0784

BOX:
12

FOLDER:
157

DESCRIPTION:
Gallagher, Daniel

DATE:
05/04/80

157

Thursday
2018

Counsel,

Filed 4 day of May 1880.

Pleads Not Guilty

THE PEOPLE

vs.

Daniel Gallagher

INDICTMENT.

Grand Larceny from the person.
in the Night time and
Rec. Stolen Goods

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Foreman.

May 6. 1880.

Pleads guilty G.G.

Elmira Ref. F.S.

0786

Police Department of the City of New York.

~~Precinct~~ No House of Detention

New York, May 6th 1880

John Rogers committed April 28th
& discharged May 6th 1880

Charles H Combs Sergt
Sergt in Charge

46 FJ

0787

FORM 89½

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

POLICE COURT—SECOND DISTRICT.

John Rogers

of the Steamship Anchoria Pier 42 E. R. River Street, being duly sworn, deposes and says, that on the 28 day of April 1880 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away, from the possession of deponent, and from deponents person

the following property, to wit:

One Gold Watch and Chain of the value Fifty dollars and One Bunch of Keys in all

of the value of Fifty 50/100 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

Daniel Gallagher (now here) for the reasons following that on the morning of said date about half an hour prior to said larceny deponent met said Gallagher who agreed to accompany deponent to the said Ship but instead of so doing said Gallagher conducted deponent to the premises No. 147 Greene street while in said premises deponent felt the hand of said defendant in the left hand pocket of the

Sworn to before me this day of 18

Police Justice

last worn upon the person of deponent in which said Pocket the said Watch was Contained — immediately thereafter deponent missed said Watch and Chain and thereafter deponent saw the aforesaid property taken from the possession of said defendant at the time of his arrest by Officer McDonald of the 8th Precinct — Deponent identifies said property as the property of deponent

Sworn to before me this 28th day of April 1880 } John Rogers

Morgan O'Brien
Police Justice

0789

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, }

Daniel Gallagher being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him states as follows, viz.:

Question.—What is your name?

Answer.— Daniel Gallagher

Question.—How old are you?

Answer.— Nineteen years

Question.—Where were you born?

Answer.— New York City

Question.—Where do you live?

Answer.— 7 Desbrosses Street

Question.—What is your occupation?

Answer.— Undertaker

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

I am not guilty of the charge—

Daniel Gallagher

Taken before me, this 28 day of April 1885

Morgan O'Brien

Police Justice.

4002

FORM 894.

POLICE COURT—SECOND DISTRICT

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Rogers
No. 1
~~Thomas Langford~~
Daniel Gallagher

Affidavit—Larceny.

DATED April 28 1880

Otterbourg MAGISTRATE.

McDonald OFFICER.

WITNESS:

Charles A. McDonald
8th Prect.

Complaint committed to the House of detention in default of $2000 Bail to answer

$2000 TO ANS. General Sessions

BAILED BY

No. STREET.

0791

CITY AND COUNTY OF NEW YORK, } ss.

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

That Daniel Gallagher

late of the First Ward of the City of New York, in the County of New York, aforesaid,

on the twenty eighth day of April in the year of our Lord one thousand eight hundred and eighty — at the Ward, City, and County aforesaid, with force and arms, in the night time of said day

One watch of the value of forty dollars —

One chain of the value of ten dollars —

Divers Keys, the number and a description of which is to these jurors unknown and cannot now be given, of the value of fifty cents

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

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

That the said

Daniel Gallagher

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

One watch of the value of forty dollars — One chain of the value of ten dollars — Divers Keys, the number and a description of which is to these jurors unknown and cannot now be given of the value of fifty cents

of the goods, chattels, and personal property of the said John Rodgers by a certain person ~~or persons~~ to the Jurors aforesaid unknown, then lately before feloniously stolen of the said John Rodgers unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said Daniel Gallagher then and there well knowing the said goods, chattels, and personal property to have been feloniously stolen), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJAMIN K. PHELPS, District Attorney.

0793

BOX:
12
FOLDER:
157
DESCRIPTION:
Gardner, Eugene
DATE:
05/26/80

157

337 W7 K

4th degree

Counsel,
Trial, W. J. K.
Filed 26 day of May 1880
Pleads Not Guilty 27

THE PEOPLE

vs.

Eugene Gardner P
18 white or black
1st or 2d

Beating—Homicide of the degree of Manslaughter in the Degree.

BENJ. K. PHELPS,
District Attorney.

A True Bill.

Pleaded June 1, 1880.

Chas. H. Ley Foreman.

S. P. 1. 4. 6. Ress
F.

0795

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the ~~house of~~ Coroners Office No. 40 E. Houston Street in the 15th Ward of the City of New York, in the County of New York, this 18th day of May in the year of our Lord one thousand eight hundred and eighty before John H. Brady Coroner, of the City and County aforesaid, on view of the Body of Simon Peter Dieam lying dead at 81 Delancey St. Upon the Oaths and Affirmations of nine good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said Simon Peter Dieam came to his death, do, upon their Oaths and Affirmations, say: That the said Simon Peter Dieam came to his death by

injuries received at the hands of Eugene Gardner on the 10th day of May 1880 in the alley known as the "Arch" between Clinton and Suffolk streets.

In Witness Whereof, We, the said Jurors, as well as the **CORONER,** have to this Inquisition set our hands and seals, on the day and place aforesaid.

JURORS.

W. H. Jones 684 - 3rd ave.	Henry Le Tourneau 698 3rd
R. Burkhart 27 Delancy	W. J. Madigan 691 3rd ave
Michael Dowling 700 3rd Ave	Adolph Seeberg 674 3 Ave
A. S. Stone 668 3rd Av	
John Beverde 693 3rd	
H. Fedder 698 3rd Av	

John H. Brady CORONER, N. Y.

0796

The People of the State of New York, on the Complaint of

vs.

Eugene Gardner

List of Witnesses.

NAMES.	RESIDENCE.
Off John McCauley	13th Police Precct
Ethelie E. Price	97 Clinton Street
Elizabeth J Baldwin	" " "
Maria Williams	" " "
Rosina Diehm	81 Delancey "
M. G. Ralfa M.D.	Coroners Office

Coroner's Office. **TESTIMONY.**

John McCauley, being sworn, says: I am an Officer of 13th Precinct. On the evening of May 16th at about 8 o'clock a boy came to me and told me there was a man lying in the "Arch" alley way between Clinton & Suffolk Sts. I responded and found Mr. Dixon lying on the cobble stone pavement and a colored man was holding up his head. The man was then living. I do not know the colored man's name. I was told by some of the people around there that Mr. Dixon had been assaulted by a colored man, named Eugene Gardner. I was told that the latter had left. I was further told that Gardner had struck a blow at Mr. Dixon in the face, which knocked him down. While down they said that Gardner had kicked him in the abdomen. I ran to the station house, procured a stretcher and returned to the "Arch". Dr. Bennett, 94 Suffolk St., was then there and pronounced the man dead. I placed him on the stretcher and with assistance took the body to the stationhouse.

John McCauley

Taken before me
this 18th day of May 1880
John H. Brady CORONER.

Coroner's Office. **TESTIMONY.**

Maria Williams, being sworn says: I live at 99 Clinton St. Rear. Was in my room, 1st floor, on the morning of May 10th 1880. I think between 7 and 8 o'clock P.M. Passed Mr. Dixon, who was in the alley, as I entered my room. Saw the prisoner, Gardiner, in Clinton St. coming into the alley right after me. Did not see the assault, and only left my room on hearing the noise. I then saw Mr. Dixon on the pavement, and the prisoner said to that he was dead. Knew prisoner for 9 or 10 years. Am no relation of his. Never heard of his being quarrelsome or fighting. Knew Mr. Dixon for 5 or 6 years. Saw no change in him that evening.

Maria Williams

Mrs. Williams recalled: Was not angry with Gardiner for striking my little boy. Never mentioned the circumstance to Mr. Dixon. When I saw my daughter upraiding Gardiner for it I ordered her into the house saying that I could settle all this with Gardiner.

Maria Williams

Taken before me
this 18th day of May 1880
Peter McCabe Brady CORONER.

