

0844

**BOX:**

444

**FOLDER:**

4095

**DESCRIPTION:**

McCormack, John

**DATE:**

07/07/91



4095

0845

Witness:

Property Record  
septs. has once  
used in person Rk  
for

Counsel,

Filed

7

day of

July 1891

Pleads:

1891

THE PEOPLE

vs.

John McCannack

Grand Larceny Second Degree.

[Sections 528, 537 — Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A True Bill.

Andrew J. Cost  
July 8. 1891 Foreman.  
Pleas. G. 2. 2 day  
of Rep. 7. 11

0846

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged \_\_\_\_\_ years, occupation Dennis Grady of No. \_\_\_\_\_  
Police Officer

Central Office Prisoner Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Alto Hornsby

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

Sworn to before me, this 3 day of July, 1887 } Dennis Grady

[Signature]  
Police Justice

0847

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

of No. 106 East 73 Street, aged 40 years,  
 occupation carriage being duly sworn,  
 deposes and says, that on the 30 day of June 1891 at the City of New York,  
 in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in  
 the day time, the following property, viz:

a quantity of wearing apparel  
 one violin and case and quantity of  
 silver ware together of the value of  
 about one hundred dollars  
 \$100<sup>00</sup>

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 John A. [unclear] and John [unclear]  
 from the basement of the deponent's residence  
 said property was taken from the  
basement of the deponent's residence  
 while the basement door was open.  
 Deponent is now informed by Police  
 Officer Dennis Brady of the Central  
 Office Precinct, that he the officer  
 arrested the defendant and that the  
 defendant admitted to the officer that  
 he took the said property and that  
 the defendant told the officer where  
 the property was. Deponent further says  
 that the officer took him, deponent to  
 the places where the property was and

appears fully and positively satisfied  
 the said property in his good group  
 that the defendant be held and dealt  
 with as the land directs

Given before me  
 this 3 day of July 1891  
 J. H. Mc  
 J. H. Mc Justice.

0849

Sec. 198—200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I have nothing to say at present*

*John McCormack*

Taken before me this  
day of July 1899

Police Justice.

0850

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

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

Dated *July 3<sup>rd</sup>* 18 *91* *E. H. Hagan* Police Justice.

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

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

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

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

0051

**BAILED.**

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court--- 2 District. 878

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Atty Horwitz  
106-873  
1 John Mc Cormack  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
*John J. Joffe*  
*John J. Joffe*

Dated July 3 1891  
Hogan Magistrate.  
Grady and Dowling Officer.  
Central Precinct.

Witnesses call the Officers  
No. \_\_\_\_\_ Street.  
No. \_\_\_\_\_ Street.

No. 500 Street \_\_\_\_\_  
\$ \_\_\_\_\_  
RECEIVED. J. J. J. DISTRICT CLERK  
*Cam 9/2*



0852

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY  
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John Mc Cormack*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *John Mc Cormack*  
of the CRIME OF GRAND LARCENY in the *second* degree committed as follows:

The said

*John Mc Cormack*

late of the City of New York, in the County of New York aforesaid, on the *twentieth*  
day of *June* in the year of our Lord one thousand eight hundred and  
ninety *one*, at the City and County aforesaid, with force and arms,

*divers articles of wearing apparel, of  
a number and description to the Grand  
Jury aforesaid unknown, of the value  
of forty dollars, divers articles of  
silverware of a number and description  
to the Grand Jury aforesaid unknown,  
of the value of forty dollars, one violin  
of the value of twenty dollars, and one  
box case of the value of five dollars*

of the goods, chattels and personal property of one *Otto Harwitz* -

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

*De Lancey Nicoll,  
District Attorney.*

0853

**BOX:**

444

**FOLDER:**

4095

**DESCRIPTION:**

McDermott, George

**DATE:**

07/23/91



4095

0854

Witnesses;

Wm. J. McCallan

Counsel,

Filed

23 day of July 1891

Pleads,

for GUILTY

THE PEOPLE

vs.

George Mc Dermott

Forgery in the Second Degree.  
[Sections 511 and 521, Penal Code.]  
(Endorsement, etc.)

DE LANCEY NICOLL  
JOHN R. FELLOWS

District Attorney.

Adopted Aug 4, 1891  
Wm. J. McCallan

A True Bill.

Ambrase J. Lord

Aug 4, 1891 Foreman.

Specimen requested

0855

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 35 years, occupation Butcher of No. 417 West 3rd Street, being duly sworn deposes and

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

Sworn to before me, this

day of

19

1884

Meyer Gremmer

John S. Kelly  
Police Justice.

0856

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

POLICE COURT—

DISTRICT.

of No. 368-10<sup>th</sup> Avenue Street, being duly sworn, deposes andsays that on the 8<sup>th</sup> day of April 1891at the City of New York, in the County of New York, George M. Dermott

from him, did in said <sup>date</sup> unlawfully  
 and feloniously commit the crime of  
 forgery for the reasons following to  
 wit: That on or about said <sup>date</sup> the defendant  
 came to defendant's place of business at  
 the above address and presented the  
 check, which is hereto annexed, and  
 which is drawn on the Fifth Avenue  
 Bank of the City of New York by one  
 Linda M. Hall and payable to the  
 order of Greenwald for the sum of  
 Twenty eight <sup>00</sup>/<sub>100</sub> dollars. That the  
 defendant believing the defendant  
 to be Greenwald, gave him the amount of  
 the said face value of the said check. That  
 in the course of business, defendant deposited  
 the said check in his bank for collection.  
 That the said check was returned to defendant  
 with the endorsement on the same "payment  
 stopped". That afterwards defendant found  
 out that the defendant was not Greenwald.  
 That defendant is now informed by Meyer  
 Greenwald, who has that previous to said  
 date ~~the~~ defendant was in his Greenwald's  
 employ. That the ~~money~~ said check  
 was in payment of a bill owed to said  
 Greenwald. That the said check was sent  
 to Greenwald and that Linda M. Hall

0857

on said Greenwald the said sum of money.  
 That the defendant never had any right  
 or authority to endorse Greenwald's name  
 on said check or bank check. That the said  
 endorsement is a forgery. Depnunt further  
 says that the defendant wrote the said  
 endorsement on the said check in defendant's  
 presence. Therefore Depnunt prays  
 that the defendant be held and dealt  
 with as the law directs.

