

0597

BOX:

385

FOLDER:

3593

DESCRIPTION:

Maher, Michael

DATE:

02/05/90



3593

Witnesses:

Wm. Sonstine

Patrick McLeary

Off Smith

6. *[Signature]*

Counsel,

Filed

day of

1880

Pleads,

Chapman

THE PEOPLE

vs.

*30-78-
333 E 78-
Wm. J. J.*

F

Michael Maher

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

JOHN R. FELLOWS,

District Attorney.

Pr. Feb 12/90

Pleads Asst. D. J.

A TRUE BILL.

Lawrence McKee

Foreman.

*I am 6 mos
[Signature]*

0598

0599

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 4th DISTRICT.

Patrick McLeary

of No. 313 E 29 Street, aged 21 years,

occupation Bartender being duly sworn deposes and says,

that on the 27 day of January 1890

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

(nowhere) came in store No. 313 East-29th Street in said City and wilfully and maliciously threw four bricks at deponent who was standing behind the bar in said place breaking a mirror of the value of thirty five dollars and other property consisting of bottles and glasses of the amount and value of twenty dollars all of the value of fifty five dollars the property of John Mc

Sworn to before me, this

of

188

day

Police Justice,

0600

Deavey defendants Employer

Sworn to before me Patrick McLeary
This 27 day of Jan 1890
Groheny and Police Justice

Police Court District.

THE PEOPLE, &c.
ON THE COMPLAINT OF
vs.
AFFIDAVIT.

Dated 188

Magistrate.

Officer.

Witness.

Disposition.

0601

Sec. 198-200.

4th District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael Maher 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.

Michael Maher

Question. How old are you?

Answer.

20 years.

Question. Where were you born?

Answer.

U. S.

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

Answer.

333 East 78th Str. 4 months.

Question. What is your business or profession?

Answer.

Printer

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 throwing the
bricks after the other
man threw glasses at me.*

Michael Maher

Taken before me this

27

day of

January

18*98*

J. J. McDonald
Police Justice.

0602

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

..... *defendant*
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Three* Hundred Dollars, and be committed to the Warden and Keeper of

the City Prison of the City of New York, until he give such bail.

Dated *Jan 27th* 188*9* *J. H. 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.

0603

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

Patrick McLeary

318 East 29th St

Michael Maher

2

3

4

Dated

Jan 27 1890

Magistrate

Officer.

18 Precinct.

Witnesses

William Donohue

No.

249 E 28

Street.

No.

Street.

No.

Street.

\$

True Bill ordered

6

0604

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 Maher

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

Michael Maher

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

The said Michael Maher,

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

Patrick Mc Leavey,

in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make an assault; and the said Michael Maher, to, at

and against the said Patrick Mc Leavey, four
with a certain bucks which he the said

Michael Maher

in his right hand then and there had and held, the same being then and there
a weapons and an instruments and weapon likely to produce grievous bodily harm,
the said

and there feloniously did wilfully and wrongfully strike, beat, cast and throw,
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.

John D. Bellows,
District Attorney

0605

BOX:

385

FOLDER:

3593

DESCRIPTION:

Martin, Charles J.

DATE:

02/28/90



3593

0606

Witnesses;

Edwin Martin
Harriet Gordon

1574

1890
Challen

Counsel,

Filed 27 day of July 1890

Pleads Not guilty - March 3

THE PEOPLE

vs.

Charles J. Martin

Grand Larceny
Second degree.
[Sections 628, 634, Penal Code].

March 5

JOHN R. FELLOWS,

9⁴⁵ am.

District Attorney.

Part 3 March 7 by order of ch.
W.S.J.

A True Bill.

Lawrence McKeever

Foreman.

Part III March 7/90.

Indicted and Acquitted

0607

Police Court— District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Edith Martin
of No. *460 East 115th* Street, aged *18* years,
occupation *Type writer* being duly sworn
deposes and says, that on the *about 15th* day of *December* 188*9* 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 diamond ring of the value
of Sixty dollars.*

the property of *deponent.*

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

from the fact that on or about the
1st of September 188*9* the said defendant
took said ring from deponent's mother
who is now deceased, and possessed said
ring, and on or about the above mentioned
date deponent demanded the return of
said ring from the said defendant but
he refused to give said ring to deponent
and still continues to keep said ring.
Wherefore deponent charges the said
defendant with feloniously withholding
said ring with the intent to deprive deponent
who is the true owner of said property of
the use and benefit thereof and prays he
may be held and dealt with according to law
Edith Martin.

Sworn to before me, this

of

1890

day

Police Justice.

0608

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, DISTRICT.

Harriet S. Gordon

of No. 460 E 115th Street, aged 40 years,

occupation. Keep House being duly sworn deposes and says

that on the 30th day of August 1889.

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

was present in the premises no 159 East 106th St. in the apartment occupied by Mrs Emma Martin who is now deceased. and heard her the said Emma Martin give the aforesaid mis mentioned in the annexed affidavit to her daughter Edith Martin the Complainant in this case.

H S Gordon

Sworn to before me, this

15th day

Police Justice.

0609

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Charles John Martin 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.

Charles John Martin

Question. How old are you?

Answer.

29 years old

Question. Where were you born?

Answer.

Liverpool England

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

Answer.

206. E. 6th St. 4 Mrs

Question. What is your business or profession?

Answer.

Clerk

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

Answer.

I am not guilty

Charles J. Martin

Taken before me this

day of

1890

John J. Martin

Police Justice.

06 10

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

Alfred Hurst
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 15* 1890 *Henry Harrison* Police Justice.

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

Dated.....18..... 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.....18..... Police Justice.

0611

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Police Court---

24 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edith Martin

460 E 115th St

Charles John Martin

2

3

4

Offence

Lancaster

Dated

Feb 15
1890

1890

Magistrate.

Harriet J. Jordan

460 E 115th St

Officer.

Precinct.

Witnesses

Curran Gordon

No.

460 E 115th St

Street.

Eldridge H. Gray 440 E 115th St

No.

Wm. H. Gray 104 E 125th St

Street.

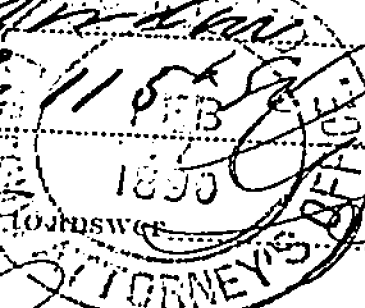
No.

460 E 115th St

Street.

No.

1000



Court

06 12

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Charles J. Martin

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

Charles J. Martin

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

The said

Charles J. Martin

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

*one ring, of the value of
sixty dollars*

of the goods, chattels and personal property of one

Edith Martin

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.

*John Q. Fellows,
District Attorney.*

0613

BOX:

385

FOLDER:

3593

DESCRIPTION:

May, Morris

DATE:

02/13/90



3593

Witnesses:

off. broken

Counsel,

Filed

day of

1890

Pleads

THE PEOPLE

vs.

I

Morris May

JOHN R. FELLOWS,

Feb 21 / 90 District Attorney.

A TRUE BILL.

Feb 21 / 90

James McKee

Part I

Foreman.

Feb 21 Court pleads *admitted* & *dispute*
above dep't remanded for trial

Feb 25 1890.

Crime against nature
Sec 303, Penal Code

06 14

06 15

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 3 DISTRICT.

of the City of New York, ss. Martin J. Crofton
the Police Street, aged 26 years,
occupation Police man being duly sworn deposes and says
that on the 2nd day of February 1880
at the City of New York, in the County of New York

Morris May, and August Held,
(both now here), were in the
vicinity of Cornhill Square
Park and did then and there
commit the crime against
nature to wit, said Morris May
had the penis of said
August Held in his (May's)
mouth, and said May and
Held did carnally know
each other in a manner

Sworn to before me, this
of 1880

Police Justice.

06 16

Contrary to Nature and in
violation of Sec 303 of the
Penal Code of the State of
New York ✓ Martin J. Crofton

I swore to before me } Charles W. Lainta
this 3rd day of Feb-1890 } Police Justice

Police Court-- District.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition,

0617

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

3 District Police Court.

Morris May 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.

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 have nothing to
say. Morris May*

Taken before me this

day of

1881

Charles W. Smith
Police Justice.

06 18

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

3 District Police Court.

August Veld 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. *August Veld*

Question. How old are you?

Answer. *23 Years of Age*

Question. Where were you born?

Answer. *Germany*

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

Answer. *152 Chrystie St / 4 Mon*

Question. What is your business or profession?

Answer. *Laundry Proprietor*

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

Answer. *I have nothing to say*

August Veld

Taken before me this

day of

1888

Charles W. Tamm

Police Justice.

06 19

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

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

Dated *Dec 8th* 188*9* *Charles N. Luntz* 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.

0620

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

3

4

Dated

1890

Witnesses

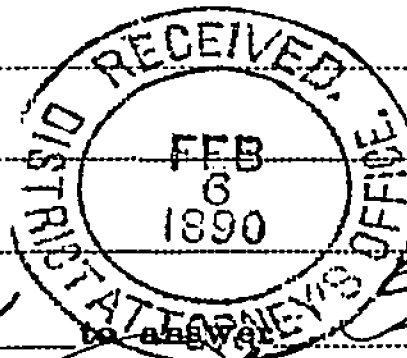
No. Bring down _____ Street.

August Wela (Fombs) _____

No. _____ Street.

No. _____ Street.