Coroner's Office. **TESTIMONY.**

Elizabeth J. Baldwin, being sworn, says: I reside at 97 Clinton in the Rear. Remember the occurrence of May 10th 1880. Was in my room with my husband preparing to go out. Saw nothing of the occurrence but saw Mr. Dickson lying dead on the pavement. Know Mr. Lardner. Saw him come to the Alley often; never heard any thing against him. Never heard of any complaints against him by the neighbors. Heard Mr. Dickens voice asking the prisoner, where he lived twice. Also heard prisoner answer that he did not, whereupon Mr. Dickson ordered him out of the Alley. Heard no answer made to him by Lardner. Know nothing more of the affair.

Elizabeth J. Baldwin.

Taken before me
this 18th day of May 1880
John H. Brady CORONER.

Coroner's Office. **TESTIMONY.**

Annie Price, being sworn, says: I live at 97 Clinton St. in the Arch. Remember the occurrence on the morning of May 10th 1880. At about 7.30 P.M. on that day I was standing at the gate near the hydrant. Saw Mr. Dixon and the prisoner there. Previous to that time myself, Viola Davis, a little boy and a little girl, the latter children of Mrs. Williams who live in the Alley, went out walking around the block. Gardner, who was in the Alley, when we left on our walk came after us and joined us. As soon as he joined us he began to upbraid me for speaking with another colored man who was carrying milk and crossed over onto the other side of the street. (Clinton St.) Eugene hit me in the face but it did not hurt me. It was more in fun than in earnest. The little Williams boy called Gardner a name and Gardner then slapped him in the face. The boy began to cry and ran home. I followed him, and on reaching the Alley Mrs. Williams reproved the prisoner for striking her boy. Mary Elizabeth, Mrs. Williams's daughter, then came out of the house and said something to Eugene that I did not understand. Heard Eugene answer her: "Don't you put your hand in my face again". I didn't remember what she answered. She went into the house. Gardner remained in the Alley. Just at this point Mr. Dixon came into the Alley. About 5 or 10 minutes later Mr. Dixon ordered Gardner out of the Alley". Mr. Dixon first asked Gardner where he belonged.

Taken before me
this 18th day of May 1880
John C. Brady CORONER.

Coroner's Office. **TESTIMONY.**

there? Gardner said, he did not. Mr. Dixon then ordered him out saying that if he did not be long there he should go where he belonged. Gardner replied: "Go to hell". After this Mr. Dixon pushed him trying to push him out of the Alley. He pushed him twice when Eugene hit Mr. Dixon, who then fell on his knees and dropped his books and papers. While Mr. Dixon was on his knees Gardner hit him again when Mr. Dixon fell back striking on his head. I thought Mr. Dixon had fainted. Gardner then walked out of the Alley. I asked Gardner, what made him do that? and he replied: He did not mean to hurt Dixon, and that he would not have hit Dixon if Dixon had not pushed him. Have not seen Gardner again until today. Gardners brother struck me in the face for showing the detective where Eugene lived. This was after Mr. Dixon had been removed to the stationhouse. The detective came around the Alley and made me go with him to show where Gardner lived. Know Gardner for about 13 months. Have saw him quarrel before. Did not see Eugene kick Mr. Dixon.

Annie E. Price

Taken before me
this 18th day of May - 1880
John H. Brady CORONER.

Coroner's Office. **TESTIMONY.**

Rosina Dixon, being sworn says: I am the widow of the deceased and reside at 81 Delancy St. Know nothing of the occurrence itself, but recollect my husband telling me repeatedly — I mean more than three times — that he was afraid he would be killed sometime or other in that "Alley". He further stated that if brought home dead from there it would be Eugene Gardner who had done the deed, saying that Gardner was the only enemy he had in the "Court". He also told me that he had made Gardner move out of the Alley sometime last year. He did not tell me the reason why he made him move away from there. Am not acquainted with the man, Gardner.

Rosina Dixon

Taken before me
this 18th day of May 1880
John H. Brady CORONER

Coroner's Office. **TESTIMONY.**

M. S. Ralph M.D. being sworn says: I have made an autopsy on the body of Simon Peter Sidon at his late residence, 81 Delaney St., on the 12th day of May 1880.
Externally the body presents no marks of violence. All the organs of the thorax and abdomen were normal and healthy. On opening the head I found extravasation of blood over the whole surface and base of the brain, being a little more in quantity over right hemisphere. After removal of the brain a fracture one inch and a half in length is found in posterior fossa of the base of the cranium. In my opinion death was caused by concussion and compression of the brain by hemorrhage the result of the fracture of the base of skull.

M. S. Ralph, M.D.

Taken before me
this 12th day of May 1880
John H. Brady CORONER.

0804

Coroner's Office,

CITY AND COUNTY OF NEW YORK. } ss.

Eugene Gardner being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.— Eugene Gardner

Question.—How old are you?

Answer.— 17 years and 8 months.

Question.—Where were you born?

Answer.— New-York City

Question.—Where do you live?

Answer.— 143 Crystie St.

Question—What is your occupation?

Answer.— Bootblack

Question.—Have you anything to say, and if so, what, relative to the charge here preferred against you?

By advice of Counsel I have nothing to say at present.

Taken before me, this 18th day of May 1880

John H. Brady CORONER.

0805

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
54 Years. — Months. — Days.	Germany	81 Delancey St	May 11th 80

Manslaughter

Cause of death

Heading back, or

Head in fall, or

No. 406.

HOMICIDE.

1880

AN INQUISITION

On the VIEW of the BODY of Simon Dietz Alias

whereby it is found that he came to his Death by the hands of Eugene Barthand on the 10th day of May 1880 in the alley Bounded on the East by Eldridge Street and Suffolk Street,

Inquest taken on the 12th day of May 1880

Before John H. Lyons Coroner.

Committed May 18. 1880

Bailed

Discharged

Date of death May 10. 1880

RECEIVED MAY 21 1880 DISTRICT ATTORNEY'S OFFICE

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
54 Years. — Months. — Days.	Germany	81 Delancey St	May 11th 80

Manslaughter

Cause of death. Body

pushing body in

and a fall

2nd 406. 1880

HOMICIDE. B

AN INQUISITION

On the VIEW of the BODY of

Simon Peter Kichm

whereby it is found that he came to his Death by the hands of Eugene Gardner on the 10th day of May 1880 in the alley known as the "Arch" between Clinton and Suffolk Streets.

Inquest taken on the 18th day of May 1880 before John H. Kennedy Coroner.

Committed May 18. 1880

Bailed

Discharged

Date of death May 10. 1880

0807

CITY AND COUNTY OF NEW YORK, } ss.:

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

That

Eugene Gardner

late of the City of New York, in the County of New York, aforesaid, on the tenth day of May in the year of our Lord one thousand eight hundred and ~~seventy~~ eighty with force and arms, at the City and County aforesaid, in and upon the body of Simon Peter Diehm in the peace of the said people then and there being, feloniously and wilfully did make an assault, and that he the said Eugene Gardner

then and there feloniously and wilfully did with great force and violence pull, push, cast and throw him the said Simon Peter Diehm down unto and upon the ground then and there, and that he the said Eugene Gardner

with both the hands and feet of him the said Eugene Gardner

said Simon Peter Diehm then and there, and whilst he the was so lying and being upon the ground, him the said Simon Peter Diehm in and upon the neck, head, stomach, breast, belly, back, and sides of him the said Simon Peter Diehm then and there feloniously and wilfully, divers times, with great force and violence, did choke, strike, beat, kick, and wound, and that he the said Eugene Gardner

him the said Eugene Gardner with both the hands, feet, and knees of

and whilst he the said Simon Peter Diehm was so lying and being upon the ground as aforesaid, him the said Simon Peter Diehm in and upon the neck, breast, belly, head, stomach, back, and sides of him the said Simon Peter Diehm then and there feloniously and wilfully did, with great force and violence, choke, strike, push, press, and squeeze, giving to him the said Simon Peter Diehm then and there, as well by the choking, pulling, pushing, casting, and throwing of him the said Simon Peter Diehm down unto and upon the ground as aforesaid, and by the choking, striking, beating, and kicking of him the said Simon Peter Diehm whilst he was so lying and being upon the ground as aforesaid, in and upon the neck, head, stomach, breast, belly, back and sides of him the said Simon Peter Diehm

as aforesaid, and also by the choking, striking, pushing, pressing, and squeezing of him the said Simon Peter Diehm whilst he the said Simon Peter Diehm was so lying and being upon the ground as aforesaid, in and upon the neck, head, belly, breast, back, stomach, and sides of him the said Simon Peter Diehm with the hands, knees, and feet of him the said Eugene Gardner

in manner aforesaid, several mortal bruises, lacerations, and wounds in and upon the neck, head, belly, breast, stomach, and sides of him the said Simon Peter Diehm of which said several mortal bruises, lacerations, and wounds, he the said Simon Peter Diehm ~~from the said day of until the day of in the same year, at the said Ward, City and County, last mentioned, did languish, and languishing did live; on which last-mentioned day the said of the said several mortal bruises, lacerations, and wounds, did~~ then and there died

And so the Jurors aforesaid, upon their Oath aforesaid, do say: THAT the said Eugene Gardner

his the said Simon Peter Diehm in manner and form and by the means aforesaid, feloniously and wilfully did kill and slay, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJAMIN K. PHELPS, District Attorney.