Depnunt before me

This 19<sup>th</sup> day of July 1891

John S. Kelly

Police Justice

Gustav J. Esterberg

Police Court, District.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

AFRIDAVID.

vs.

Dated 188

Magistrate.

Officer.

Witness.

Disposition.

0858

Sec. 198-4200.

CITY AND COUNTY } ss.  
OF NEW YORK,

2 District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty*  
*George W. Dermott*

Taken before me this

day of

1891

Police Justice.

0859

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

*Refundant*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Twenty* hundred Dollars,..... and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.  
Dated *May 19* 18*91* *John Steel* Police Justice.

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

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

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

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



0860

BAILED.

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court---

937 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Ernest Hatcher*  
*368<sup>th</sup> 18<sup>th</sup> Ave*  
*George W. Hatcher*

2

3

4

Officer

Dated

18

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

to answer

4.00

indemnity

0861

No. 883      Series Ex. A      Aug 4/91      1891  
*Payment Stopped*  
G. E. G.      or Order.  
Twenty-eight and  $\frac{71}{100}$       Dollars  
28  $\frac{71}{100}$       Lida M. Holt

0862

an J. J. J. J. J.  
Gustav J. J. J.

0063

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*George Mc Dermott*

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

*George Mc Dermott*  
of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said

*George Mc Dermott*

late of the City of New York, in the County of New York aforesaid, on the *eightth*  
day of *April* in the year of our Lord one thousand eight hundred and  
*ninety-one*, at the City and County aforesaid, having in *his* custody a certain  
instrument and writing, *to wit: an order for the payment*  
*of money of the kind called bank cheques.*  
which said *bank cheque* is as follows, that is to say:

No. 883

New York, Apr. 7-1891

The Fifth Avenue Bank <sup>New York</sup>  
Through the New York Clearing House Association.

Pay to *Greenwald* or Order  
Twenty-eight and  $\frac{71}{100}$  dollars  
*\$28.71*  
*Linda M. Holt*

the said

*George Mc Dermott*

afterwards, to wit: on the day and in the year  
aforesaid, with force and arms, at the City and County aforesaid, feloniously did forge,  
and cause and procure to be forged, and willingly act and assist in forging on the  
*back* of the said *bank cheque*  
a certain instrument and writing commonly called an *endorsement* which said forged  
instrument and writing commonly called an *endorsement* is as follows, that is to say:

*M. J. Greenwald*

with intent to defraud, against the form of the Statute in such case made and provided, and  
against the peace of the People of the State of New York and their dignity.

## SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
*George Mc Dermott*  
 of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said

*George Mc Dermott*  
 late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
 at the City and County aforesaid having in *his* possession a certain instrument  
 and writing, to wit: an order for the payment  
 of money, of the kind called bank cheques  
 which said bank cheque — is as follows, that is to say:

No. 883 New York, Apr. 7—1891  
 The Fifth Avenue Bank <sup>of New York</sup>  
 Through the New York Clearing House Association.  
 Pay to *Greenwald* — or order  
 Twenty-eight and  $\frac{71}{100}$  — Dollars  
 $\$28\frac{71}{100}$  Linda M. Holt

on the *back* of which said bank cheque there was then and  
 there written a certain forged instrument and writing commonly called an *Endorsement*  
 of the said last-mentioned bank cheque which said forged  
 instrument and writing, commonly called an *endorsement* is as follows,  
 that is to say:

*M. J. Greenwald*

with force and arms, the said forged *endorsement* then and there feloniously did  
 utter, dispose of and put off as true, with intent to defraud, — *he* — the said  
*George Mc Dermott* then and there well knowing the premises,  
 and that the said *endorsement* was forged, 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.

DE LANCEY NICOLL.  
 JOHN R. FELLOWS,  
 District Attorney.

0865

**BOX:**

444

**FOLDER:**

4095

**DESCRIPTION:**

McDonald, Harry

**DATE:**

07/07/91



4095

Witnesses:

Witnesses:

both  
 sent for Officer  
 sent for  
 Jas. O'Neil  
 114 E. 111  
 Mary Wright  
 135 E. 124

No. 10

Counsel,

Filed 7 day of July 1891  
 Pleads, Not Guilty

THE PEOPLE

vs.

Harry McDonald

Grand Larceny, First Degree.  
 (DWELLING HOUSE.)  
 [Sections 529, 530 Penal Code.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Nicholas J. Cat

Foreman.

July 8, 1891

Pleads, L. & C.

Harry Wright  
July 17, 1891

17

0867

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

*Mary Magrath*  
of No. *35 East 124<sup>th</sup>* Street, aged *34* years,  
occupation *Keeps house* being duly sworn,  
deposes and says, that on the *24<sup>th</sup>* day of *June* 189*1* at the City of New York,  
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in  
the *night* time, the following property, viz:

*One leather bag and wearing apparel  
and jewelry all of the value of  
One hundred dollars*

the property of *deponent* and a portion of it  
the property of *other* and in *deponent's*  
care.