\$ 2000 _____



0621

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Morris May

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

Indictment accuse *Morris May*

of the crime of *against nature*,

committed as follows:

The said *Morris May*

late of the City of New York, in the County of New York, aforesaid, on the

second day of *February* in the year of our Lord one thousand
eight hundred and eighty *ninety*, at the City and County aforesaid,

*in and upon one August Weld, a male
person, feloniously made an assault,
and him the said August Weld, in a
manner contrary to nature, then and
there feloniously did carnally know,
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.*

*And the Grand Jury aforesaid, by
this Indictment further accuse the said*

0622

Morris May of the Crime against nature
committed as follows:

He said Morris May afterwards,
to wit: on the day and in the year
aforesaid, at the City and County aforesaid,
feloniously did voluntarily submit to
carnal knowledge of himself by one
August Weld, a male person, in a
manner contrary to nature; 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.

John R. Heltons

District Attorney

0623

BOX:

385

FOLDER:

3593

DESCRIPTION:

McAloon, James

DATE:

02/11/90



3593

Witnesses;

Matthew J. Horman

Joseph Holloway

Off. Date

Thomas Horman

89

115

Counsel, *Mose*
Filed *11* day of *Feb* 1890

Pleads, *Mcquilly*

THE PEOPLE

vs.

129

James McAloon

X

3 cases

Pr 3 20th Feb 1890

JOHN R. FELLOWS,

Pr 2 day 27/90 District Attorney.

Pleads At 3 L day.

Grand Larceny Second Degree. [Sections 628, 687 — Penal Code].

A True Bill.

James McAloon

Foreman.

See 1st page

0624

0625

The People
vs
Math. J. Horsham
complt.
James M. O'Loon
deft.
Larceny.

— Brief — Testimony.

Statement: — The deft. was one of a gang of men sent out by complaciant foreman of the Mt. Morris E. L. Co. to string wires at Vestry & Greenwich sts. City.

Complaciant Horsham kept account of all wire taken by the gang, in number of feet, & weighed the same for that purpose. It is customary when they string wires to have several men walk with a coil on a stand & play out the wire therefrom. Deft. took this coil in question & walked with it on his shoulder in a direction foreign to all purposes for which he was then at work. After the lapse of a half hour he returned without the coil of wire. On being asked to return it he took one of his colleagues to a jewelry shop & said it was there. Search was made the next morning but wire was not found there. A policeman was asked to arrest deft. but as the man who accompanied

0626

deft. did not see deft. take the wine
officer did not make arrest. Deft.
disappeared & was not heard of
until arrested on a charge of stealing
wine from another company when
complainant also appeared & made
charge.

Shuterman

Matthew J. Horobow, Vandover St.

Foreman. Sent gang out &
took case of all wine taken with gang. Weighed
it. Weighed all wine that came back &
found the wine in question missing.

will testify on to custom of stringing wines
that one man never carries wine, nor
does he go alone. Wine in question was never recovered.

will testify that market value of wine is \$57.²¹

Joseph Holloway 300 E. 126 St.

Driver of wagon that accompanied
gang. Saw deft. at Vestry & Greenwich
St. take coil in question on his back
& walk away with it. Saw him return
without it. Informed foreman Kevin
Kevin when deft. returned said "If you
don't bring back that wine I'll break
your head." Kevin sent McGuire
with deft. to recover the wine.

0627

Joseph McGuire. 457 2nd Ave.

Two sent by foreman Kerwin with Left brother wine. When we reached Beach & Washington sts. Left pointed down to a junk shop in a basement & said "the wine is down there." Two about to go down when Left moved away to elude me. I asked officer to arrest him & as I had not seen Left. take wine away, officer refused to make arrest. The wine was not found in junk shop. Left walked away & was not seen since.

Wine has never been recovered

Maecher J. Horahan 1 Vandover St.

Joseph Halloway 300 E. 126 St.

Thos. Kerwin 487 2nd Ave.

Joseph McGuire 451 2nd Ave.

Ed. Ford

• *Cross of Seal. Services.*

*The Pres. &c.
the company of
Washed R. Hornsman*

James Macaloon

Grand Larceny.

Final Brief

0628

0629

Walter S. Carter,
Charles E. Hughes,
Paul D. Cravath,
John W. Houston.

Carter, Hughes & Cravath,

Attorneys & Counsellors at Law,

120 Broadway,

New York, Jan. 31st, 1890

Hon. John R. Fellows,

District Attorney, &c.

Dear Sir:-

There has been carried on, during the past few weeks, a systematic course of stealing wires, in various parts of the city, belonging to the electric lighting companies. The loss to the companies has been considerable. Unfortunately it has been very difficult to detect the thieves. One or two efforts have been made to bring certain persons to justice, but they have failed owing to the lack of evidence. One McAloon has just been arrested and the evidence against him seems to be very clear. His trial, for petty larceny, is set down for next Tuesday at Special Sessions at the Tombs. We understand it is not the custom to assign assistants from the District Attorney's office in cases of this kind in this court, but owing to the importance of bringing some of the thieves to justice we take the liberty of requesting that, in this case, one of your assistants be assigned to the duty of prosecuting this case.

The bearer, Mr. Barnum, of our office, will be glad

0630

to furnish him with all the information he can.

We remain,

Very truly yours,

Charles Hughes O'Connell

0631

Police Court—1st District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Matthew J. Horahan
of No. 1 Vandam Street Greenwich Street, aged 32 years,
occupation Lineman being duly sworn
deposes and says, that on the 3rd day of September 1889 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 Roll of Electric Light wire of the
Value of Fifty Seven 41/100 Dollars
\$ 57. 41/100

the property of The Maumet Morris Electric Light
Company and in care and charge
of deponent.

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,
and carried away by James Mc Aloon (Gardner)
from the fact that on said day said defendant
was in the Employ of said Company as a
Lineman, Deponent is informed by Joseph
Hallaway of No 300 East 126 Street who is
a driver in said Company and who had
said property on his Truck, that said
defendant took said property from said
Truck to carry the same to Thomas Heron
of No 487 2nd Avenue who was in the act
of Constructing wires under the Elevated Rail
Road on Greenwich Street and he Heron
informs deponent that said wire
was not delivered to him.
That said defendant left his Employment
and never returned, M. J. Horahan

Sworn to before me, this 3rd day
of September 1889

Alfred J. Tucker
Police Justice.

0632

CITY AND COUNTY }
OF NEW YORK, } ss.

Joseph Holloway
aged 20 years, occupation Printer of No.

305 East 126 Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Matthew J. Horahan

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

Sworn to before me, this

day of

February

1890

Joseph H. Holloway

A. J. McMahon

Police Justice.

0633

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 27 years, occupation Lawyer of No.

487 2nd Avenue Street, being duly sworn deposes and

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

Sworn to before me, this

day of February 1890

Thomas Kervin

A. J. Mahoney

Police Justice.

0634

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James Mc Sloan 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.

James Mc Sloan

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

New York

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

Answer.

127 West Street 2 months

Question. What is your business or profession?

Answer.

Cineman

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 Mc Sloan

Taken before me this

day of

1890

James Mc Sloan
Police Justice

0635

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 Ten Hundred Dollars, and be committed to the Warden and Keeper of

the City Prison, of the City of New York, until he Give such bail

Dated February 1 1890 W. J. Mahon Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

0636

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

Police Court---

207
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Matthew J. Noonan
1 Grand St
James McAlon

2

3

4

Offence
Lawrence
Lawrence

Dated

Feb 1

1890

M. Noonan

Magistrate.

Oates

Officer.

Precinct.

Witnesses

Joseph Hallaway

No.

300 East 126

Street.

Thomas Kerwin

No.

487 2nd Avenue

Street.

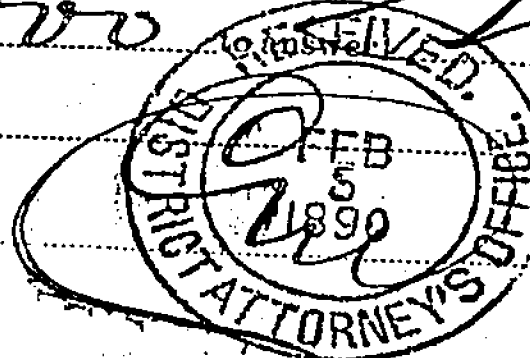
Joseph Hallaway

No.

451 Second Avenue

Street.

\$ *1000*



0637

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 Mc Aloon

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

James Mc Aloon

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

The said

James Mc Aloon

late of the City of New York, in the County of New York aforesaid, on the *third* day of *September* in the year of our Lord one thousand eight hundred and *eighty-nine*, at the City and County aforesaid, with force and arms, *one roll of wire of the value of fifty seven dollars and seventy-one cents, and a quantity of wire, a more particular description whereof is to the Grand Jury aforesaid unknown, of the value of fifty seven dollars and seventy-one cents*

of the goods, chattels and personal property of ~~one~~ a corporation called *The Mount Morris Electric Light Company*

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

John L. Fellows,
District Attorney.

0638

BOX:

385

FOLDER:

3593

DESCRIPTION:

McAloon, James

DATE:

02/12/90



3593

0639

118

Counsel, *W. H. H. H.*
Filed *10 Feb 1890*
Pleads *Not guilty*

THE PEOPLE

vs. *R*

James McAlon

vers

Pr. 3 Feb 20 1890
JOHN R. FELLOWS,
District Attorney.

Pr. 3 Feb 27. 1890.
Sentenced in Geo. Indict.

A True Bill.

James McAlon

Foreman.