0809

BOX:
12

FOLDER:
157

DESCRIPTION:
Gardner, John

DATE:
05/20/80

157

Filed 26 day of May 1870

Pleads Not Guilty

THE PEOPLE

vs.

John Gardner

Assault and Battery.—Felonious. Firearms.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Foreman.

June 11 - 1870.

Found & Convicted of Assault & Battery

Pen 1 year.

0811

Police Court—Third District.

CITY AND COUNTY OF NEW YORK, } ss.

John Gardner being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to h , states as follows, viz.:

Question.—What is your name?

Answer.— John Gardner

Question.—How old are you?

Answer.— 19 years

Question.—Where were you born?

Answer.— New York.

Question.—Where do you live?

Answer.— 217 Rodgers Place

Question.—What is your occupation?

Answer.— Tailor

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.— I fired accidentally — I did not mean to hurt the boys

John Gardner

Taken before me, this 13th day of May 1880

Morgan O'Brien

Police Justice.

0812

Form 15.

Police Court—Third District.

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

of No. 215 Division Street being duly sworn, deposes and says, that on Wednesday the 12th day of May in the year 1880 at the City of New York, in the County of New York, he was violently and feloniously ASSAULTED and BEATEN by John Gardner (Chowhee) who pointed at the person of this deponent a revolver loaded with powder and ball and fired, discharged said revolver the ball entering the right leg of deponent thereby inflicting a wound from which the surgeon has not been able to extract the ball. That deponent was standing at the time of the occurrence in an alley way of No 5 Hester Street on or about eight o'clock am of the 12th inst, all

with the felonious intent to take the life of deponent, or do him 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, &c., and be dealt with according to law.

Sworn before me, this 13th *day of* May 1880

Samuel his X mark Little

Morgan Ottenberg

Police Justice.

257 437

Form 16.

Police Court—Third District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Samuel Little
~~213 Division st~~
17 of D
John Jardine

Affidavit A. & B.
FELONIOUS.

Dated May 13th 1880

Otterburg Magistrate.

Jas. H. Johnson Officer.

13th

WITNESS

Complainant committed to the house of detention in default of $300 Bail to testify.

$1000 I. A.

General Sessions

Com.

The People vs. John Gardner } Court of General Sessions Before Judge Cowing, June 11, 1880. Indictment for assault and battery felonious fire arms.

Samuel Little, sworn and examined, testified: I live 215 Division St; this shooting was on the 12th of May at 8 o'clock; the prisoner was up the alleyway at the time he shot me; the alleyway was at 5 Hester St; the prisoner was up the alleyway with a girl; the prisoner lives in Rutger Place. I stood at the alleyway. I went up a couple of feet and that is all; the prisoner was then about seven or eight feet away from me; the prisoner says to me, "If you dont get out of the alleyway I will shoot you;" that is all he said to me. I did not say anything to him; I stood at the alleyway there; he pulls out his pistol and he fired at me; the ball took effect between the ankle and the calf of the leg. I knew the prisoner before; that is all that occurred at that time. I never had any difficulty with him; we were always good friends. I did not have any gun. Cross Examined. I was standing at the mouth of the alley about 10 or 15 minutes; the prisoner's brother was there; he was standing on one side of the alley and I was standing on the other. I was not saying anything to him. At the time the prisoner discharged the pistol I was looking at the other side. I was looking up at him. Then you did not see which way the

prisoner pointed the pistol? Yes sir I did. When he fired it I got kind of scared, I looked out in the street, then I did not see him pull out the pistol or fire it at me. I often "seen" the pistol before he pulled out the pistol, I saw it in his hand and then I turned my head and I looked out in the street and then it went off. That was after he said he would shoot me if I did not get out of there. he says to me, "If you dont get out of the hallway I will shoot you".

James H. Johnson sworn and examined. testified. I arested this prisoner some three or four hours after the occurrence on the corner of Suffolk and Hester Sts on the complaint of Samuel Little, that he had shot him in the leg. In Court he acknowledged that he did it. I did not find the pistol on him. Cross Examined. I dont know that the prisoner went with Samuel Little down to the Chamber St. hospital. George Gardner, sworn and examined for the defence, testified. I am the party who was present at the time a firing took place in the alleyway 5 Hester St. I am the brother of the prisoner. I was about eight or nine feet from my brother. The complainant testified that your brother said, "if you dont get out of here, I will shoot you!" No sir, nothing of the kind; he did not say anything

of the Kind. I heard distinctly everything that was said; there was no one present only the prisoner, myself and the girl. I did not see the pistol go off, I only saw it in his hand; he was holding it down to the ground, he took it out of his hip pocket. I did not hear the prisoner say anything. Cross Examined I was standing at the mouth of the alley and my brother was on the other side about eight or nine feet from the complainant. I went down from the store to see my brother, my mother wanted him to come home; he was talking to the girl in the alleyway; he asked her if she was going to work there any more in the house. My brother did not speak to me when I went into the alley. I saw him take out the pistol, but when I came to the alley I did not see him have any; the prisoner was ahead of me. I did not hear what the complainant said to the boy before I got there. He was fooling with the pistol, he held it down, and by some means it went off and struck the flag and hit this boy in the leg; it hit the ground in some way and it slipped and went into his leg. John Gardner, sworn and examined testified. I used to make a practice of going to see this girl every morning and I used to speak with her when she got through with her sweeping and Samuel Little and my

brother used to come around there in the alley way; he would say, "Dont you never get tired of talking? I used to attempt to take a broom or a pail to chase the boyout; they used to stand laughing; they used to attempt to imitate me making an attempt to pull out a pistol, saying, I will shoot you if you dont stop talking with that girl in the way I looking [illegible] I used to say, "go on and shoot his morning it happened I pulled the pistol out; they kept laughing and putting their hands up making an attempt to fire at me. I was standing one side, I brought the pistol out; it was on the second cock. I never touched the trigger at all. I pointed it to the ground and it went off, it struck the ground and lodges in the boy's leg. Then he said he was shot. I was astonished and looked down and saw the blood running down. I took a pocket handkerchief out of my pocket. I put it around his leg and took him to the Chamber St hospital. I asked the surgeon to wait upon him. The surgeon asked him if it was done accidentally and he said "yes." The doctor dressed his wound and we returned home I done it accidentally. I had no intention of hurting him. I knew him for the last five years. The jury rendered a verdict of guilty of assault and battery. He was sent to the penitentary for one year.

0818

Testimony in the case of
John Gardner
filed May 20.

CITY AND COUNTY OF NEW YORK, } ss.