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 *Harry McDonald (now here)*  
for the reasons that said property  
was in said premises. That the  
defendant on said day during the  
day time called at said house  
and hired a furnished room in  
the house from deponent and received  
the keys of the house and room  
from deponent. At about hour of  
Seven o'clock in the evening deponent  
saw a person leave the house with  
a bag and an overcoat and thereafter  
said property was missing. Deponent  
The defendant never returned to occupy  
the apartment. The defendant now here

Sworn to before me, this

day

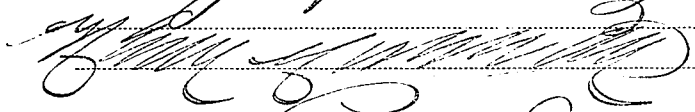
189

Police Justice



0068

in the presence of Samuel Price,  
acknowledges and confesses that he  
committed a larceny in said house  
and admitted stealing a portion of  
the property above set forth  
Sworn to before me by Mary Magrath  
this 1<sup>st</sup> July, 1891

  
Police Justice

0869

Sec. 193-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

2 District Police Court.

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

Question. What is your name?

Answer. *Harry McDonald*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *Maine*

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

Answer. *No home*

Question. What is your business or profession?

Answer. *Clerk*

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

Answer. *I am not guilty of taking all of the things set forth in the information but I did take a portion of them*

*Harry M. McDonald*

Taken before me this 1<sup>st</sup> day of July 1894

*John J. Sullivan*  
Police Justice

0870

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

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

Dated *July 1* 188*7* *[Signature]* Police Justice.

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

Dated ..... 188 ..... Police Justice.

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

Dated ..... 188 ..... Police Justice.

0871

Police Court-- 24 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Mary Magdon*  
*35 East 124th St.*  
*Harry McDonald*

2  
3  
4

*Handwritten signature*

Dated *July 1* 189*9*

*Murray* Magistrate  
*Price* Officer.

*29* Precinct.

Witnesses *Officer*

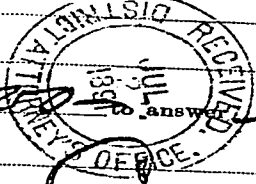
No. *Abelardo Hartman* Street.

*35 East 124th St.*

No. Street.

No. Street.

\$ *1000* to answer



*Handwritten signature*  
*11*  
*11*

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

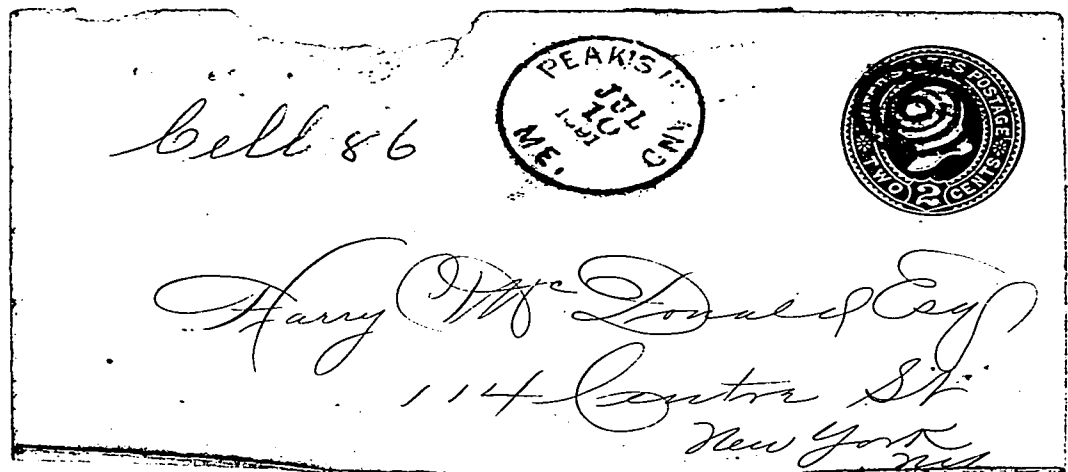
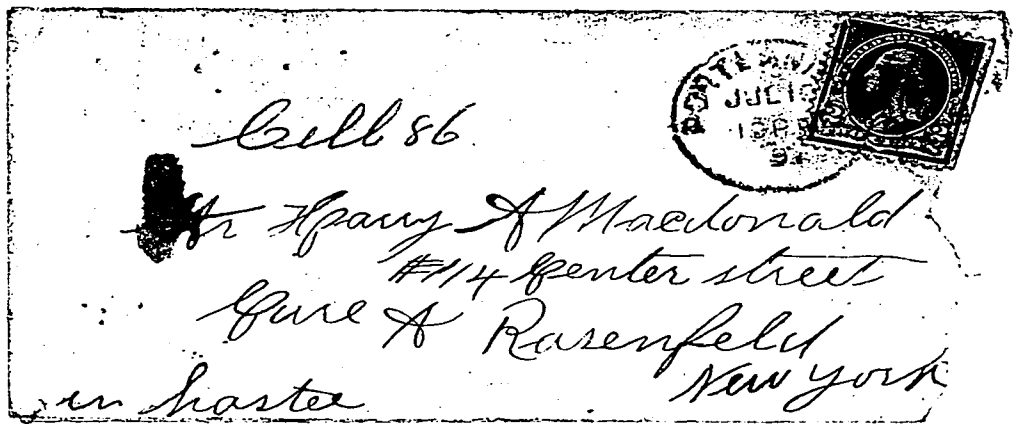
No. 3, by

Residence Street.

No. 4, by

Residence Street.

0872



0073

Chebeague July 10/89,  
well Sunday i will try and  
write you the best i now

<sup>my</sup>  
as to knowledgy of Harry  
McDonald i have known him  
for six year since him to be  
a steady young man with a  
good moral character and can  
~~re~~ recommend him to any  
one

yours truly  
John Hamilton  
Chebeague Isle

0874

Portland Maine -

This is to certify that I have  
known Mr. Harry McDonald  
for a number of years, and  
it is with pleasure, that  
I recommend him to be an  
honest upright man, He has  
always been temperate and  
industrious, and as far as  
I know a very capable man.