Witnesses:
Charles W. H. H.

0640

Sec. 151.

Police Court. District.

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

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 W. Neel*

of No. *89 Courtland* Street, that on the *12* day of *January*
188*9* at the City of New York, in the County of New York, the following article to wit:

A quantity of copper wire

of the value of *about Twenty four* Dollars,
the property *in care and charge of said W. Neel*
w *as* taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and
believe, by *James McAlmon and two other men*

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant
and forthwith bring *him* before me, at the *First* 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 *28* day of *January* 188*9*

John J. ... POLICE JUSTICE.

0641

Police Court— / — District.

Affidavit—Larceny.

City and County } ss.
of New York, }

Charles McNeil
of No. 87 Courtlandt Street, aged 43 years,
occupation Inside wire man of U.S. Illuminating Co. being duly sworn

deposes and says, that on the 1st day of January 1890 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

A quantity of copper wire
of the value of about twenty
four dollars

the property of the United States Illuminating Co.
and in care for himself

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 McAloon and two other men who were in company with each other and acting in concert for the purpose that said wire was suspended upon poles erected by said Company on Courtlandt Street and deponent saw the defendants climb different poles cut said wire and saw the defendant McAloon curl up the wire and walk away with it.

Deponent believed the defendants employees of said Company and did not molest them in said act. Deponent has since discovered that the defendants were not employees of said Company but

Sworn to before me, this
18 day

Police Justice.

0642

I had stated it in the manner aforesaid
Sworn to before me this 28th January, 1890

Chas M^o Neal

John J. Gorman

Police Justice.

0643

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

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.

Taken before me this

day of

1898

Police Justice.

0644

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 Olegenski

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

Dated May 31 1890 Colon B. Seaver Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

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No. 4, by

Residence Street

RECEIVED.
TO ANSWER.
5
1890
STAT. OFF.

0646

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 Mc Aloon

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

James Mc Aloon

of the CRIME OF PETIT LARCENY committed as follows :

The said

James Mc Aloon

late of the City of New York, in the County of New York aforesaid, on the *first*
day of *January* in the year of our Lord one thousand eight hundred and

~~eighty-ninety~~, at the City and County aforesaid, with force and arms,

*a quantity of wire, a more
particular description whereof
is to the Grand Jury aforesaid
unknown, of the value of
twenty-four dollars*

of the goods, chattels and personal property of ~~one~~ a corporation called
the United States Illuminating Company

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

*John R. Fellows,
District Attorney.*

0647

BOX:

385

FOLDER:

3593

DESCRIPTION:

McDonald, George

DATE:

02/10/90



3593

Witnesses:

Flora Mendes

off the court

Incommodore acceptance
of plan of Peter Lamm
Feb 14/90
A. D. B. C.
A. H.

6/28/78
W. H. Vandewater

Counsel,

Filed

day of

1890

Pleas,

THE PEOPLE

vs.

38
dark
living

R

George McDonald

Grand Larceny, 2nd Degree.
(From the Person.)
[Sections 528, 581 — Penal Code].

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Hayward McKee

Foreman,

Feb III February 14/90

Pleas - Petition Larceny.
19.

Pen 2 months.

0648

0649

Police Court

Third District.

Affidavit—Larceny.

City and County
of New York, } ss.

of No.

41 Henry

Street, aged

78 years,

occupation

Housekeeper

being duly sworn

deposes and says, that on the

day of

February

18

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

time, the following property, viz:

One Coach, Four
 Sovereigns (Gold coin)
 good and lawful current
 money of the British Empire;
 and one silver cuff buttons
 all of the total value of

Twenty five dollars ⁹⁸/₁₀₀
 \$25.98

the property of
 Deponent and her
 husband

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

George M. Donald
 (now here) for the reason
 that on said day and date
 Deponent and Defendant
 were in said premises,
 in the living room; that
 Defendant sat alongside
 of Deponent and said
 property was in Deponent's
 purse and said purse was
 on Deponent's lap and then
 and there Deponent missed
 it; that Deponent charged
 Defendant with taking said
 property, and when said

Sworn to before me, this
 18 day

Police Justice.

0650

Defendant was arrested
and Sovereigns and Cuff
Buttons were found in
his possession.

Therefore now
Dependent Charges said
Defendant with taking,
stealing and carrying
away said property from
her person and possession
and prays that he be dealt
with as the law directs.

Done to before me }
this 10th day of Feb 1890 } John H. H. H.

W. D. H. H.

Police Justice

0651

Sec. 103-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

Third
District Police Court.

George H. McDonald
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
George H. McDonald.

Taken before me this

day of

188

Police Justice.

0652

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 *Fifty* 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 10* 188*7* *J. M. [Signature]* 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.

0653

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Police Court---

233 District.

THE PEOPLE, &c.,
vs. THE COMPLAINT OF

James M. ...
Geo. W. ...

1.

2.

3.

4.

Dated

1889

5th 10th
Catterpon
McParty

Magistrate.

Officer.

Precinct.

Witnesses *Mrs. ...*

No. *41 Henry* Street.

Cornelius Mendes

No. _____ Street.

No. _____ Street.

\$ *1500* to answer *G.S.*

Com

0654

CHARLES B. HEWITT.

EDWARD G. HEWITT.

GEORGE F. HEWITT.

G. B. HEWITT & BROTHERS,
Paper Warehouse,

Binders', Straw, Trunk, Press and Album Boards,
Printing, Wrapping, and Building Papers,
SAND PAPER,
and Paper Makers' Supplies, Generally.

GLUE.

48 BEEKMAN STREET,

New York, 18

In reply to your favor of

I have known the bearer, Geo. Macdonald,
for the past seven years having worked
at the same desk with him in Belfast,
Ireland.

I know him to be a faithful
and energetic worker, serving with his
best efforts his Employers interests. Honest,
upright and generous to a fault, incapable
of meanness, he had his Co-workers heartiest
& best wishes for his future advancement &
the regrets of his Employers at leaving.

Respectfully,

Andrew Lowry
Book-Keeper.

0655

ESTABLISHED 1787

Belfast, 26th March 1889

From HUGH WHITE & CO.

OFFICES AND STORES, 4 & 6 WINECELLAR ENTRY.
CUSTOMS BONDED WAREHOUSES, 15 & 17 GORDON STREET.



To

The bearer Mr. George Macdonald of this City, who is known to us for a considerable time was a Customer of ours in the Wine & Spirit trade. We have pleasure in stating that during all his transactions with us, we found him most straightforward and honest & he gave us every satisfaction in his dealings.

Hugh White & Co.

0656

MALCOMSON & CO.,
Wine Merchants.Belfast, ^{2 York Lane} 30th Mar 1889

The bearer (Mr. Geo Macdonald)
was a customer of ours for
a number of years, while
in the spirit business on
Newtownards Rd in this City.

We always found
in any transactions he
had with us, that he was
perfectly ~~the~~ ~~businesslike~~
hope he may prosper in
whatever avocation he now
pursues following—

MALCOMSON & CO

0657

PLEASE ADDRESS ALL LETTERS
TO
SAMUEL ALLSOPP & SONS LTD

TELEGRAPHIC ADDRESS:-
ALLSOPPS,
BELFAST.

East India, Paley & Burton & Co. Ltd.

944, Shippen Street.

Belfast. April 8 1889

To whom it may concern

The bearer Mr Joseph
Macdonald was a
customer of ours
for some time, during
which time we always
found him honest
and straightforward
in all his actions.

For SAMUEL ALLSOPP & SONS, LIMITED

W. J. Ford

0658

District Attorney's Office.

PEOPLE

vs.

George McDonald
G.L.

Mr. Parker

In this case
the couple sails
for Europe on next
Saturday - The stolen
property too is in
the hands of the
Property Clerk
Hence the neces-
sity for expedition
JC

0659

The Minute

By Victoria O. L.

12 April

July 8th

1889

Mr. L. L. L. was known
to me for some time
before he left this
country. His wife's
family who are
members of my
congregation are very
respectable people
devoted Presbyterians
and much engaged
in their attendance

0660

upon ordinariness
Dr. McDonald although
by letter on 25th of June
that he remained
in this country
intended I believe
to reside with
his wife and family
He is an intelligent
well educated young
man and will
I am convinced
faithfully discharge

0661

the duties of any
situation to which
he may be
appointed

Robt Montgomery
Presbyterian Minister
Belfast
Ireland

0662

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 McDonald

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

George McDonald
of the CRIME OF GRAND LARCENY in the *second* degree, committed as follows:

The said *George McDonald*.

late of the City of New York, in the County of New York aforesaid, on the *ninth* day of *February*, in the year of our Lord one thousand eight hundred and *eighty* *ninety*, in the *day* time of the said day, at the City and County aforesaid, with force and arms,

one bunch of the value of nine dollars, two cuff buttons and of the value of one dollar each, and four gold coins of the United Kingdom of Great Britain and Ireland of the kind called sovereigns. of the value of five dollars each.

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

John H. Collins
District Attorney

0663

BOX:

385

FOLDER:

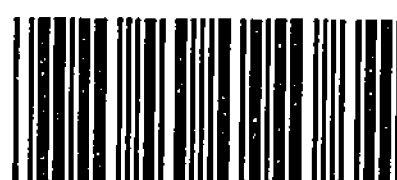
3593

DESCRIPTION:

McElray, James

DATE:

02/07/90



3593

Witnesses:

Off. Link

Counsel,

Filed

Pleads

day of

1891

THE PEOPLE

vs.