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

That

John Gardner

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

on the twelfth day of May in the year of our Lord one thousand eight hundred and ~~seventy~~ eighty with force and arms, at the City and County aforesaid, in and upon the body of Samuel Little in the peace of the said people then and there being, feloniously did make an assault and to, at and against him the said Samuel Little a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said John Gardner in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously, did then and there shoot off and discharge, with intent him the said Samuel Little 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 Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said John Gardner with force and arms, in and upon the body of the said Samuel Little in the peace of the said people then and there being, wilfully and feloniously did make an assault and to, at and against him the said Samuel Little a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said John Gardner in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously, did then and there attempt to discharge, with intent him the said Samuel Little 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.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said John Gardner with force and arms, in and upon the body of the said Samuel Little then and there being, wilfully and feloniously, did make an assault and to, at and against his the said Samuel Little a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which pistol the said John Gardner in his right hand, then and there had and held, wilfully and feloniously, and without justifiable and excusable cause, did then and there shoot off and discharge, with intent, then and there, thereby him the said Samuel Little wilfully and feloniously then and there to injure, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said John Gardner with force and arms, in and upon the body of the said Samuel Little then and there being, wilfully and feloniously, did make an assault and to, at and against him the said Samuel Little a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which pistol the said John Gardner in his right hand, then and there had and held, wilfully and feloniously, and without justifiable and excusable cause, did then and there attempt to shoot off and discharge, with intent, then and there, thereby him the said Samuel Little wilfully and feloniously then and there to injure, 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.

BENJ. K. PHELPS, District Attorney.

0821

BOX:
12

FOLDER:
157

DESCRIPTION:
Garland, James

DATE:
05/04/80

157

0822

No 4 76

Filed 4 day of May 1880

Pleads Not Guilty

THE PEOPLE

vs.

James Garland

Indictment March 11

Felonious Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Foreman.

Part Iro May 11. 1880

Pleads Ass & Batt & charge 1 day

weapon intent to do bodily

harm -

Pen 2½ year.

0823

ROOSEVELT HOSPITAL,

59th STREET & NINTH AVENUE.

New York, April 21 1880

This is to certify that Kate McCarthy was admitted to the hospital on March 29, 1880 suffering from punctured & incised wounds of face. There was superficial wounds on left arm & left side chest

Jno. McKapper
House Surgeon.

0824

Police Court—Fourth District.

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

Kate McMahon

of No. 103 West 55th (between 6th and 7th Avenues) Street,

being duly sworn, deposes and says, that on Monday the 29th day of March in the year 1880 in the City of New York, in the County of New York.

She was violently ASSAULTED and BEATEN by James Garland (now here) who did then and there stab and cut deponent four several times to wit: one cut on the left side of the face One cut on the left side of the neck. One cut on the left arm and one cut on the left side of the body, said cuts being inflicted with a large knife which he held in his hand. and causing such injury to deponent that deponent was taken to the Roosevelt Hospital where deponent has been confined until the present time. said assault being made

with the felonious intent to take the life of deponent, or to do him 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, &c., and be dealt with according to law.

Sworn before me, this 19th *day of* April 1880

her
Kate × McMahon
mark

Police Justice

0825

Police Court, Fourth District.

CITY AND COUNTY OF NEW YORK, } ss.

James Garland being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to h~~is~~ states as follows, viz:

Question. What is your name?

Answer. James Garland

Question. How old are you?

Answer. 51 Years

Question. Where were you born?

Answer. Ireland

Question. Where do you live?

Answer. 55th Street near 4th avenue

Question. What is your occupation?

Answer. Laborer

Question. Have you anything to say, and if so what,—relative to the charge here preferred against you?

Answer. I am not guilty

his
James X Garland
mark

Taken before me this 16th day of April 1880

Police Justice.

0826

ROOSEVELT HOSPITAL,

59th STREET & NINTH AVENUE.

New York, April 8 1880

This is to certify that the condition of Nat. McMahon is still favorable & that so far as life is concerned no further danger is probable.

Jno. W. Hopper
House Surgeon

0827

ROOSEVELT HOSPITAL,

59th STREET & NINTH AVENUE.

New York, April 3 1886

This is to certify that the condition of Kate McMahon is still favorable, but she can not be pronounced out of danger for at least 2 weeks.

Jno. W. Hopper
House Surgeon.

0828

ROOSEVELT HOSPITAL,

59th STREET & NINTH AVENUE.

New York, March 30 1880

Kate McGlashan was received last evening, suffering from two severe incised wounds of face. Tone or two unimportant stab wounds elsewhere. Injuries may be serious but are probably not fatal

E. E. Hunt M.D.
House Surgeon.

0829

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

Police Court—Fourth District.

Charles Bohan

of No. 22d Precinct Street, being duly sworn, deposes and says,

that on the 29th day of March 1880

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

James Garland (now here) did then and there feloniously assault & beat Kate McMahon cutting said Kate with a knife injuring her in such a manner that she is now in Hospital and unable to appear in court as this deponent is informed by said Kate McMahon, the said Kate identified the said Garland as the person who stabbed her

Charles [illegible]

Sworn to before me, this 30th day of March 1880

[illegible]

POLICE JUSTICE.

0830

Police Court—Fourth District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

Chas Bohan

vs.

James Garland

AFFIDAVIT.

Violation Penal Code

Dated March 30th 18

Wardell Magistrate.

Bohan Officer.

Witness,

Disposition,

Comm. to answer at circuit of Virginia

Police Court—Fourth District.

THE PEOPLE &c.

ON THE COMPLAINT OF

Kate McMahon

~~[illegible]~~

No. 6 Cor 7 Ave & 55 St

1 James Garland

2

3

4

5

6

Offence, Felonious Assault & Battery

BAILED:

No. 1, by.....

Residence,.....

No. 2, by.....

Residence,.....

No. 3, by.....

Residence,.....

No. 4, by.....

Residence,.....

No. 5, by.....

Residence,.....

No. 6, by.....

Residence,.....

RECEIVED APR 29 1890

Dated April 19th 187

Wandell Magistrate.

John Officer.

22 Prec.

Clerk.

Witnesses, James McMahon No. 6 Cor 7 Ave & 55 St

John H Nopper M.D.

Roosevelt Hospital

Com

1500 to Grand Jury

Received in District Atty's Office,

April 21st 2 o'clock P.M.

0832

James Garland
Fil. a 913.

New York
May 4th 89
2204.53.22

To all whom it may concern

This is to certify that I have known James Carlan for some years past and have always considered him to be a steady hard working man, and one who invariably, whenever he could obtain employment, contributed, to the extent of his power towards the support of his wife and family.

John B. Goring P.S.
N.Y.C. & H.R.R.

0833

REFERENCES:

T. R. BUTLER, Esq., President Sixth Ave. R. R. Co.

WM. H. HARBECK, Esq., N. Y.
JNO. H. HARBECK, Jr., Esq., N. Y.

C. H. KERNER, Esq., Prop'r Goshen Stock Farm, Orange Co., N. Y.

J. P. MAXWELL, Esq., Orange Co. Stables, N. Y.

PROF. J. A. GOING.
Member of the Royal College of Veterinary Surgeons, of Edinburgh, Scotland.
VETERINARY EDITOR,
"SPIRIT OF THE TIMES."

New York, May 6, 1889

Mr

To PROF. J. A. GOING, M.R.C.V.S.E.,
SUCCESSOR TO THE LATE PROF. A. S. COPEMAN,
1673 Broadway, Saratoga Building, bet. 52d & 53d Sts.

To whom it may concern

This is to certify that James Garling of 55th St. between Sixth and Seventh Avenues, has been known to me for the past three or four years, that he has worked for me, and that in every instance I have found him honest and industrious, and his bearing generally was unexceptionable. I may say the same of his family who have also at times been in my employ.

James A. Going M.R.C.V.S.
Veterinary Editor
"Spirit of The Times."

Received payment,

0834

New York May 10/90

To the Hon Judge of Gen Sessions

Dear Sir

I have known the undersigned James Carlen for the past four years and has been in my employ at intervals during that period. and I Cherfully Recommend him as an honest and industrious man

James Mullay

997 6th Ave

City

0835

To whom it may concern. This is to certify that I have known James Garland for a number of years to be a quiet and inoffensive man. and were concerned in any trouble of the kind before.

Respt—

New York May 10th 1880

Mrs Anna Garner
Thomas J. O'Callaghan

0836

New York May 10th 1880

To Whom it may concern

I have been acquainted with Mr Garlan for the last 12 years and I have all ways found him to be a good honest man. I have had a good many dealings with him and I will recomended him as honest man

Yours Respectfully
James Rollins
Upholsterer 128 W 54 St

CITY AND COUNTY OF NEW YORK, } ss.