Geo. J. Stevens  
Chief BOM RR  
Eastern Division  
Portland  
Maine

Court of General Sessions.

The People  
vs  
Harry McDonald

City and County of New York, N.Y.

Harry McDonald being duly sworn says that he is the defendant above named.

That deponent is aged twenty four years

That deponent has never before <sup>been</sup> convicted for any offense either in this or any other State and since he has been able, has always worked for an honest living.

Since deponent's arrest he has informed both the officers and the complainant herein with every possible fact as to several places where the goods were placed by deponent.

Sworn to before me  
this 17<sup>th</sup> day of July 1891.  
Alfred W. McKim

Harry McDonald



General Sessions

The People

vs - agst -

Harry McDaniel

Affidavit

Joseph Berlinger  
Counsel for Defk  
23 Chambers St.

N.Y.

0877

114 East 111<sup>th</sup> St  
July 12<sup>th</sup> 1891

Barton. I. Weeks  
Asst. Dis. Atty

Sir

I was robbed on  
June 15<sup>th</sup> of a suit of clothes  
by one Harry McDonald.  
On Sunday June 28<sup>th</sup> I found  
him in Central Park and  
after a severe tussle during  
which he attempted to bite  
my finger, held, & landed him  
over to Officer Schmitt, of the  
Park Police. He had on him  
at the time a pair of pants and  
a white vest belonging  
to me & when searched 15  
pawntickets & a check for

\$200<sup>00</sup> were found. I appeared  
 against him at the Yorkville  
 Police court next morning  
 when he was committed for  
 the Grand jury before whom  
 I testified on July 8<sup>th</sup>.  
 I have heard that another charge  
 of grand larceny has been  
 made against him and that  
 he has pleaded guilty to the  
 same. I am also informed  
 that it is the intention of  
 the authorities to have him  
 sentenced on the grand  
 larceny charge and not  
 present the one I made as  
 it is a small one petty  
 larceny.  
 That is the reason I write this  
 note, as if such is the case  
 it is very poor satisfaction

for me, after endangering my life in arresting the fellow and losing time in attending court and grand jury to have him get off without adequate punishment. Considering also that I cannot get my clothes back as he takes a delight in appearing ignorant of where he pawned them. I am of the opinion that were you acquainted with the above details, you would place the matter before the court when he is called up for sentence and have him punished to the full extent of the law on both charges notwithstanding his plea of guilty. It is

0000

Evident he is a professional  
sneak thief and should be  
severely dealt with. I am  
a steam fitter and working  
at Judge Dugro's Hotel  
on Ave - 59 St where I can  
be found any day from 7 to  
5.

Trusting you will take the  
matter under your consider-  
ation and act according  
to your best judgement  
for the public welfare

Yours Respectfully  
James Sullivan

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Harry Mc Donald*

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

*Harry Mc Donald*  
of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said

*Harry Mc Donald*

late of the *Twelfth* Ward of the City of New York, in the County of New York  
aforesaid, on the *twenty fourth* day of *June* in the year of  
our Lord one thousand eight hundred and ~~eighty~~ *ninety one* in the night time of the same day,  
at the Ward, City and County aforesaid, with force and arms,

*Leather*  
one "bag of the value of five dollars,  
divers articles of clothing and wearing  
apparel, of a number and description  
to the Grand Jury aforesaid unknown,  
of the value of fifty dollars, and  
divers articles of jewelry of a number  
and description to the Grand Jury aforesaid un-  
known, of the value of fifty dollars,  
of the goods, chattels and personal property of one *Mary Magrath*  
in the dwelling-house of the said *Mary Magrath*

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

*De Lancey Ricoll,*  
*District Attorney*

0002

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Harry Mc Donald*

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

*Harry Mc Donald*

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

The said

*Harry Mc Donald*

late of the *Twelfth* Ward of the City of New York, in the County of New York aforesaid, on the *twenty-fourth* day of *June* in the year of our Lord one thousand eight hundred and ~~eighty~~ *ninety one* in the night time of the same day, at the Ward, City and County aforesaid, with force and arms,

*Leather*  
one "bag of the value of five dollars, divers articles of clothing and wearing apparel, of a number and description to the Grand Jury aforesaid unknown, of the value of fifty dollars, and divers articles of jewelry of a number and description to the Grand Jury aforesaid unknown, of the value of fifty dollars, of the goods, chattels and personal property of one *Mary Magrath*

in the dwelling-house of the said

*Mary Magrath*

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

*De Lancey Ricoll,*  
*District Attorney*

0883

**BOX:**

444

**FOLDER:**

4095

**DESCRIPTION:**

McDonald, Harry

**DATE:**

07/08/91



4095



1005-#35

Witnesses ;

Counsel,  
Filed *8* day of *July* 188*9*  
Pleads, *Not Guilty*

THE PEOPLE

vs.

*Harry Mc Donald*

PETIT LARCENY.

[Sections 528, 532, Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

*Michael L. Carr*  
Foreman.

0885

Police Court

4 District.

Affidavit—Larceny.

City and County } ss:  
of New York,

James O'Fallon  
 of No. 114 East 111<sup>th</sup> Street, aged 38 years,  
 occupation Stevedore being duly sworn,  
 deposes and says, that on the 15 day of June 1891 at the City of New York,  
 in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in  
 the day time, the following property, viz:

One suit of clothes of the  
 value of about twenty 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 Harry McDonald, (now

here) from the fact that this  
 deponent on said date had  
 a furnished room from deponent  
 at the above address and slept  
 there. On the said date the defendant  
 left the premises and the said suit  
 of clothes were taken. Deponent caused  
 the arrest of the defendant and the  
 pants and coat of the said suit were  
 found on his person and fully and  
 positively identified by deponent.  
 Therefore deponent prays that the  
 defendant be held and dealt with  
 to the law's intent.