VIOLATION OF EXCISE LAW

(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and
page 1080, Sec. 5.]

James McElroy

petty

• Sent to the Court of Criminal
Sessions for trial by request
of Counsel for Defendant

JOHN R. FELLOWS,

District Attorney.

A True Bill.

James W. Keen

Foreman.

1112

0664

0665

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 Mc Elroy
The Grand Jury of the City and County of New York, by this indictment, accuse
James Mc Elroy
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said

James Mc Elroy
late of the City of New York, in the County of New York aforesaid, on the
first day of *July* in the year of our Lord one
thousand eight hundred and *eighty-eight*, at the City and County aforesaid,
the same being the first day of the week, commonly called and known as Sunday, with
force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine,
one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial,
one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer,
and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,
unlawfully did sell as a beverage to one *Charles Link*

and to certain other persons whose names are to the Grand Jury aforesaid unknown,
against the form of the Statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

SECOND COUNT—

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

James Mc Elroy
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG
AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

James Mc Elroy
late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, the same being the first day of the week, commonly called and known as
Sunday, being then and there in charge of and having the control of a certain place
there situate, which was then duly licensed as a place for the sale of strong and
spirituous liquors, wines, ale and beer, with force and arms, at the City and County
aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep
closed, and on the said day the said place so licensed as aforesaid unlawfully did then
and there open, and cause and procure and suffer and permit, to be open, and to remain
open, 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.

JOHN R. FELLOWS,

District Attorney.

0666

BOX:

385

FOLDER:

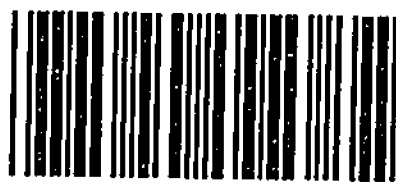
3593

DESCRIPTION:

McKenna, John J.

DATE:

02/21/90



3593

Witnesses;

Kate McKenna

Green & Co

Resident of

the wife as in

Madam McCann

ask for leave

for

Counsel,

Filed

21 day of Feb 1890

Pleads,

THE PEOPLE

vs.
Robert
315-2nd St

John J. McKenna

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

4-17 7:30

JOHN R. FELLOWS,

District Attorney.

A True Bill.

James McKenna

Foreman.

Part-III March 5/90

Pleas April 13 day

1990 for PL

0667

0668

Police Court— 4th District.

City and County { ss.:
of New York,

Kate McKenna
of No. 315 Avenue A Street, aged 32 years,
occupation House Cleaner being duly sworn
deposes and says, that on the 13 day of February 1897 at the City of New

York, in the County of New York,
She was violently and feloniously ASSAULTED and BEATEN by John J. McKenna

(narrative) who wilfully and maliciously
cut and stabbed deponent
on the breast with a large
knife and then held in his
hand

with the felonious intent ~~to take the life of deponent,~~ or to do her 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 16 day
of May 1897 }

Kate McKenna

Don't C. Kelly Police Justice.

0669

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

John J. McKenna 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.

It was an accident

John J. McKenna

Taken before me this

day of

1907

at

City of New York

Police Justice.

0670

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

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

Dated Feb 16 1889 John J. C. [Signature] 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.

0671

Police Court

247 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Kate Mc Kennid
400. East 23rd St. New York
John Mc Kennid
Offence Assault
Feb 16

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

16 Feb

1890

Daniel O'Reilly

Magistrate

Dorlen

Officer.

30th

30th

Precinct.

Witnesses

Dr at Bellevue Hospital
who attended complainant

No.

Street.

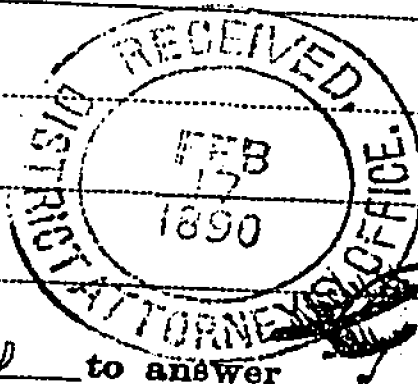
No.

Street.

No.

Street.

\$ *1000* to answer



Committed

W. H. 1

0672

CITY AND COUNTY
OF NEW YORK, } ss.

POLICE COURT, 4 DISTRICT.

of the 18 Precinct Police Street, aged 30 years,
occupation Police Officer being duly sworn deposes and says,
that on the 13 day of February 1890

at the City of New York, in the County of New York, he arrested
John J. Mc Olenna (name) in premises
No 315 Avenue A in said City
on complaint of Kate Mc Olenna
for Assault - Depoant says
that said Kate is suffering
from a stab wound in the breast
and is in the Hospital in a
critical condition and prays
that he be committed to await
the result of said Kate's injuries
- Michael Donlin

Sworn to before me, this

of

1890

day

Police Justice,

0673

335
Police Court—4— District.

THE PEOPLE, & c.

ON THE COMPLAINT OF

vs.

John McConna

AFFIDAVIT.

Dated *Feb 14* 18*90*

B O R Magistrate.

Danlon Officer.

Witness,

*Committed to await
the result of injuries
\$1000 & Feb 19. 9/10 M*

Disposition,

0674

Feb 15th 90.

Kate McKenna
220 W. 11th St.
In good condition
at present.

W. H. H. H.
H. H. H. H.

0675

Bellevue Hospital
Feb. 14. 90

Nat. M. McKenna
is comfortable but
not able to appear
in court.

W. B. Sturges

0676

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 J. Mc Kenna

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

John J. Mc Kenna
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

John J. Mc Kenna

late of the City of New York, in the County of New York aforesaid, on the
thirteenth day of *February* in the year of our Lord
one thousand eight hundred and *ninety*, with force and arms, at the City and
County aforesaid, in and upon the body of one *Kate Mc Kenna*
in the Peace of the said People then and there being, feloniously did make an assault
and *her* the said *Kate Mc Kenna*
with a certain

knife

which the said

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

with intent

her the said *Kate Mc Kenna*
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
John J. Mc Kenna
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

John J. Mc Kenna

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said *Kate Mc Kenna* in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and *her* the said

with a certain

Kate Mc Kenna
knife

which the said

in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York,
and their dignity.

0677

THIRD COUNT—

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

John J. Mc Kenna
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said—

John J. Mc Kenna

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 said

Kate Mc Kenna in the peace of the said People then
and there being, feloniously did wilfully and wrongfully make another assault, and
her the said *Kate Mc Kenna*
with a certain *knife*

which

he the said *John J. Mc Kenna*
in *his* right hand then and there had and held, in and upon the *breast*
of *her* the said *Kate Mc Kenna*

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-
fully inflict grievous bodily harm upon the said *Kate Mc Kenna*

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.

JOHN R. FELLOWS,

District Attorney.

0678

BOX:

385

FOLDER:

3593

DESCRIPTION:

McManus, Thomas

DATE:

02/14/90



3593

0679

159 to 24 Sept. 23/90

Counsel,
Filed *W. C. Coby* 1890
Pleas, *Myer* 17

THE PEOPLE
vs.
B
Thomas McManus
F Sept. 23/90
arrest term.

Sept. 20/90 JOHN R. FELLOWS,
District Attorney.
Oct 27. 1890 Wed.

A True Bill.
Lawrence McKee
Foreman.
Oct 27. 1890
On recom. Dist. Atty.
indict. dis. RBM

Witness:
Officer Wheaton states that he cannot swear to the identity of the defendant. He is not sure that the defendant is the same person whom he saw committing the alleged crime. I therefore recommend the dismissal of this indictment.
Oct 27/90

U. M. Davis
Asst.

0680

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

5 District Police Court.

Thomas McManus 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 McManus*

Question. How old are you?

Answer. *39 Years*

Question. Where were you born?

Answer. *This City*

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

Answer. *Get 102 & 103 St And E River*

Question. What is your business or profession?

Answer. *Boathouse Keeper*

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 and I demand a jury trial if held after examination*

Thos McManus

Taken before me this

day of

188

Police Justice.

0681

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 McManus
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 2* 188*8* *John J. Brown* Police Justice.

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

Defendant
to bail to answer by the undertaking hereto annexed.

Dated *July 2* 188*8* *John J. Brown* Police Justice.

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

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

Dated..... 188

..... Police Justice.

0682

Bond renewed Sept. 25/90

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court

1015 District.

THE PEOPLE &c.,
ON THE COMPLAINT OF

William Wheaton
vs.
Thomas McMannus

2

3

4

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No

Street.

No.

Street.

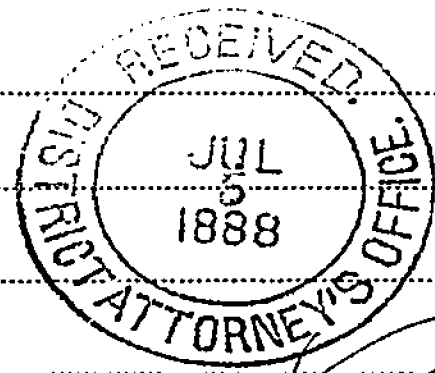
No.

Street.

\$

to answer

Bailed



0683

COUNTY OF NEW YORK, ss.

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

An indictment having been found on the 14th day of February
1890, in the Court of General Sessions of the Peace, of the County of
New York, charging Thomas McManus
with the crime of Violation of the Excise Law

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

City of New York, the 23rd day of Sept. 1890.

By order of the Court,

John Sparks

Clerk.