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

That James Gailand

late of the City of New York, in the County of New York, aforesaid, on the twenty ninth day of March in the year of our Lord one thousand eight hundred and Eighty with force and arms, at the City and County aforesaid, in and upon the body of Kate McMahon in the peace of the said people then and there being, feloniously did make an assault and her the said Kate McMahon with a certain Knife which the said James Gailand in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound with intent her the said Kate McMahon 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 Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said James Gailand with force and arms, in and upon the body of the said Kate McMahon then and there being, wilfully and feloniously did make an assault and her the said Kate McMahon with a certain Knife which the said James Gailand in his right hand, then and there had and held, the same being then and there a sharp, dangerous weapon, wilfully and feloniously, and without justifiable and excusable cause, did then and there beat, strike, stab, cut, and wound, with intent to then and there wilfully and feloniously do bodily harm unto her the said Kate McMahon against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said James Gailand with force and arms, in and upon the body of Kate McMahon in the peace of the said people then and there being, feloniously, did make another assault and her the said Kate McMahon with a certain Knife which the said James Gailand in his right hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut, and wound, the same being such means and force as was likely to produce the death of her the said Kate McMahon with intent her the

0838

said Kate McMahon — 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said James Garland

with force and arms, in and upon the body of the said Kate McMahon then and there being, wilfully and feloniously, did make another assault and her the said Kate McMahon with a certain knife which the said James Garland

in his right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim her the said Kate McMahon — 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.

BENJ. K. PHELPS, District Attorney.

Filed 4 day of May 1886
Pleads Not Guilty

THE PEOPLE

vs.

James Garland

Felonious Assault and Battery.

BENJ. K. PHELPS,
District Attorney.

A True Bill.

Foreman.

Put hrs May 11. 1886
Pleads Guilty to day
weapon intent to do bodily
harm -
Pen 2½ yrs.

0839

BOX:
12

FOLDER:
157

DESCRIPTION:
Garno, Henry

DATE:
05/07/80

157

0840

BOX:
12

FOLDER:
157

DESCRIPTION:
Kerrigan, Thomas

DATE:
05/07/80

157

No 65

Day of Trial,

Counsel,

Filed 7 day of May 1880

Pleads Not Guilty

19 Indictments Burglary

THE PEOPLE

vs.

1. P

Henry Garno

2. P

Thomas Kerrigan

BURGLARY—THIRD DEGREE—AND RECEIVING STOLEN GOODS.

BENJ. K. PHELPS,

Mag. for.

District Attorney

Not 1. 1. 7. 6. M. S. P.

F. S.

A True Bill.

Hezekiah Carey

May 11. 1880.

Foreman.

(Pick)

Tried & No. 1. Convicted. & Sentenced 3 years

No. 2. Acquitted.

14

1489

77

The People vs. Henry Garno and Thomas Merrigan

Court of General Sessions. Before Recorder Smythe. May 11. 1880. Indictment for burglary in the third degree and receiving stolen goods. John Brosman, sworn and examined, testified - I am in business at 283 Water St. I left my place about 6 or 1/4 past 6 o-clock in the evening. I went back there between 6 and 8 o'clock in the evening. I locked up the premises when I left at 6 o'clock and when I came back the door was broken; the door was fastened by two bolts and a cross bar; they did not burst the door, but they broke the panels out; the space between the panels was large enough to let me pass through; my place is on the corner of Dover and Water St. I had beer pumps in the place. I had two pairs of scales. When I went back I only saw the beer pumps broke. I did not miss the scales until I examined and saw they were gone; the beer pumps were taken away; the scales were small for weighing groceries and meat and one of them was a hanging scale; they had been in use some time, I suppose they were worth eight dollars. If the pumps were to be put in they would cost eighteen dollars. I put the whole thing down for twenty dollars. I went into the Emmetts place in Pearl st between Peck Slip and Dover st and saw the beer pumps there; it is only about one block from my place; there were two or three junk shops nearer.

This was ten o'clock the next morning there was a copper measure broke up along with the beer pumps, it was hammered out. As soon as I saw it on the floor I identified my goods. Had some pipe taken, about seven feet of lead pipe connected with the beer pumps. William A. Lowry sworn and examined, testified I am in the employ of Mr. Emmett, he has a junk place at 324 Earl St. I recognize these two prisoners I have seen them off and on probably two or three weeks previous to that affair. They came in with these things, beer pumps and lead and a copper measure; they brought them in and I weighed them for them; they brought them to sell. I would not buy them. I told them they would have to wait till Mr. Emmett came in. I put them one side. They left and went out I told them to come in half an hour or so; it was probably two hours before they came back; Mr. Brosman came in about an hour after they left; the two prisoners came in an hour after that and they were arested by Officer O'Brien. Cross Examined. I should judge it was near 9 o'clock when they came in. There were other persons going in and out all the time; these prisoners came in about the same time, but whether they came in together or not I could not say. Garno did all the talking. I did not

pay any attention to Kerrigan; while they were in other people were coming backwards and forwards I did not weigh any paper stock for Henry Garno at that time, I might some other time I "done" all the talking with Henry Garno. I had nothing to say to the other young man; Garno wanted me to buy the stuff, I do not know as I can tell in particular the words he used. He had the pieces of pump in his pocket; it was not the whole pump; the scales he did not have with him. Kerrigan had nothing of the property; they both came back together; they were standing close together when I had the talk with Garno. I did not notice whether they spoke to each other or not. Henry Garno, sworn and examined for the defence testified I am a brush maker by trade. I recollect being in the junk store where the last witness was employed on the 4th of May. I did not take these pipes into him I did not take them out of my pocket. I went there the next day on the 5th to get $1.00 for 105 pounds of paper I sold Mr. Emmett on the 4th of May; it was in the evening and he told me to come around the next day to receive the money. Between 8½ and 9 o'clock the next morning I was there, and I "seen" the man who was in the witness box. I said "Where is Charlie?" "He is out." "What time will he be in?" "Half an hour from now"

"All right." I went out and came in the afternoon and I met Thomas Kerrigan in there. Officer O'Brien said to the witness, "Which is the two?" and he pointed to me and to Thomas Kerrigan, and said, "Arrest them". I received $1.60 in front of Officer O'Brien's own eyes. Cross Examined. I made brushes two months ago for a man named Smith in Pearl St. I worked a little over four months. I picked paper all day long from the docks, scrub paper from the ships that falls from the bales. So that all you picked up along the dock, did you ever pick up any bags? No sir, I did not. Did you ever pick up anything that you went to the penitentiary for? No sir, I did not. Do you know Officer Musgrave? No. Have you not been in the penitentiary? No sir. Have you not been in the State prison? No sir. You have been in this junk shop before? Yes sir, five or six different times with old pieces of iron that I got at home 30 Monroe St. from old wagons, nuts and screws of old wagons belonging to Dan O'Brien, a pedlar. he peddles ice in summer. I have seen Mr. Lowe in the junk store five or six times. I have sold him pieces of scrap big iron that I found along the dock. Wm. A. Lowe recalled. I think I saw Garno in the place the morning before the 4th of May; he sold Mr. Emmett some paper. I could not be mistaken about Garno bringing in the pieces of pump. The jury rendered a verdict of guilty of burglary in the third degree against Garno. Kerrigan was acquitted.

0846

Testimony in the case of
Henry Garns
filed May 1880.

0847

Police Court—First District.

CITY AND COUNTY OF NEW YORK, } ss.

Henry Garno being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer. Henry Garno

Question. How old are you?

Answer. 19 years

Question. Where were you born?

Answer. N.Y.

Question. Where do you live?

Answer. 30 Monroe St

Question. What is your occupation?

Answer. Brush Maker

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer. I am not guilty

Henry Garno

Taken before me, this 5 day of March 1880

Police Justice.

0848

Police Court—First District.

CITY AND COUNTY OF NEW YORK, } ss.

Thomas Kerrigan being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer. Thomas Kerrigan

Question. How old are you?

Answer. 17 years

Question. Where were you born?

Answer. NY.

Question. Where do you live?

Answer. 241 Hamilton St

Question. What is your occupation?

Answer. Horse Collar Manufacturer

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer. I am not guilty
Thomas Kerrigan

Taken before me, this 5 *day of* February 1880

Police Justice.

0849

Police Office, First District.