James O'Fallon

Sworn to before me this

day

Police Justice.

0006

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

H District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am guilty*  
*Harry M. Donald*

Taken before me this

Police Justice.

0007

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

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

Dated *July 11* 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0000

Police Court-- 4 District. 867

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Jas Sullivan*  
*Harry McDonald*

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

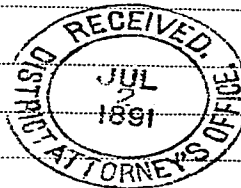
Dated *June 29* 1891  
*Murray* Magistrate.  
*Schultz* Officer.  
*Brick* Precinct.

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

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

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

*300* to answer  
*July 1 - 1891 - 9:30*  
*Exp. June 29 2. 28. 11*  
*Committed.*



0889

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Harry Mc Donald*

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

*Harry Mc Donald*  
of the CRIME OF PETIT LARCENY committed as follows :

The said

*Harry Mc Donald*

late of the City of New York, in the County of New York aforesaid, on the *15th*  
day of *June* in the year of our Lord one thousand eight hundred and  
~~eighty nine~~ *one*, at the City and County aforesaid, with force and arms,

*one coat of the value of ten  
dollars, one vest of the value  
of five dollars and one pair of  
trousers of the value of  
five dollars*

of the goods, chattels and personal property of one

*James O'Sullivan*

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

*De Lancey Nicoll,  
District Attorney.*

0890

**BOX:**

444

**FOLDER:**

4095

**DESCRIPTION:**

McEvoy, James

**DATE:**

07/08/91



4095

Witnesses:

Counsel

Filed

Pleads,

day of July 1891

Attest  
Not Publicy (9)

THE PEOPLE

vs.

B

James McEoy

VIOLETION OF EXCISE LAW.  
(Section 290, Pennl Code, sub. 8.)

~~De la Cruz~~  
JOHN E. FILLIAMS

District Attorney.

Transferred to the Court of Special  
Sessions for trial and final disposition.

Part 3 ..... 1891.2

A True Bill.

Nicholas Long

Foreman.

Attest  
Not Publicy (9)



0092

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*James McEvoy*

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

accuse

*James McEvoy*

of a MISDEMEANOR, committed as follows:

The said

*James McEvoy*

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

*— twenty-third —* day of *June* in the year of our Lord  
one thousand eight hundred and ninety *— one*, at the City and County aforesaid,

certain strong and spirituous liquors, and certain wine, ale and beer, to wit: One gill of  
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of  
cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of  
lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury  
aforesaid unknown, unlawfully did sell, and cause and procure and permit to be sold to one

*— Alfred Seabold —*

who was then and

there a child actually and apparently under the age of sixteen years, to wit: of the age of  
*eight* years, 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.

*Do Lancy Nicoll*  
~~JOHN R. FELLOWS~~

*District Attorney.*

0893

**BOX:**

444

**FOLDER:**

4095

**DESCRIPTION:**

McGinn, James

**DATE:**

07/21/91



4095

0094

Witnesses:

Counsel,

Filed

Pleas,

21 day of

1887

Not Guilty

THE PEOPLE

vs.

James McGinn

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

DE LANCEY MOORE

JOHN R. FELLOWS

District Attorney.

A True Bill.

Swindlow & Co

Foreman.

July 30<sup>th</sup> 1891

Found and convicted

14th Feb 92

0895

Police Court— District.

City and County } ss.:  
of New York,

of No. 670 E. 16th Street, aged 24 years,  
 occupation Work in gas house being duly sworn  
 deposes and says, that on the 11th day of July 1899, at the City of New  
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by James  
Smith (nowhere) who

struck deponent in violent  
 blow in the face with a piece  
 of iron he held in his hand  
 breaking deponent's nose.  
 Deponent further says that  
 such assault was committed

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

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

Sworn to before me, this 15 day  
 of July 1899

John Callahan  
 Police Justice.

0896

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *James McEginn*

Question. How old are you?

Answer. *38 years old*

Question. Where were you born?

Answer. *Canada*

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

Answer. *640 E. 16 St 5 Mos*

Question. What is your business or profession?

Answer. *Driver*

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

Answer.

*I am not guilty*

*James McEginn*

Taken before me this

*15*

Police Justice.

0897

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, DISTRICT.

Sworn to before me, this

12 day

of July 1889

at New York City

CITY AND COUNTY } ss.  
OF NEW YORK,

POLICE COURT, DISTRICT.

1st James E. Monahan  
of No. 11th Street, aged years,  
occupation Police Officer being duly sworn deposes and says,  
that on the 11th day of July 1889

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

James M. Ginn (now known as)  
Complainant of John Callahan, of no  
620 East St. who charged this  
deponent with having assaulted him  
by striking him in the face with  
some hard substance. From the  
effects, the said John Callahan  
is now confined to his home and  
unable to appear in Court.

Wherefore deponent prays the said defendant  
be held to answer the result of said injuries  
James E. Monahan

0898

Police Court, X District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James McQuinn*  
vs.

AFFIDAVIT.

*Admitted*

Dated July 12 1891  
Murray Magistrate.

Officer.

Witness,

*Detia McQuinn*

620 E 16<sup>th</sup>

Disposition,

0899

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

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

Dated *July 15* 18 *90* *Samuel Lawrence* Police Justice.

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

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

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

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



0900

Police Court--

921  
District.

THE PEOPLE, &c.,  
IN THE COMPLAINT OF

*John Callahan*  
*628-PS 2 16th St*  
*James W. Quinn*

Office

*Wassault*

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street

Dated *July 15* 1891

*Murray* Magistrate.

*M. Mahan* Officer.

*18* Precinct.

Witnesses.....

No. .... Street.