0684

N. Y. General Sessions of the Peace

THE PEOPLE
OF THE STATE OF NEW YORK,

against

Thomas W. Drannus

164 E. 1st St. N.Y.C.
Bench Warrant for Misdemeanor.

Issued *Sept. 23* 1890

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

0685

Excise Violation-Selling on Sunday.

POLICE COURT-

DISTRICT,

City and County } ss.
of New York,

William J. Pheaton
of No. 27 Precinct Police Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 1st day

of July 1888, in the City of New York, in the County of New York,

at premises No. 102 & 103 Street,

Thomas McManus (now here)
did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his
direction or authority strong and spirituous liquors, ale, and beer, being intoxicating liquors,
to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said Thomas McManus
may be arrested and dealt with according to law.

Sworn to before me, this 2 day
of July 1888

Police Justice.

William J. Pheaton

0686

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 McManus

The Grand Jury of the City and County of New York, by this indictment, accuse
Thomas McManus
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said

Thomas McManus

late of the City of New York, in the County of New York aforesaid, on the
first day of *July* in the year of our Lord one
thousand eight hundred and *eighty eight* at the City and County aforesaid,
the same being the first day of the week, commonly called and known as Sunday, with
force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine,
one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial,
one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer,
and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,
unlawfully did sell as a beverage to one

William J. Wheaton

and to certain other persons whose names are to the Grand Jury aforesaid unknown,
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 McManus
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG
AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Thomas McManus

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, the same being the first day of the week, commonly called and known as
Sunday, being then and there in charge of and having the control of a certain place
~~there situate, which was then duly licensed as a place for the sale of strong and~~
spirituous liquors, wines, ale and beer, with force and arms, at the City and County
aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep
closed, and on the said day the said place so licensed as aforesaid unlawfully did then
and there open, and cause and procure and suffer and permit, to be open, and to remain
open, 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.

JOHN R. FELLOWS,

District Attorney.

0687

BOX:

385

FOLDER:

3593

DESCRIPTION:

McQuade, John

DATE:

02/12/90



3593

Witnesses:

Off. McQuinn

I hereby consent that this case be
transferred to the Court of Special
Sessions for trial and final dis-
position.

Dated *April 10* 18*90*

John J. McQuade
Defendant

1137

Counsel,
Costello

Filed *12* day of *July* 18*90*

Pleads, *McQuade* 73

THE PEOPLE

B

(Section 219, Penal Code).

ASSAULT IN THE THIRD DEGREE

John McQuade

Quinn

of

JOHN R. FELLOWS,

District Attorney.

A True Bill.

James McKee

Foreman.

April 15

J.S.B.

0688

0689

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 Mc Guade

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

John Mc Guade

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

The said

John Mc Guade

late of the City of New York, in the County of New York aforesaid, on the *ninth*
day of *February* in the year of our Lord one thousand eight hundred and
~~eighty-ninth~~ at the City and County aforesaid, in and upon the body of one *Isaac*
Millhauser in the peace of the said People then and there being, with force
and arms, unlawfully did make an assault, and *him* the said *Isaac*
Millhauser did then and there unlawfully beat, wound and ill-treat, to the great damage
of the said *Isaac Millhauser* 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.

JOHN R. FELLOWS,

District Attorney.

0690

BOX:

385

FOLDER:

3593

DESCRIPTION:

Meade, James H.

DATE:

02/07/90



3593

Bail fixed at \$1000. B.M.

Witnesses:

Edwidge St. Berry

A. J. Williams

Bailed by Edward G. Epplure
After Bailment

Upon the recommendation of the Society for Protection of Cruelty to Children and the District Attorney, Epplure is suspended.

Feb 19/90

Counsel,

Filed

Pleas,

THE PEOPLE

60 sub.

vs. J.

James H. Meade

JOHN R. FELLOWS,

District Attorney.

Feb 14/90.

Tried & convicted.

A TRUE BILL.

James H. Meade

Foreman.

Part 2 Feb 13 by consent

W. J.

Sentence suspended

Feb 19/90

The jury find themselves compelled under the charge of the Court to find a verdict of guilty.

They recommend to the Court their unanimous feeling of the oppressiveness of this kind of the injustice of its partial enforcement.

Feb 14 1890

0691

0692

~~District Police Court.~~

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

EDWARD BECKER

of Number 100 East 23rd Street

being duly sworn,

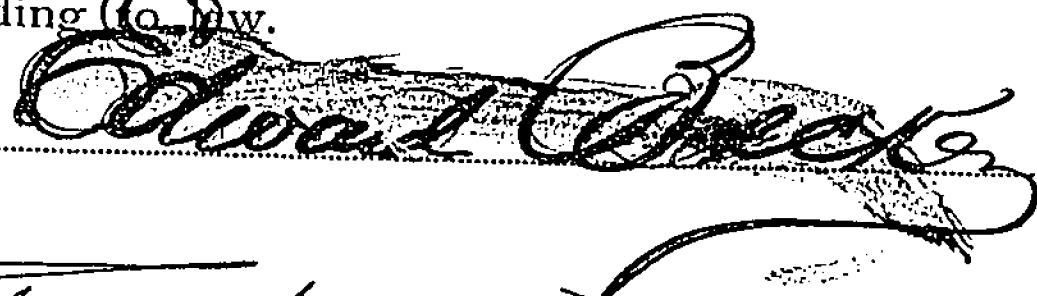
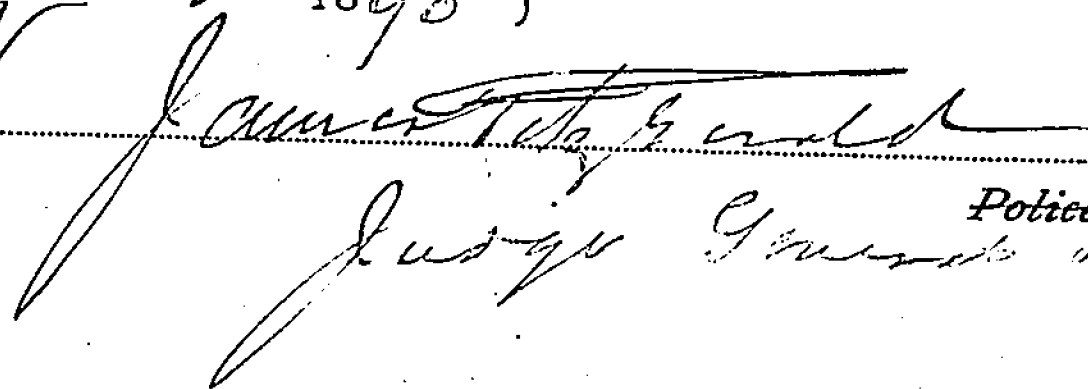
deposes and says, that on the Third day of February 18 90 at the City of New York, in the County of New York, at and within the theatre known as Niblo's Garden Theatre, No. 578 Broadway in said City of New York, one James H. Meade, then and there being the manager of a certain theatrical company known as the Blue Beard Jr. Company, did then and there unlawfully exhibit, use and employ nine certain children, each child then and there being apparently and actually under the age of sixteen years, of the names and ages following to wit, Lottie Dupree aged 7, Bertha E. Danher aged 5, Alma Doerge aged 6, Minnie Barber aged 6, Ida Wagner aged 5, Ella Hart aged 8, Clara Hart aged 10, Annie Siebech aged 8, Sadie Bennell aged 8; and also four other certain children, each child then and there being apparently and actually under the age of sixteen years, to wit of the following names and ages respectively, Aaron Pohly aged 14, Rosie Sutherland aged 12, Lilly Sutherland aged 9, Amelia Stevens aged 9; in a theatrical exhibition a programme and description whereof is hereto annexed, and in singing and dancing therein, in violation of the statute in such case made and provided and especially of Section 292 of the Penal Code.

That deponent personally witnessed said exhibition at the time and place aforesaid.

Wherefore the complainant prays that the said James H. Meade

may be apprehended, arrested and dealt with according to law.

Sworn to before me, this 4th day of Feb 1890

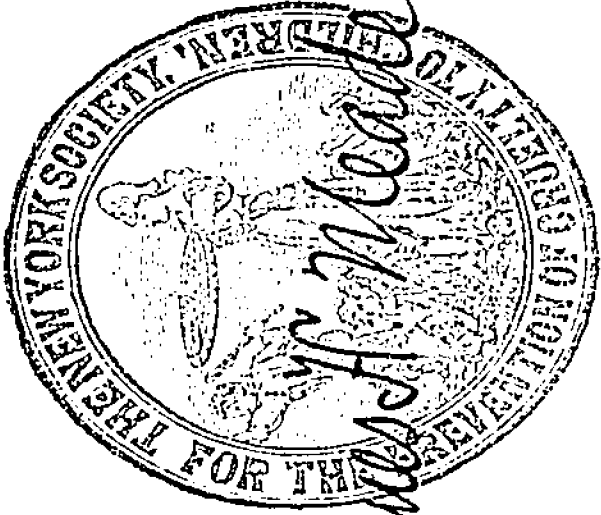
Police Justice

0693

244
POLICE COURT DISTRICT.

THE PEOPLE, &C.,
ON THE COMPLAINT OF

CRUELTY TO CHILDREN.



James H. McAdams

DATED

18

Magistrate.

Clerk.

Officer.

Witnesses:

E. Pelham Jenkins, Supt.,

190 East 23d Street.

Signature of Wilson, Jr.

Edward Becker, do.