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

of No. 6 Dover Street, being duly sworn,

deposes and says, that the premises No. 283 Water

Street, 4th Ward, in the City and County aforesaid, the said being a dwelling

the store of which was unoccupied

~~and which was occupied by deponent as a~~

were **BURGLARIOUSLY**

entered by means of forcing a rear door which

led to the store at about the hour

of seven o'clock

on the night of the 4th day of May 1880

and the following property, feloniously taken, stolen and carried away, viz.:

Two Scales. Two Beer pumps

and a quantity of lead pipe

of the value of Twenty Dollars.

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Henry Garno & Thomas Kerrigan

(see new here)

for the reasons following, to wit: That deponent was

informed by William A Lawn that

said defendants had sold to said

said Lawn two beer pumps and a

quantity of lead pipe all of which

deponent identified as the property

stolen from deponent said premises

Sworn to before me this 5th day May 1880

John Brosnan

Police Justice

0850

City & County of New York ss

William A. Lawn residing no 324 Pearl Street being duly sworn says that he knows the contents of the written affidavit that so much of the same as relates to deponent is true

Sworn before me this 5th day of May 1850

Thomas Smith

Alex Herbee

Lawn

O'Brien & Ries

Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Brosnan
6 Dover St

vs.

1 Henry Garno

2 Thomas Kerrigan

3

4

5

6

Offence, Burglary & Larceny

Dated May 5th 1880

Smith Magistrate.

O'Brien 4 Officer.

Clerk.

Witnesses, Wm A Lone
324 Pearl St.

$ 1000 to answer

General Sessions. bond

Received in Dist. Atty's Office,

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

1580

0852

CITY AND COUNTY OF NEW YORK, } ss.

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

That

Henry Barno and Thomas Kerrigan each

late of the fourth Ward of the City of New York, in the County of New York, aforesaid, on the fourth day of May in the year of our Lord one thousand eight hundred and ~~seventy~~ eighty with force and arms, at the Ward, City and County aforesaid, the store of

John Brosnan

there situate, feloniously and burglariously, did break into and enter, the same being a building in which divers goods, merchandise, and valuable things were then and there kept for use, sale and deposit, to wit: the goods, chattels, and personal property hereinafter described, with intent the said goods, chattels, and personal property of the said

John Brosnan

then and there therein being, then and there feloniously and burglariously to steal, take and carry away, and

Two scales of the value of four dollars each —
Two pumps (of the kind commonly called beerpumps) of the value of four dollars each —
Eight feet of pipe of the value of fifty cents each foot
Forty pounds of lead of the value of ten cents each pound

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

John Brosnan

so kept as aforesaid in the said store then and there being, 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.

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

Henry Barns and Thomas Kerrigan each

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

~~Two~~ Scales of the value of four dollars each —
Two pumps (of the kind commonly called beerpumps) of the value of four dollars each —
Eight feet of pipe of the value of fifty cents each foot
Forty pounds of lead of the value of ten cents each pound.

of the goods, chattels and personal property of John Brosnan

by a certain person or persons, to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

John Brosnan

unlawfully, unjustly, and for the sake of wicked gaid, did feloniously receive and have (the said

Henry Barns and Thomas Kerrigan

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

BENJ. K. PHELPS, District Attorney.

0854

BOX:
12

FOLDER:
157

DESCRIPTION:
Gilfoy, Patrick

DATE:
05/04/80

157

0855

BOX:
12

FOLDER:
157

DESCRIPTION:
Lynch, James

DATE:
05/04/80

157

Tuesday

Counsel, Cashpenfer

Filed 4 day of May 1870.

Both Pleads Not Guilty

THE PEOPLE

vs.

Patrick Gilfoy P

James Lynch P

Larceny, and Receiving Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Henry Carey

Foreman.

May 18. 1870.

(Grand Jury)

Tried & Acquit.

0857

FORM 89½

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

POLICE COURT—SECOND DISTRICT.

John Johnston

of No. 210 W. 14th Street, being duly sworn, deposes and says, that on the 30 day of April 1880 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away, from the possession of deponent, from the passage way of premises No. 208 W. 14th Street the following property, to wit:

A quantity of Brussells Carpet about 35 yards in all

of the value of Thirty Five — — — 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

Patrick Guilfoy and James Lynch — more fully for the reason that Martin V. B. Duboal caught the said defendants in the act of taking, stealing and carrying away said property

John Johnston

Sworn to before me, this 1st day of May 1880

[illegible] Police Justice.

City and County
of New York } s.s

Martin V. B. Dubal of No. 218 W. 17th street being duly sworn says — on the 30th day of April 1880 deponent caught the within named defendants in the act of taking stealing and carrying away the property named in the within complaint

Sworn to before me this 1st day of May 1880

Martin V. B. Dubal

G. Ulrich
Police Justice

0859

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, } ss.

Patrick Guilfoy being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him states as follows, viz.:

Question.—What is your name?

Answer.— Patrick Guilfoy

Question.—How old are you?

Answer.— Twenty Two years

Question.—Where were you born?

Answer.— Ireland

Question.—Where do you live?

Answer.— 250 West 33 Street

Question.—What is your occupation?

Answer.— Laborer

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

I am not guilty of the charge

~~Pa~~ Patrick Guilfoy

Taken before me, this 1st *day of* May *1870*

Police Justice.

0860

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, } ss.

James Lynch being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him states as follows, viz.:

Question.—What is your name?

Answer.— James Lynch

Question.—How old are you?

Answer.— Nineteen

Question.—Where were you born?

Answer.— New York

Question.—Where do you live?

Answer.— 247 West 12th Street

Question.—What is your occupation?

Answer.— Pedlar

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.— I am not guilty of the charge

James Lynch

Taken before me, this 17th *day of* May 1870

P. Hoffman *Police Justice.*

✓ 412

Form 894.

POLICE COURT—SECOND DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Johnston

vs. 210 W 17th St

Patrick Fulton

James Raynch

Affidavit—Larceny.

DATED May 1st 1880

K Illbrett MAGISTRATE.

Johnston OFFICER.

16

WITNESS:

Martin V. B. Dubal

213 W. 17th St

Richerson

$1000 TO ANS.

BAILED BY

No. STREET.

RECEIVED DISTRICT ATTORNEY'S OFFICE MAY 3 1880

Ter Delgado

208 W 17th St

0862

FORM 89½

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

POLICE COURT—SECOND DISTRICT.

John Johnston

of No. 210 W. 14th Street, being duly sworn, deposes and says, that on the 30 day of April 1880 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away, from the possession of deponent, from the passage way of premises No. 208 W. 14th Street the following property, to wit:

A quantity of Brussells Carpet about 35 yards in all

of the value of Thirty Five — — — 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

Patrick Guilfoy and James Lynch — more fully for the reason that Martin V. B. Dubeal caught the said defendants in the act of taking, stealing and carrying away said property

John Johnston

Sworn to before me this 1st day of May 1880

Police Justice.

0863

City and County
of New York } S.S

Martin V. B. Duval of No. 213 W. 17th
street being duly sworn says—
on the 30th day of April 1880 defen-
-dent caught the within named de-
fendants in the act of taking, steal-
ing and carrying away the property
named in the within complaint

Sworn to before me this Martin V. B. Duval
1st day of May 1880

[illegible]
Police Justice

0864

CITY AND COUNTY OF NEW YORK, } ss.

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

That

Patrick Gilfoy and James Lynch each

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

Thirty five yards of carpet of the value of one dollar each yard

of the goods, chattels, and personal property of one John Johnston then and there being found, feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

That the said Patrick Gilfoy and James Lynch each

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

Thirty five yards of carpet of the value of one dollar each yard

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

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said John Johnston

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said Patrick Gilfoy and James Lynch

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

BENJAMIN K. PHELPS, District Attorney.

0866

BOX:
12

FOLDER:
157

DESCRIPTION:
Gillen, John

DATE:
05/07/80

157

0867

BOX:
12

FOLDER:
157

DESCRIPTION:
Kelly, John

DATE:
05/07/80

157

0868

BOX:
12

FOLDER:
157

DESCRIPTION:
Rohan, Patrick

DATE:
05/07/80

157

0869

BOX:
12

FOLDER:
157

DESCRIPTION:
McGowan, Robert

DATE:
05/07/80

157

Day of Trial,

Counsel,

Filed 7 day of May 1880

Pleads Not Guilty (1)

THE PEOPLE

vs.