No. .... Street.

No. .... Street.

\* *1000* to answer

*GP*  
*Mr*  
*annd 2*

THE PEOPLE

vs.

JAMES McGinn.

COURT OF GENERAL SESSIONS, PART I.

BEFORE RECORDER SMYTH.

July 29, 1891.

Indictment for assault in the second degree.

JOHN CALLAHAN, sworn and examined.

I am a laborer in the gas house, I did not work on the 11th of July, I did not work that week because I was ill; I live at 628 16th Street; I saw the defendant on the 11th of July in his own house in the evening, he lives in the next apartment to me; I saw him at half past six in the evening. I was going down through 20th Street shortly after eleven o'clock at night and when I came to No. 620 the boarding house where I stay I seen some people in the hallway, two men were beating a brother of mine and I pulled him into the house and as soon as I pulled him into the house I locked the door and McGinn kicked it in and Dillon and another young man; I shut the door again and the lock was broke on it and I went into the next room and when I came out again Dillon and the Defendant were standing one on each side of the door inside and I went to shut the door and when I shut the door McGinn was outside, he had a piece of iron and he struck me and I put my hands up and I fell down, I could not see any more, he struck me over the bridge of the nose and left my nose in the condition that it now is in; he broke my nose, I was taken to the hospital by Officer Monohan, to Bellevue, and six stitches were put in it; I came home that night, I saw McGinn in the 22nd Street station house.

## CROSS EXAMINED.

I had no part in this fight, this was between eleven and half past eleven at night; when I came home I found that there was a row in the hallway between my brother and some parties; I could not say how many people were in the hallway, there was no light in the hall; I passed Mrs. McGinn, the defendant's wife. I and my brother live on the left hand side as you go in and McGinn and his wife live on the right hand side in the rear part of the house, it is a double flat and we live in the front part of the house.

I did not learn from my brother that he and McGinn and a man had a quarrel in McGinn's room, I did not hear at any time that there was a quarrel in McGinn's room. I did not hear that my brother and McGinn had a quarrel in a liquor store before the quarrel took place in the hallway; I was inside of the door when I was struck, the door was wide open at the time; my brother was not inside the room behind me at the time I was struck, he was <sup>two</sup> rooms from it. I had my face to the hallway, it is not a fact that I was facing the bed-room. I know Mrs. McManus, she lives in the same house on the floor over me; I did not see her that night. My brother is not in Court and I do not know where he is. He left on the 14th of July and I did not see him since. I said in the Station House that I did not know what I was struck with, I was struck with a pice of iron, I saw it in his hand. McGinn and I had no quarrel. There was not a word passed between you? No. McGinn had no reason to strike you? No, I done nothing to him.

JAMES E. MONAHAN, sworn and examined.

I am a police officer connected with the 18th precinct. I arrested the defendant on the complaint of John Callahan the 11th of July at 620 East 16th Street. I heard loud cries and saw a crowd gather opposite 620 East 16th Street. I rushed into the house and found the complainant in the rooms that he lives in, bleeding, his face was covered with blood at the time. I asked him who struck him and also asked his brother. He said McGinn did. I asked him where McGinn was and he said he ran into his room. I went to the door and knocked on the door, they would not open the door.

I told them I was a policeman and wanted to get in; I tried the door and could not get in, so I knocked on it with my night stick; they then refused to open the door and I forced it in. I first got that man named Dillon and I asked him if he was McGinn and he said yes; so I got him as far as the hallway and there I learned that he was not McGinn; so I went back again and McGinn was coming out of the door when I was searching for him. I went to the sidewalk and rapped for assistance and had to wait for another officer to arrive, I gave him the prisoner and then went into the rooms and got the injured man and brought him to the Station House and from there to the Bellevue Hospital; he had his nose dressed. Did the defendant say anything to you after you arrested him? No sir, he did not. When the complainant went to the Station House did he not say that he did not know what he was struck with? Yes, he did. What was the condition of his nose? A compound fracture of the nasal bone.

The Case for the Defence.

JANE McManus, sworn and examined for the Defendant: I live at 620 16th Street, am a married woman and have five children. I came down that night when I heard the hollering, I took Mrs. McGinn and Mrs. McArdle apart, the two women were fighting in the hallway; I did not see McGinn there. I saw Callahan, the man who got his nose broke at the time he was struck but I really could not tell you who struck him. Did McGinn strike him? No sir. Do you know what he was struck with?

The spittoon was fired and whoever fired it back I don't know, I really could not say whether it struck him or not, he hallooed and the blood poured. You are sure McGinn did not hit him with a piece of iron? I did not see him at the time at all. He states he was standing in the doorway and that McGinn walked up to him with a piece of iron and struck him in the nose, if McGinn did that would you have seen him? I believe the gentleman was in his own room; it was dark and I could not see who was in the entry, the gas was out and the entry was crowded, the light was in the room only and from the shade you could see the spittoon, that is all I saw, I was three pairs of stairs up and I came down to the ground floor where they live.

ELLEN MCGINN, sworn and examined.