Disposition,

0694

~~District Police Court.~~

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

AUGUSTINE J. WILSON

of Number 100 East 23rd Street being duly sworn,
deposes and says, that on the Third day of February 1890 at the

City of New York, in the County of New York, at and within the theatre known as Niblo's Garden Theatre, No. 578 Broadway in said City of New York, one James H. Meade, then and there being the manager of a certain theatrical company known as the Blue Beard Jr. Company, did then and there unlawfully exhibit, use and employ nine certain children, each child then and there being apparently and actually under the age of sixteen years, of the names and ages following to wit, Lottie Dupree aged 7, Bertha E. Danher aged 5, Alma Doerge aged 6, Minnie Barber aged 6, Ida Wagner aged 5, Ella Hart aged 8, Clara Hart aged 10, Annie Siebech aged 8, Sadie Benrell aged 8; and also four other certain children, each child then and there being apparently and actually under the age of sixteen years, to wit of the following names and ages respectively, Aaron Pohly aged 14, Rosie Sutherland aged 12, Lilly Sutherland aged 9, Amelia Stevens aged 9; in a theatrical exhibition a programme and description whereof is hereto annexed, and in singing and dancing therein, in violation of the statute in such case made and provided and especially of Section 292 of the Penal Code.

That deponent personally witnessed said exhibition at the time and place aforesaid.

Wherefore the complainant prays that the said James H. Meade

may be apprehended, arrested and dealt with according to law.

Sworn to before me, this 7th day of Feb 1890

day of Feb 1890

A. J. Wilson
James H. Meade
Joseph General

~~Police Justice~~

POLICE COURT DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

CRUELTY TO CHILDREN.



DATED 18

Magistrate.

Clerk.

Officer.

Witnesses:

E. Hollars Jenkins, Supt.,
100 East 23rd Street.

Disposition,

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

The People
against
James H. McEade

Affidavit to obtain order
under § 618 of the Criminal Procedure

City and County of New York ss *Wm. Travers Jerome*
being duly sworn says he is a Deputy District Attorney
of said County. That the following persons hereinafter
named are and each is a resident of Kings County
New York and that he believes that the evidence
of each is material and the attendance of said
witness necessary at the trial of the indictment
herein which is set down for Thursday February 13th
1890 in Part Two of said Court. He therefore prays that
an order for the attendance of each of said witnesses
upon said trial may be enclosed upon the subpoena
therefor pursuant to Section 618 of the Code of Crimi-
nal Procedure.

That the names and residences of such witnesses
are as follows, to wit:—

- 1 Mrs Minnie Barber 114 1/2 St. Brooklyn
 - 2 Minnie Barber 11 " "
 - 3 Annie Siebeck 394-2 St " "
 - 4 Mrs Ricca Siebeck " " "
 - 5 Ida Wagner 17 Sterling Place " "
 - 6 Mrs Kate Wagner " " "
- Wm. Travers Jerome*

Sworn before me
this 12th day of February 1890
James H. McEade

0697

The People

v.

BRIEF FOR THE PEOPLE.

James H. Meade.

STATEMENT OF THE CASE.

The defendant is charged with a misdemeanor under Section 292 of the Penal Code for exhibiting, using and employing in singing and dancing and in a theatrical exhibition in Niblo's Theatre No. 578 Broadway in the City of New York, on *Monday* February 3 1890, certain children actually and apparently under the age of sixteen years.

Before the arrest his attention was called to the law by The New York Society for the Prevention of Cruelty to Children and a simple request made by it that the children in question who were of very tender years (4 to 9 - the oldest 14) should not be exhibited. He thereupon applied to the Mayor for permission under the last subdivision of the Section referred to, which was refused upon the opinion of the Corporation Counsel to whom the Mayor referred the matter, that the case was clearly within the statute; that the children were all within the prohibited age; that the performance was clearly a theatrical exhibition (within the case of Society for Reformation of Juvenile Delinquents v. Diers, 10 Abb. Pr. R. N.S. 216); that it was in no sense a "concert" and that the Mayor had no power to grant the permission.

After waiting two or three days the defendant addressed a letter to the President of the New York Society for the Prevention of Cruelty to Children, carefully publishing it in the newspapers, announcing his intention to exhibit the children (1) because the

0598

2

Law was intended only to apply to cases where the children were suffering in some way (2) and the children enjoyed the exhibition and helped support their parents thereby (3) and also because there were other children who were being elsewhere exhibited on the stage in violation of Law without being prosecuted by The Society which (4) was unjust as the Law was meant to apply equally to every case of exhibition of a child within the prohibited age.

POINTS FOR THE PEOPLE.

I. The Penal Code § 292 expressly declares the exhibition of a child actually or apparently under the age of sixteen years in a theatrical exhibition or in singing or dancing, to be a misdemeanor.

II. The statute excepts from its operation only the singing of children in church and those learning the science or practice of music and in addition children as musicians in a concert with the permission of the mayor or local authorities where such concert takes place.

III. Application under the exemption clause of the statute was made by the defendant in the present case to the Mayor who declined to grant permission to exhibit these children in "Blue Beard Jr." upon the ground that the papers submitted clearly shewed that the exhibition was in no sense a "concert" but purely a "theatrical exhibition." The latter is expressly named in the statute and the papers on that application conceded the ages of the children to be all under sixteen. The case is therefore clearly within

the Statute.

IV. The enforcement of this statute has not been confided by the Legislature to this Society exclusively. Its right to prosecute conferred by its charter is permissive NOT MANDATORY. Any citizen may prefer a criminal complaint against a person for violating this statute. So may this Society. It is not bound to prosecute every apparent violation but has a right to exercise its discretion in prosecution. A prosecution is but the initial step to a conviction. The latter rests on evidence. Of the sufficiency of that evidence in any particular case it has a right to judge. It is not properly the subject of criticism when it does not think it proper or judicious to prosecute.

V. The course which The Society has hitherto pursued in enforcing this law is as follows:-

1. The Society interferes only on complaint where the theatre is a reputable one. It assumes that in such places the law will be obeyed. It has not enough officers and cannot afford to have one detailed every night to every theatre in the City. Its officers have quite enough to do to attend to the disreputable resorts and to the graver cases of cruelty which last year numbered 6,802 with the rescue of 3271 children

2. The Society does not prosecute where the child under 16 is used (1) in a reputable theatre in a play where its appearance is necessarily incidental to the plot of the piece, provided it is properly cared for, well nourished and not over-

0700

4

taxed. Nor (2) where the child is nearly 16 and simply does nothing beyond walking on the stage in some village scene and the like.

3. The Society does interfere in all cases where the exhibition is in singing or dancing for the reasons already given, the first being merely the entering wedge for juvenile operopera, the second for juvenile ballet and both involving physical effort on the part of the child which is injurious to its health. The like course is pursued by it in cases of acrobats contortionists and the like, also forbidden by the statute.

VI. Even if as claimed there are other persons who have violated or are violating the same statute without being prosecuted by the Society for so doing, this constitutes no defense as matter of law to the present complaint. Such matters are entirely extraneous and irrelevant to this prosecution and should not be entertained by the Court. They have no bearing on or pertinency to the case.

VII. The action of the Society in the present case is not only consistent but proper.

1. In the first place, the children exhibited are all very far under the age of 16 years. This is conceded and was conceded before the Mayor.

2. The exhibition of these children is in "singing," in "dancing," and these in a "theatrical exhibition" - a threefold violation of the statute.

3. In addition it is conceded that these children are paid for the exhibition and that the money is pocketed by their parents or guardians - the latter often not even their relatives.

4. The law treats as infants all persons under a certain age, without distinction. It is intended to protect those who are unable to protect themselves. The State as the sovereign in this country protects each individual member of its future constituency in the enjoyment of health and vitality with the physical end in view that when boys are of age they shall be capable of bearing arms and defending the state, and that girls shall be capable of so discharging the functions of maternity that the physical material of the body politic will not be impaired or enervated. Hence it fixes an age as a limit within which it declares children not proper to be used for these purposes, and the selection of that age is the result of a long and careful medical investigation into the relative physical strength of children. The universal testimony of the medical profession concurs in indorsing as wise the age so fixed. That this conclusion is right and proper the following facts should be sufficient to satisfy every person whose sympathies are enlisted in the protection of children, and if any doubt exists on the subject, that doubt should be cast in their favor, and not against them.

5. These theatrical performances by children work a permanent injury to them, because, in the first place, they deprive them of their natural rest, and subject them to unneces-

sary physical efforts which engender disease. Thus, a child of tender years is forced to sing and dance at night, half clad, in a theatre where the draughts are incessant. Encores frequently compel additional exertions, until, at the close of the performance, tired and worn out, the child goes from the theatre, late at night, through the cold and wet of the streets, to its home, to gain the little sleep which the late hour and its exhausted system will permit.

6. Where these performances take place in the daytime another wrong is done to children. Apart from physical exhaustion, they lose their education, which the policy of the state has provided as well for the poor as for the wealthy; and which, after all, is the best capital in this country to insure success in life. Children of this tender age have a natural disinclination to study. Hence the law in this and many other states makes education compulsory. It is no answer to say that these children do study while not actually performing. When they attempt to do so, their minds are not in a fit condition for instruction, but are absorbed with the theatrical business, which to them is more palatable. Of course they cry when not permitted to perform. Children proverbially cry when deprived of that which is hurtful to them. You would be amazed to hear the complaints repeatedly made to this society by teachers in our public schools, that where any of their scholars are excused to attend rehearsals of day performances of these opera troupes, the fact is soon known to their class-mates and excites and unfits the latter for their studies, so that a whole class soon becomes demoralized. The

children themselves, besides losing their proper education, gain nothing in the way of musical education by the performance itself. In many cases a really fine voice is prematurely cracked and ruined - notably so in one of these recent "Pinafore" companies.