John Gillen P.
John Kelly P.
Patrick Rohan P.
Robert McDowell P.

BURGLARY—THIRD DEGREE AND RECEIVING STOLEN GOODS.

BENJ. K. PHELPS,

District Attorney

A True Bill.

Foreman.

(aic) May 10. 1880

Tried & Acquit.

0871

Police Court—Second District.

City and County of New York. } ss: William Pearson

of No. 23 Park Row. Street, being duly sworn,

deposes and says, that the premises No. 319 West 14th Street

Street, 16th Ward, in the City and County aforesaid, the said being a Dwelling house

and which was ~~by deponent's a~~ occupied

were **BURGLARIOUSLY**

entered by means Forcibly opening the covering of the Coal slide of said premises

on the afternoon of the 29th day of April 1880.

and the following property feloniously taken, stolen, and carried away, viz:

A quantity of Gas fixtures of the value of twenty five dollars. and other property

the property of Mary B Havemeyer being her seperate Estate and in deponents Care and charge as Agent therefor

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 Gillen John Kelly Patrick Rohan and Robert McLowan (all now present)

for the reasons following, to wit: That each admit that they were present when two other Boys James Feeny & James Miller so entered and that they the said Boys (Now present) Aided and assisted in the carrying away said property and they shared in the proceeds of the sale thereof

Sworn to before me This 1st day of May 1880

William Pearson

J. Kilbreth Police Justice

0872

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, } ss.

John Green being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz.:

Question.—What is your name?

Answer.— John Green

Question.—How old are you?

Answer.— 16 years

Question.—Where were you born?

Answer.— Don't know

Question.—Where do you live?

Answer.— 423 W. 16th St

Question.—What is your occupation?

Answer.— Go to School

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.— I am, I was going of carrying my sister away

John Green

Taken before me this 7 day of March 1872

Police Justice.

0873

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, } ss.

John Keeley being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz.:

Question.—What is your name?

Answer.— John Keeley

Question.—How old are you?

Answer.— 14 years

Question.—Where were you born?

Answer.— New York

Question.—Where do you live?

Answer.— 455 West 16 St

Question.—What is your occupation?

Answer.— I have none

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.— I am guilty of keeping to carry away the property

his
John × Keeley
mark

Taken before me, this 7 day of Jan 187 8

Police Justice.

0874

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, } ss.

Patrick Rohan being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz.:

Question.—What is your name?

Answer.— Patrick Rohan

Question.—How old are you?

Answer.— 13 years

Question.—Where were you born?

Answer.— Ireland

Question.—Where do you live?

Answer.— 439 West 16. St

Question.—What is your occupation?

Answer.— go to School

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.— I helped to carry away the property

Patrick Rohan

Taken before me, this 7 *day of* Dec *,* 187 8

[illegible] *Police Justice.*

0875

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, } ss.

Robert McGowan being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz.:

Question.—What is your name?

Answer.— Robert McGowan

Question.—How old are you?

Answer.— 16 years

Question.—Where were you born?

Answer.— New York

Question.—Where do you live?

Answer.— 17th St.

Question.—What is your occupation?

Answer.— I do nothing

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.— I believe to carry away the property,

Robert McGowan.

Taken before me this 1st day of Nov 1880

[illegible] Police Justice.

✓ 412

Police Court—Second District.

THE PEOPLE, &c.
ON THE COMPLAINT OF
William Pearson
23 Park Row

vs.

John Gillen
John Kelly
Patrick Rohan
Robert McGowan

OFFENCE: BURGLARY AND LARCENY.

Dated May 1st 1880.

Kilbreth Magistrate.

Cairns & McCampbell Officers 16th

Clerk.

Witnesses:

Jeremiah Rickaby
215 9th avenue

RECEIVED
DISTRICT ATTORNEY'S OFFICE
MAY 3 1880

Committed in default of $ Bail.

Bailed by

No. Street.

Com

0877

CITY AND COUNTY OF NEW YORK, } ss.

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

That John Billen, John Kelly, Patrick Rohan and Robert McGowan each

late of the sixteenth Ward of the City of New York, in the County of New York, aforesaid, on the twenty ninth day of April in the year of our Lord one thousand eight hundred and ~~seventy~~ eighty with force and arms, at the Ward, City and County aforesaid, the building —— of

Mary B Havemeyer —

there situate, feloniously and burglariously, did break into and enter, the same being a building in which divers goods, merchandise, and valuable things were then and there kept for use, sale and deposit, to wit: the goods, chattels, and personal property hereinafter described, with intent the said goods, chattels, and personal property of the said

Mary B Havemeyer —

then and there therein being, then and there feloniously and burglariously to steal, take and carry away, and

Five chandeliers of the value of five dollars each —
Fifty feet of pipe of the value of fifty cents each foot.
Two hundred and fifty pounds of lead of the value of ten cents each pound —
Two hundred and fifty burners of the value of ~~fifty~~ cents each —

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

Mary B. Havemeyer —

so kept as aforesaid in the said building then and there being, 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.

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

John Gillen, John Kelly, Patrick Rohan and Robert McGovern each

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

five chandeliers of the value of five dollars each
Fifty feet of pipe of the value of fifty cents each foot.
Two hundred and fifty pounds of lead of the value of ten cents each pound —
Two hundred and fifty burners of the value of ten cents each —

of the goods, chattels and personal property of

Mary B. Havemeyer

by a certain person or persons, to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

Mary B. Havemeyer

unlawfully, unjustly, and for the sake of wicked gaid, did feloniously receive and have (the said

John Gillen, John Kelly Patrick Rohan and Robert McGovern

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

BENJ. K. PHELPS, District Attorney.

0879

BOX:
12

FOLDER:
157

DESCRIPTION:
Gillen, Lottie

DATE:
05/13/80

157

Counsel, P. H.

Filed 13 day of May 1870

Pleads Not guilty

THE PEOPLE

vs.

Lottie Gillen P

INDICTMENT.

Grand Larceny of Money, &c.

2 Ko. Mon. Cts.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Floyd Casey

May 14 1870 *Foreman.*

Pleads P. L.

J. Mos. Sen.

F. S.

0881

FORM 89½

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

POLICE COURT—SECOND DISTRICT.

John Gibson

of No. 14 Hamilton Street, being duly sworn, deposes and says, that on the 18 day of April 1880 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away, from the possession of deponent, from the premises No. 10 Bleecker Street

the following property, to wit:

One Gold Watch and Chain together of the value of Fifty dollars & Gold and Currency Viz Three National Bank Bills of the denomination of One dollar each and Silver Coins of the value of Four dollars being in all

of the value of Fifty seven 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

Lottie Gillen (now here) for the reasons following that on the said date deponent met and accompanied said defendant to premises No. 10 Bleecker street - deponent slept with said defendant in one of the rooms in said last named premises - and on awaking missed said property which said defendant acknowledged to deponent she had taken, stolen and carried away said property as deponent was informed

Sworn to before me this day of 18

Police Justice

by Officer Crowley that on the 20th day of April 1880 said Crowley received the said Watch and Chain from a man whose name is unknown to said Crowley which said unknown man said he was told by Lottie Gillen to give to said Crowley

Sworn to before me this 7th day of May 1880 } [illegible]

[illegible] Police Justice

City and County of New York } ss.

Michael Crowley of the 15th Precinct being duly sworn says he has heard the foregoing affidavit and that the portion of the same which refers to deponent is true of deponent's own knowledge.

Sworn to before me this 7th day of May 1880 } Michael Crowley

[illegible] Police Justice

0883

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, } ss.

Lottie Gillen being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to ~~him~~ her, states as follows, viz.:

Question.—What is your name?

Answer.— Lottie Gillen

Question.—How old are you?

Answer.— Twenty One years

Question.—Where were you born?

Answer.— New York

Question.—Where do you live?

Answer.— 83 West 3d Street

Question.—What is your occupation?

Answer.— Street Walker

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

I am guilty of the charge I was intoxicated and in the morning after taking the property I sent the Watch and chain by a citizen to Officer Crowley—

her
Lottie x Gillen
mark

Taken before me, this 3 day of March 1880

G. Ulsh Mathews

Police Justice.

430

Form 894.