I am the wife of the defendant, I know what the complainant Callahan was struck with and I know who struck him; his own brother struck him with a spittoon; I have got a portion of that spittoon with me (the witness produced it). That spittoon came from Callahan's room;

0905

he was standing at the door at the time; his brother  
pegged at me and Callahan got it. The fight commenced in  
my room; Mrs. McArdle had a grudge against me; he came  
in, he had my boy with him, the first time he was ever in  
my rooms, Callahan's brother was in there, the greenhorn,  
and he says "come Dutchy", to his little boy, he was  
dozing asleep. Then the greenhorn said, "damn the Dutch,  
if he is Dutch let him get out lively." I said, "don't  
insult anybody in my room, this is the first time anybody  
ever insulted anybody, put on your hat and get outside."  
He called me a son of a bitch. So then afterwards my hus-  
band went out and I went out to go down to the store to get  
a pint of beer for his supper to treat Mr. Snyder, he went  
down and Callahan laid for him. The fight in the hallway  
started at ten o'clock, after the light was out; I went up  
for matches and he was sitting on the stoop, Callahan's  
brother, and he says to me when I was going in, "now I have  
got you", and he caught me by the hair of the head and gave  
me a couple of kicks and scratched me on the face. His  
sister came along and twisted her hand in my hand and  
pulled me around the door. A young fellow named Levy said  
"for God's sake don't kill her"; he picked me up. Calla-  
han's brother said, "keep yourself away, I will lick her  
before she comes in to-night." Callahan went in the room  
then when he seen it was not my husband, the defendant's  
brother. At the time that Callahan was striking the com-  
plainant did you see the spittoon strike him in the face on  
the nose? Yes sir. Did your husband, the defedant,  
strike him? No sir, my husband was in the room at the time  
along with Mr. Snider, he knew nothing at all about that

fight, he was not in the hall. You were engaged in the fight with Mrs. McArdle? She is sister to this fellow that struck me. You had a fight with her? No sir, not at all. You had a fight with her? No sir, she pulled my hair. Did not Mrs. McManus come down stairs and separate you? She separated both of us. You were engaged in a fight? Yes sir.

CROSS EXAMINED. I occupy the ground floor in the back and the Callahans live on the ground floor in the front, it is a double house. When Callahan's brother threw the spittoon I was standing at the door, at Callahan's doorway. What were you doing down there, it was away from your apartments? His brother was after striking me, it was Levy's brother pulled me away; I did not run down after him, I had to go by Callahan's door to get in my door.

Where were you standing when Callahan struck you? I was at his door when he pegged the spittoon at me, going to my door. Didn't you dodge it? Yes. Where was Callahan's brother standing? He was standing on the doorway and the spittoon came out, he was just walking in the door from being in the doorway. What broke that spittoon? When it struck on his nose it fell down and those pieces went outside, I picked up two pieces in the hallway after my husband was taken. I did not see Callahan's nose bleed, I could not tell you whether he was badly hurt or not; my husband did not go upstairs afterwards, he was in his own rooms at the time; I did not lock the door. I did not go to bed for an hour; my husband was going to bed and so was the other man in the house; I did not ask him who was at the door,

the policeman never opened his mouth to me until he burst the door in; there was no noise about there when the policeman came; he bursted the door in, he broke the lock and went in, if he had asked me I would have opened it.

CHARLES SNYDER, sworn and examined.

I live at 620 East 18th Street and am a tinsmith, I was in the premises on the night upon which this quarrel took place between these parties; I was not there at the time the row took place in the hallway, I was in the prisoner's room and he was in the room when I heard a scream; we ran out and when we got out the row was all over; McGinn came out with me, he was not in the hallway the time the row took place, I was not there when Callahan was struck. I did not see his face bleeding.

MIKE DILLON, sworn and examined.

I live at 620 East 18th Street and board with the defendant and his wife. I am a fireman at the 14th Street house, I was in the house on the night of the quarrel, at the time when this fight took place in the hallway I was at the front door on the stoop in 18th Street; I saw Callahan, the complainant, struck. I was about two feet from the tressle of the door from the entrance into the room, he was inside and he had his back to the hallway; I saw him when he was struck with the spittoon from the inside of the complainant's room, McGinn did not strike him. James Callahan fired it at Mrs. McGinn, she was passing the door at the time and it accidentally struck Callahan's brother.



CROSS EXAMINED.

I was going by the door going into my own rooms in the rear, Mrs. McGinn was going by the door and the complainant was standing about two feet from the entrance of the door inside in his own room.

Did you hear Mrs. McGinn testify that he was outside about going in? I did not., he was inside standing two feet from the entrance of the door. Where did that spittoon fall after it struck the complainant? Two pieces were out in the hallway and the rest fell inside. Did the spittoon break on his nose? Yes, deliberately on his nose. It was not made of iron but of some kind of clay I suppose. Did you see any blood upon the complainant's face? No sir,

He was not cut at all? I do not know, sir. Was anything the matter with him that you could see? No sir, only that I saw the spittoon hit him when it was let fly at Mrs. McGinn. Where did he go after the spittoon hit him? He went inside I suppose, I went into my own rooms. John Callahan said that you and the other three men were beating his brother? I deny it. Did you beat or strike him? No sir, I never lifted a hand. Who was beating him in the hall that night? I did not see anybody beat him. Was not the complainant's brother beaten in the hall? No sir; he had a difficulty with Mrs. McGinn but I did not see the fight between them. I saw the fight between Mrs. McGinn and Mrs. McArdle; it was afterward that the spittoon was fired. The complainant says that there were two men beating his brother and that he opened the door and that he pulled his brother in and that you kicked the door in and that when you succeeded in kicking the door in that you

struck him and that he was struck by this man here with a lump of iron in the face? No sir, that is not true, the defendant was in his own room. I did not see Callahan bleed but I saw him after he was hurt. You could tell from his appearance the day after that he must have been bleeding the night before, is that it? Yes.

JAMES MCGINN, sworn and examined.