7. The associations are bad. The public and press are too apt to view the performance only from the external side of the foot-lights. The troupe usually consists of 15 or 20 children of both sexes, who are thrown together promiscuously by day and night, and loss of all modesty and reserve follows as of course. One or two corrupt children will contaminate the entire troupe. The result is as might be expected. Many of the girls become prostitutes at an early age, and finally end in low dance-houses and concert saloons. Very recently this Society rescued one such waif, who had been previously in a "Pinafore" troupe, from just such a place. The boys usually become idlers, performers in the song and dance variety business, and ultimately end by being thieves or tramps. Neither ever attain any positions in the legitimate theatrical profession, which requires a very different preliminary education and training.

8. It is idle to say that these children are lawfully earning their livelihood by this business: a specious plea, and the usual one advanced by thoughtless and selfish parents. They are wretchedly paid, their health is early shattered, those who have fine voices ruin them prematurely, and not one case can be pointed to where any permanent benefit has resulted

to either parent or child from the employment of the latter in this business. Very frequently parents of children who have gone West with an agent of one of these "Pinafore" troupes come to this society and implore it to procure, through its officers, the return of their children to their homes, the agent having carried them far out West and then absconded with the results of the exhibition. Now, the law contemplates that parents shall support their children during these tender years of the latter, and nowhere sanctions the reversal of this rule. On the contrary, by specific statutes like the one alluded to, it emphatically forbids it. No parent has any property in the services of a child within the age prohibited, for the reason that within that age the law asserts the child to be incapable of rendering any services. This perverted view of supposed property in children is frequently the only plea on which our societies are asked to countenance these illegal performances, or rather to wink at them. If the law is erroneous, it is for the Legislature to amend it. Until amended or repealed, it seems to me that our societies ought to enforce its provisions and turn a deaf ear to the appeals of theatrical agents and managers, whose only object is to reap a pecuniary benefit from exhibitions which they concede to be illegal.

9. This case is the entering wedge to the introduction here of the English Pantomime exhibitions which have just been crippled in London by the enforcement of the new law based on our statute but not so stringent. Already the Society has

been notified that a juvenile opera and ballet exhibition is being prepared for this City in March; and that in June "Nero" is to be produced with over 200 children - if this law is meanwhile declared to be nugatory and inapplicable. Hence the song and dance feature is persisted in after the Mayor's decision and the Law - not the Society - is openly defied.

10. The past experience of the Society with cases of juvenile opera and juvenile ballet has been very sad. More than one such company has been recruited from the ranks of the children of the poor, their parents being beguiled by specious praises of the talents of the children or the promises and part payment of money. Then the start on the road - the champagne suppers with gilded youth of the towns and cities exhibited in - the ruin of one after another of the girls - the final disappearance when out West of the treasurer of the company with the funds and of the girls in the brothels there - the agonizing appeals of the parents for a rescue - the too often futile efforts of the Society - these and numerous other illustrations shew why at the outset it does interfere by prosecuting song and dance when it is confident as here of securing a conviction. It tries to nip the evil in the bud.

VIII. A great deal has been untruthfully said ~~by the press~~ ~~the press~~ about the "arbitrary conduct of the Society or its President in ordering the exhibition of the children to stop." No such "order" has been given. Instead of waiting until the exhibition took place and then causing the arrest of all parties on a warrant in due form of law, the Society, simply as a matter of

0706

10

courtesy to the proprietor of a reputable place of public amusement, first notified him of its intention to prosecute if the exhibition took place. This courtesy instead of being appreciated is tortured into "an exercise of arbitrary power" ~~the expression of~~
~~the expression of the power of the government to the extent of the~~
~~and the power of the government to the extent of the~~

0707

N. Y. GENERAL SESSIONS

THE PEOPLE

AGAINST

James H. Cleade

PENAL CODE, *in*

BRIEF FOR THE PEOPLE.

0708

COUNTY OF NEW YORK, ss.

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

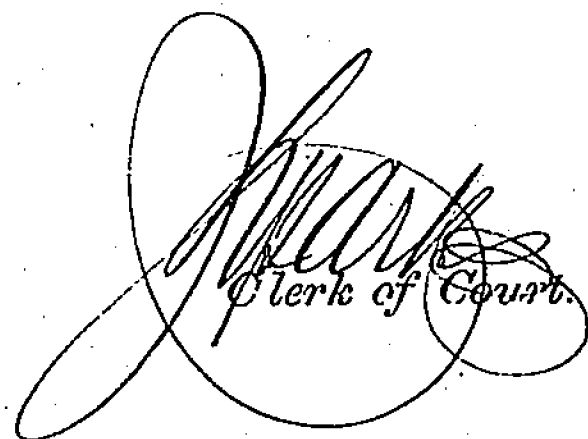
An indictment having been found on the 7th day of Febry
1890, in the Court of General Sessions of the Peace, of the County of
New York, charging James H. Meade

with the crime of Misdemeanor (violation of the state law)

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

City of New York, the 7th day of Febry 1890.

By order of the Court,


Clerk of Court

0709

N. Y. General Sessions of the Peace

THE PEOPLE
OF THE STATE OF NEW YORK,

against

James H. Meade

Bench Warrant for Misdemeanor.

Issued

Feb 7th 1890.

☒ The defendant is to be admitted to be bail
in the sum ofdollars.

0710

District Attorney's Office.

PEOPLE

vs.

Santa Rocco
Francesco Paulo

sparks to make copy
indicts & endorsements
acts discharge

Jan 1890

0711

Certified Copy of
the indictment agst
James H. Meade
with all the
endorsements thereon

For Elbridge T. Gerry
261 Broadway

0712

WILSON & BECKER

MONDAY
3 FEBY

WITNESSED EVENING PERFORMANCE

Began about 8.15
Ended " 10.40

About 25 children aged from
5 to 15 years, boys and girls
took part

In Act I About 8.30 PM. Four children
appeared among the populace
and walked & stood around
10 to 15 minutes. DID NOTHING
MORE. (They were the Lord
Fauntleroy, namely Aion Pohly,
Rosie¹² & Lillie⁹ Sutherland
& Amelia⁹ Stevens)

In Act II About 9 o'clock about 25 children
aged from 5 to 15 yrs. About
fifteen persons the
children's heroes who
marched & stood about
fifteen minutes:
9 children from 5 to 9
lived in the shoe. They
sang and danced and
acted about 5 minutes
(over)

0713

in Act III About 4 children
being present to Stubeard
and retire

~~in Act III~~

in Act IV About 10.30 Had four Lord
Famthrop sing and
dances. Remain 5 min.

Decker borrowed home
Alma Waerge and 7 yrs
with sister Minnie 14 yrs
to 256 or 34th at 11.30.
Alma fell asleep in the
car.

0714

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 H. Meade

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

Indictment accuse James H. Meade of a
Misdemeanor,
of the crime of

committed as follows:

The said James H. Meade,

late of the City of New York, in the County of New York, aforesaid, on the
— third — day of February, in the year of our Lord one thousand
eight hundred and eighty — ninety —, at the City and County aforesaid,

being the manager of a certain theatrical
exhibition then being carried on and
conducted at a certain theatre there situate,
called Niblo's Garden Theatre, and then
and there having the charge and supervision
of the said theatrical exhibition, did
unlawfully employ, and cause to be
employed, and exhibit and use in the
said theatrical exhibition, divers to wit:
thirteen certain children each being then and
there actually and apparently under the
age of sixteen years, to wit: Lottie Dupree,

0715

of the age of seven years, Gertha E. Barber, of
the age of five years, Alma Derge, of the
age of six years, Minnie Barber of the age
of six years, Ida Wagner of the age of
five years, Ella Hart of the age of eight
years, Clara Hart, of the age of ten years,
Annie Siebeck of the age of eight years, Sadie
Bennell of the age of eight years, Aaron
Cohly of the age of fourteen years, Rosie
Sutherland of the age of twelve years, Lilly
Sutherland of the age of nine years, and
Audia Stevens of the age of nine years;
against the form of the Statute in such
case made and provided, and against
the peace and dignity of the said People,

John R. Bellows,

~~John R. Bellows~~

0716

BOX:

385

FOLDER:

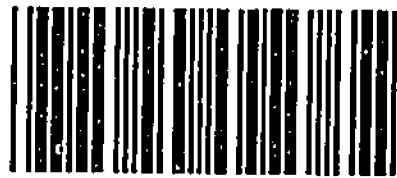
3593

DESCRIPTION:

Meister, Henry

DATE:

02/10/90



3593

Witnesses:

Wm Birmingham

Counsel,

Filed

10 day of *Feb* 1890

Pleads,

Magistry

THE PEOPLE

vs.

B
Henry Meister

VIOLATION OF EXCISE LAW

(Selling on Sunday, Etc.)

[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and page 1080, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

James McKee

Foreman.

F. J. [unclear] 26/90

0717

0718

Excise Violation-Selling on Sunday.

POLICE COURT-

7 DISTRICT.

City and County } ss.
of New York,

of No.

13th

Street,

of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 19th day

of ~~June~~ 1890 in the City of New York, in the County of New York, at

premises No. 257 East 3rd Street,

Henry Meister

(now here)

did then and there SELL, CAUSE, SUFFER and permit to be sold, and GIVEN AWAY under his direction or authority strong and spirituous liquors, wines, ale and beer, being intoxicating liquors, to be drunk as a beverage contrary to and in violation of the statute in such case made and provided.

