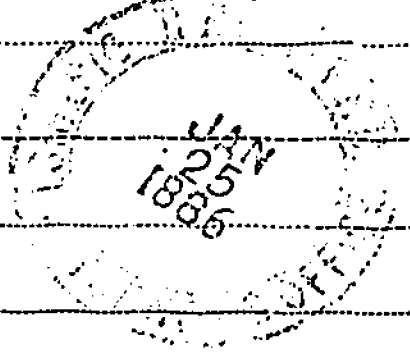
Street,

\$ 500

to answer

98

Committed



0549

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*George W. Myers and
Richard D. Snayhaagen*

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

accuse *George W. Myers and Richard
D. Snayhaagen* -

(Sec. 343
Penal Code) of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING, committed
as follows:

The said *George W. Myers and*

Richard D. Snayhaagen, each -

late of the *Twentieth* Ward of the City of New York in the County of New
York aforesaid, on the *twentieth* day of *January*, in the year of our
Lord one thousand eight hundred and eighty-*five*, and on divers other days and
times as well before as after, to the day of the taking of this inquisition, at the Ward, City and
County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building
there situate to be used for gambling; 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. (Sec. 344 Penal Code).

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

George W. Myers and Richard D. Snayhaagen

of the CRIME OF ALLOWING A ROOM, ESTABLISHMENT, TABLE AND APPA-
RATUS TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said *George W. Myers and Richard*

D. Snayhaagen, each -

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, and on said other days and times, at the Ward, City and County aforesaid, a certain

0550

room in a certain building there situate, and a certain gambling table, and establishment, and diver cards, chips, devices and apparatus, a more particular description whereof is to the Grand Jury aforesaid unknown, and cannot now be given, the same being suitable for gambling purposes, with force and arms, feloniously did allow to be used for gambling purposes, 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. (Sec. 385 Penal Code).

And the Grand Jury aforesaid, by this indictment, further accuse the said *George W. Myers and Richard D. Trapnager* of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said *George W. Myers and Richard D. Trapnager, each* - late of the Ward, City and County, aforesaid, afterwards, to wit: on the day and in the year aforesaid, and on said other days and times, at the Ward, City and County aforesaid, with force and arms, a certain common gaming-house, there situate, for *their* lucre and gain, unlawfully and injuriously did keep and maintain; and in *their* said common gaming-house, then and on said other days and times, there unlawfully and injuriously did cause and procure divers idle and ill-disposed persons to be and remain, and the said idle and ill-disposed persons, on the day and in the year aforesaid, and on said other days and times, to game together and play at a certain unlawful game of cards called *draw poker*, in the said common gaming-house aforesaid, there did unlawfully and injuriously procure, permit and suffer, and the said idle and ill-disposed persons, then, and on said other days and times, in the said common gaming-house aforesaid, by such procurement, permission and sufferance of the said *George W. Myers and Richard D. Trapnager* - there did game together and play at said unlawful game of cards, for divers large and excessive sums of money, to the great annoyance, injury and damage of the comfort and repose of a great number of persons, good citizens of our said State, there inhabiting and residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

RANDOLPH B. MARTINE,

District Attorney.