POLICE COURT—SECOND DISTRICT

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Fulton
14 Hamilton st

Lottie Fullen

RECEIVED
MAY 11 1880
DISTRICT ATTORNEY'S OFFICE

Affidavit—Larceny.

DATED May 9th 1880

Murray MAGISTRATE.

Crowley OFFICER. 15

WITNESS: Michael Crowley
15th Precct

$1000 TO ANS. G. S. Cum

BAILED BY

No. STREET.

0885

CITY AND COUNTY OF NEW YORK, } ss.

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

That Lottie Gillen

late of the First Ward of the City of New York, in the County of New York, aforesaid on the eighteenth day of April in the year of our Lord one thousand eight hundred and ~~seventy~~ eighty at the Ward, City and County aforesaid, with force and arms, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes,) being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

$7 50/100

One watch of the value of forty dollars
One chain of the value of ten dollars

of the goods, chattels, and personal property of one John Gibson then and there being found, feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

0886

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

THE JURORS ~~OF THE PEOPLE OF THE STATE OF NEW YORK,~~ aforesaid ~~in and for the body of the City and County of New York,~~ upon their Oath, ~~aforesaid~~ do further present

That Lottie Gillen

late of the First Ward of the City of New York, in the County of New York, aforesaid on the eighteenth day of April in the year of our Lord one thousand eight hundred and ~~seventy~~ eighty at the Ward, City and County aforesaid, with force and arms, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes,) being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

One watch of the value of forty dollars —

0887

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

THE JURORS ~~OF THE PEOPLE OF THE STATE OF NEW YORK~~, aforesaid ~~in and for the body of the City and County of New York~~, upon their Oath, ~~aforesaid~~ aforesaid do further present

That Lottie Gillen

late of the First Ward of the City of New York, in the County of New York, aforesaid on the eighteenth day of April in the year of our Lord one thousand eight hundred and ~~seventy~~ eighty at the Ward, City and County aforesaid, with force and arms, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each: three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each: twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each: thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each: fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes,) being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

One watch of the value of forty dollars —
One chain of the value of ten dollars —

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

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said John Gibson

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said Lottie Gillen

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

BENJAMIN K. PHELPS, District Attorney.

0888

BOX:
12

FOLDER:
157

DESCRIPTION:
Grady, Morris

DATE:
05/06/80

157

Thursday May 10 Howe & H

10/0

Filed 6 day of May 1880

Pleads Not Guilty (G)

THE PEOPLE

vs.

Morris Grady P

Assault and Battery.—Felonious. Firearms.

BENJ. K. PHELPS,

District Attorney.

May 6 [illegible]

6/10 [illegible]

A True Bill.

Foreman.

May 7 1880

Discharged

0890

AFFIDAVIT—FELONIOUS ASSAULT, &c.

Second District Police Court.

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

Charles McGuire of No. 84 Chambers Street, being duly sworn, deposes and says that on the 20th day of June in the year 187[illegible] at the City of New York, he was violently and feloniously assaulted and beaten by Mary Grady (alias Lake) who did aim & point & discharge a pistol loaded with powder & ball at the person of deponent & thereby wound deponent

with the felonious intent to take the life of deponent, or to do him 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 dealt with according to law.

Charles McGuire

Sworn to before me this 27 *day of* June 187[illegible]

[illegible] *Police Justice.*

0891

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, } ss.

Morris Grady being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to him, states as follows, viz.:

Question.—What is your name?

Answer.— Morris Grady

Question.—How old are you?

Answer.— 20 years

Question.—Where were you born?

Answer.— Pennsylvania

Question.—Where do you live?

Answer.— 77 Bowery Sr

Question.—What is your occupation?

Answer.— Dan Fenen

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.— I am Not Guilty

his
Morris X Grady
mark

Taken before me, this 7 day of June 1880

Morris Ottinger
Police Justice.

Form 116.

Police Court—Second District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Chas. McCune 40 / 84 Charlton St

Thomas Tracy

2

3

4

Offence, Assault & Battery

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated June 27 1880

Owen Lang Magistrate.

Officer.

2d Dist Ct

Clerk.

Witnesses Thomas Price

No. ~~171 Bergen~~ Street.

~~Brooklyn~~

No. 102 Prince Street.

No. ..... Street.

$ 1000 to answer Committed.

General Sessions

Received in Dist. Atty's Office.

Cum

2688

0893

CITY AND COUNTY OF NEW YORK } ss.

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

That

Morris Brady

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

on the twenty-sixth day of April in the year of our Lord one thousand eight hundred and ~~seventy~~ eighty with force and arms, at the City and County aforesaid, in and upon the body of Charles McGuire in the peace of the said people then and there being, feloniously did make an assault and to, at and against him the said Charles McGuire a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said Morris Brady in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously, did then and there shoot off and discharge, with intent him the said Charles McGuire 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 Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said Morris Brady with force and arms, in and upon the body of the said Charles McGuire in the peace of the said people then and there being, wilfully and feloniously did make an assault and to, at and against him the said Charles McGuire a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said Morris Brady in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously, did then and there attempt to discharge, with intent him the said Charles McGuire 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.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said Morris Brady with force and arms, in and upon the body of the said Charles McGuire then and there being, wilfully and feloniously, did make an assault and to, at and against him the said Charles McGuire a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which pistol the said Morris Brady in his right hand, then and there had and held, wilfully and feloniously, and without justifiable and excusable cause, did then and there shoot off and discharge, with intent, then and there, thereby him the said Charles McGuire wilfully and feloniously then and there to injure, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said Morris Brady with force and arms, in and upon the body of the said Charles McGuire then and there being, wilfully and feloniously, did make an assault and to, at and against him the said Charles McGuire a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which pistol the said Morris Brady in his right hand, then and there had and held, wilfully and feloniously, and without justifiable and excusable cause, did then and there attempt to shoot off and discharge, with intent, then and there, thereby him the said Charles McGuire wilfully and feloniously then and there to injure, 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.

BENJ. K. PHELPS, District Attorney.

0895

BOX:
12

FOLDER:
157

DESCRIPTION:
Grey, John

DATE:
05/18/80

157

193

Day of Trial

Counsel,

Filed 18 day of May 188 0.

Pleads

THE PEOPLE

vs.

John Grey B.

Violation of Excise Law.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Hayes Carey

Foreman.

May 19. 188.

Bail declined

0897

First District Police Court.

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

James J Hart

of No. the 14 Precinct Police Street,

of the City of New York; being duly sworn, deposes and says, that on the 23

day of April 1880, at the City of New York, in the County of New York,

at No. 190 Chatham Square Street,

John Grey Arrested here

did sell, or caused, suffered or permitted to be sold, under his direction or authority, strong or spirituous liquors or wines, to be drunk in his house or premises aforesaid, in quantities less than five gallons at a time, contrary to and in violation of the Sections 13 and 14 of the Act of the Legislature of the State of New York, entitled "An Act to Suppress Intemperance and to Regulate the Sale of Intoxicating Liquors," passed April 16, 1857.

Sworn to before me, this 23
day of April 1880

J Kilbreth
POLICE JUSTICE.

James J Hart

0898

23 Apr 192 Chatham St
WS —
193

Police Court—First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
James J. Hart 305
vs. 14
John Grey

MISDEMEANOR.
Selling Liquor, &c. without License.

Dated the 23 day of April 1880

Kilbreth Magistrate.

6 Officers.

Witness

Bailed $ 250 to Ans.

By August Werner
308 Broadway street.

0899

CITY AND COUNTY OF NEW YORK, } ss.:

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

That John Grey

late of the Sixth Ward of the City of New York, in the County of New York, aforesaid, on the twenty third day of April in the year of our Lord one thousand eight hundred and eighty , at the Ward, City and County aforesaid, certain strong and spirituous 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 whisky, 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 strong and spirituous liquor, to the jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one time, to one James J. Hart ; without having a license therefor, as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

SECOND COUNT.—*And the Jurors aforesaid, upon their Oath aforesaid, do further present:* THAT the said

late of the Ward, City, and County aforesaid, then and there being a person duly licensed according to law to sell spirituous liquors and wines on the day and in the year aforesaid, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous 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 whisky, 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 strong and spirituous liquor to the jurors aforesaid unknown, unlawfully did sell, as a beverage, to one

contrary to 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.

BENJ. K. PHELPS, District Attorney.