WHEREFORE, deponent prays that said

Henry Meister

may be arrested and dealt with according to law.

Sworn to before me, this 20th day

of ~~June~~ 1890

J. M. Patterson

Police Justice.

Philip F. Birmingham

0719

Sec. 198—200.

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry Muster 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.

Henry Muster

Question. How old are you?

Answer.

42 years of age

Question. Where were you born?

Answer.

Germany

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

Answer.

257 East 3rd Street 10 months

Question. What is your business or profession?

Answer.

Saloon Keeper

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 and
Demand trial by jury
Henry Muster*

Taken before me this

22

day of

188

Police Justice.

0720

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

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

Dated *June 20* 188*0* *J. M. Platt* Police Justice.

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

Defendant
Dated *June 20* 188*0* *J. M. Platt* 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.

0721

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

B.O.
Police Court

140
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Philip Birmingham
vs.
Henry Meisler

1
2
3
4

Voluntary
Offence
Ex parte Law

Dated

January 20
Patterson

1890

Magistrate

Birmingham

Officer.

13

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

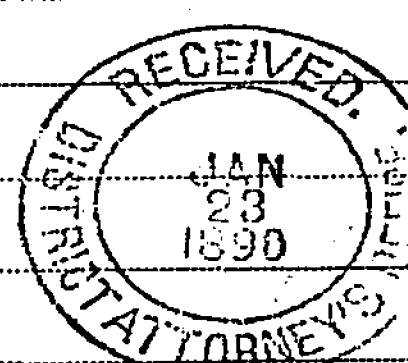
\$

100

to answer

Gu

Bailed



0722

COURT OF GENERAL SESSIONS, PART _____

(1706)

THE PEOPLE

vs.

Henry Dietrich

INDICTMENT
For *Bond*
Not found
New

To

M. *Peter Schreiber*
No. *250 E 3rd* Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *trial* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House in the Park of the said City, on *April* the *7th* day of instant, at eleven o'clock in the forenoon.
If the defendant is not produced at that time, your bond will be forfeited.

DE LANCEY NICOLL,
District Attorney.

0723

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Henry Meister

The Grand Jury of the City and County of New York, by this indictment, accuse
Henry Meister
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said

Henry Meister

late of the City of New York, in the County of New York aforesaid, on the
nineteenth day of *January* in the year of our Lord one
thousand eight hundred and *ninety*, at the City and County aforesaid,
the same being the first day of the week, commonly called and known as Sunday, with
force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine,
one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial,
one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer,
and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,
unlawfully did sell as a beverage to one

Philip D. Birmingham

and to certain other persons whose names are to the Grand Jury aforesaid unknown,
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

Henry Meister
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG
AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Henry Meister

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, the same being the first day of the week, commonly called and known as
Sunday, being then and there in charge of and having the control of a certain place
~~there situate, which was then duly licensed, as a place for the sale of strong and~~
spirituuous liquors, wines, ale and beer, with force and arms, at the City and County
aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep
closed, and on the said day the said place so licensed as aforesaid unlawfully did then
and there open, and cause and procure and suffer and permit, to be open, and to remain
open, 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.

JOHN R. FELLOWS,

District Attorney.

0724

BOX:

385

FOLDER:

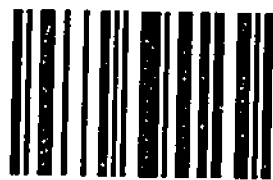
3593

DESCRIPTION:

Meller, John H.

DATE:

02/07/90



3593

0725

BOX:

385

FOLDER:

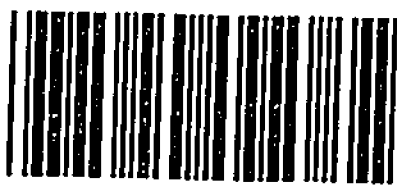
3593

DESCRIPTION:

Mulligan, William

DATE:

02/07/90



3593

off. Morgan

Wm Lloyd Garrison
each Vol. 2 4/25 1/23

48

0726

0727

Police Court— 6th District.City and County }
of New York, } ss.:

of No. 3103 Third Avenue, Senis C. Hake
 occupation Clothier, aged 35 years,
 deposes and says, that the premises No. 3103 Third Avenue, being duly sworn
 in the City and County aforesaid, the said being a brick building

and which was occupied by deponent as a clothing store and dwelling
 and in which there was at the time a human being, by name Caspar
Hake
 attempted to be
 were BURGLARIOUSLY entered by means of forcibly opening the basement
door on the Third Avenue front of said building

on the second day of February 1880 in the night time, and the
 following property, feloniously taken, stolen, and carried away, viz: Clothes and
clothing in the store on the first floor of said
building of the value of One Thousand Dollars

the property of Caspar Hake and in deponent's care and custody
 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
John H. Meller and William Mulligan

for the reasons following, to wit: Deponent is informed by Officer
John Maddigan of the 33^d Precinct Police
that at 12.45 A.M. on said night he
discovered three men at said cellar door engaged
in boring holes in said cellar door. Said officer
apprehended said Meller and said Mulligan
but their companion escaped. Deponent was
aroused by his brother Gustav Hake on call
of said officer, and coming down, he found the
said officer on the act of struggling with said Meller and Mulligan
Deponent closed and fastened the said premises

0728

at 11 O'clock P.M. on the night preceeding
said attempted burglary, and said cellar door
was then securely fastened

Sworn to before me this
3^d day of February 1890 } Lewis. C. Hake
J. H. C. Bohman
Police Justice

Police Court — District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Degree.

vs.

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ — Bail.

Bailed by

No.

Street.

0729

CITY AND COUNTY }
OF NEW YORK, } ss.

John Madigan

30 years, occupation *Police* of No. *30*

Thirty Third Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Louis C. Burke*

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

Sworn to before me, this

day of *3rd* *February* 188*0* *John Madigan*

John Cochrane
Police Justice.

0730

Sec. 198-200.

665
District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John H. Miller 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* to see fit to answer the charge and explain the facts-alleged against *him* *and*
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. *John H. Miller.*

Question. How old are you?

Answer. *Thirty-two*

Question. Where were you born?

Answer. *N. Y.*

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

Answer. *Union St. Meserole St., seven months.*

Question. What is your business or profession?

Answer. *Painter.*

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

Answer. *I am not guilty.*

His
John H. Miller
mark

Taken before me this

day of February 1888

John A. Cochrane

Police Justice.

0731

Sec. 198-200.

10th

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *William Mulligan.*

Question. How old are you?

Answer. *Twenty-four*

Question. Where were you born?

Answer. *New York.*

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

Answer. *828 E 45th St; Ten years.*

Question. What is your business or profession?

Answer. *Laborer.*

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

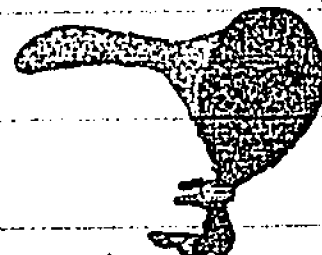
Answer. *I am not guilty.*
William Mulligan

Taken before me this

Sept 18 1893.

J. J. Constance

Police Justice.



0732

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 R. Meller and William Mulligan
guilty thereof, I order that ~~the~~ ^{each} be held to answer the same and ~~to~~ ^{each} be admitted to bail in the sum of ~~fifteen~~ ^{fifteen} Hundred Dollars, ~~each~~ ^{each} and be committed to the Warden and Keeper of the City Prison, of the City of New York, until ~~he~~ ^{each} give such bail.
Dated *February 3* 18 *90* *John Dehan* Police Justice.

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

Dated.....18.....
.....Police Justice.

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

Dated.....18.....
.....Police Justice.

0733

Police Court--- 6th 199 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Louis J. Haka
3103 W. 3rd Ave

John H. Meller

William Mulholland

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

3

4

Dated

February 3rd 1890

Magistrate.

Officer.

Precinct.

Witnesses

Said office
Office James H. Haka
No 33rd Precinct Police

Street

No.

Street.

No.

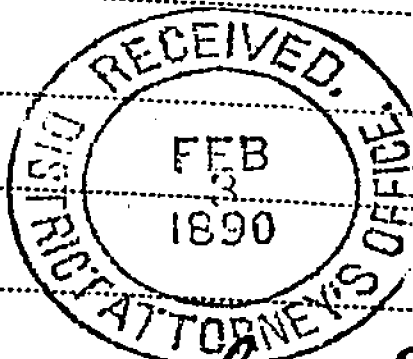
Street.

\$ 15.00

to answer

No. 1 & No. 2

Committed



0734

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 H. Meller and
William Mulligan

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

John H. Meller and William Mulligan
of the CRIME OF ^{attempting to commit} BURGLARY IN THE first DEGREE, committed as follows:

The said John H. Meller and William Mulligan, both late of the Twenty third Ward of the City of New York, in the County of New York aforesaid, on the second day of February, in the year of our Lord one thousand eight hundred and ninety, with force and arms, about the hour of one o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Caspar Flake,
there situate, feloniously and burglariously did ^{attempt to} break into and enter, there being then and there some human being, to wit: the said Caspar Flake,

within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said Caspar Flake,

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away; the said John H. Meller and William Mulligan and each of them, being then and there assisted by a confederate actually present, to wit: each by the other, and also by another person whose name is to the Grand Jury aforesaid unknown; 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.

John R. Fellows,
District Attorney.