I live at 620 East 16th Street and am the defendant in this case; I work for a living, I did not strike the complainant Callahan with a piece of iron, I did not hit him with anything and did not have a row with him, I had no occasion to have a row with him, I did have a difficulty with his brother outside; I was in my own room and his brother was in my room that night. Mr. Snyder came in the house and he asked Mr. Snyder if that was his little boy and Mr. Snyder said yes; he picked him up and said I had better bring him up in the house, he is sleeping. Snyder said, "that is my little Dutchman", and he left. This fellow was sitting there and he caught hold of Snyder and said, "to hell with the bloody Dutch." I says, "you had better get out and insult no one in my room for I would not have it." So he went outside the door and he waited at the door for about fifteen minutes and I went out to get a glass of beer for me and Mr. Snyder, I went down to the saloon and he followed me down, I went in and got my pint of beer, I was coming back and he followed me up, he said he would punch me in the nose, I said, "if you make any disturbance in my room I will not have it, I don't want to

have anything to do with you, I am going up to my room. He followed me out of the store, he takes his foot that way (showing) and kicked the can of beer and hit me in the neck, I hit him a couple of times with my hand and I fired the beer can and went up in my own house. The fight occurred outside and what occurred I do not know. You were not there the time the fight took place and the time Callahan was struck? No sir.

CROSS EXAMINED.

When the officer came

I was in my own room, I was going to bed, the door was locked, the officer came to the door, it was about eleven o'clock, the row occurred about eight or nine o'clock when me and his brother had the row. I did not see Callahan at all after I had the row with his brother; I know Dillon, Snyder and I were in my room. While I was bringing the second pint of beer there was a row downstairs in the hall I heard between my wife and Mrs. McArdle, I know nothing of what took place. I did not strike the complainant with a piece of iron at the door. I have never been convicted of any crime, I was arrested once for being drunk, I was not convicted of larceny; I was never in the coal business; I was never convicted for collecting money for coal.

Counsel: That is the case.

Rebutting Evidence.

JOHN McARDLE, sworn and examined.

I live at 620 East 16th Street and know the defendant as long as I am living in the house and I know the Complainant. Did you see the defendant strike Callahan?

Yes, I seen the hand come down and I seen before that when he kicked the door himself and Dillon and I pulled them away

from it; I saw him running and Dillon after him and his wife afterwards, I was right behind him when I caught him with his two hands up like that and the blood pouring from his nose.

CROSS EXAMINED.

I work at a gas house in Brooklyn, I was not working that day nor for a week before, I was in the house nearly the whole of the day, I know that Callahan has got another brother named James but I do not know where he is now. Do you not know as a fact he had to clear out, he had a quarrel and there was a warrant obtained? I knew there was a warrant but I do not know who obtained it. I do not know that Mrs. McGinn obtained a warrant for the arrest of his brother. I was in the hallway the night the fight took place, I was in my own rooms at the time in the front of the house where Callahan lives. Callahan lives along with me, I was inside the room; I took no part in the fight, only pulled them away from kicking my door in, I saw the spittoon in the room and I saw James throw the spittoon out at Mr. McGinn and Mr. Dillon when they burst in the door, only half of it fell in and some small fragments of it fell outside; that spittoon belongs in the room I live in.. Did that spittoon hit anybody? No sir, it hit nobody but me, the spittoon fell on the tressle of the door and was broke, it was thrown from the inside, I stopped it and it fell at the door.

By a Juror. That iron, what became of it? I could not see, the man run in the house, that I know myself perfectly was in the house, a lump of iron that length, I seen that in the

house long before this, I did not see it on that night.

By District Attorney: You saw the hand come down on his head?

I seen the hand coming down on his head with the iron.

By Counsel: McGinn had hold of the iron? I could not say, I picked the man that was bleeding. McGinn had hold of the iron and struck your brother-in-law? I could not say, I saw McGinn's hand coming down on the left hand side of the door. Where was that iron at that time? It must have been in his hand.

JOHN CALLAHAN, recalled by District Attorney.

On the night in question I was not struck by my brother by the spittoon, I never seen the spittoon; that night my brother was not in the room when I was struck, he was two rooms from me the time the door was broken.

JAMES MCGINN, recalled by District Attorney.

Look at that and see if that is your signature? I could not say whether that is my signature or not.

By the Court: Did not you plead guilty to an indictment in this Court on the 23rd of December, 1889, and were not you sentenced on that indictment to two months imprisonment, now answer that question? No sir, it is not me..

The Court: I will postpone this case until to-morrow morning and send for Officer Wade.

Counsel: I want to finish it and object to any postponement, I want my rights.

The court: You will have your rights., don't let us get into any trouble.

Thursday, July 30, 1891

HENRY WELSH, sworn.

Counsel: For the purpose of preserving the record I object to any further testimony being offered in this case on the ground that the case having been closed and the counsel for the Defendant having been in argument before the Jury addressing the jury, under the protest of the Counsel the case was adjourned till this morning and another Jury was empannelled in another case and the said case was tried and disposed of between the adjournment of the court and that cause and this. I also ask now that the Court advise the jury to acquit the prisoner on the ground that another jury having been called between the trial of this case that no further proceeding can be had.

The Court: Motion denied.

Counsel: Note an exception.

HENRY WELSH recalled.

By Dist. Atty.: You are one of the clerks of the Court of General Sessions of the Peace of the County of New York? I am third deputy clerk of this Court. Will you look at what I show you and tell me what it is and where it was taken from?

Objected to. Objection overruled. Exception.

By the Court. Look at that and state what it is? This is an indictment filed in this Court on the 18th day of December, 1889, against James McGinn, the indictment being for grand larceny in the second degree.

By Dist. Atty.: Have you the record of the Court with you? I have, sir. Will you please refer to the record and state what disposition was made under that indictment?

Monday morning, December 23, 1889. The Court meets pursuant to adjournment, present the Hon. Henry A. Gildersleeve, Judge of the Court of General Sessions. The people against James McGinn on indictment for grand larceny in the second degree, July 13, 1888, stealing \$37.20 in money as clerk and servant to one Henry L. Herbert. The Defendant by leave, etc. withdraws his plea of not guilty and pleads guilty to <sup>petty</sup> ~~grand~~ larceny. The Defendant having nothing further to say, judgment in the Penitentiary in the city of New York for the term of two months.

Counsel: I move to strike this evidence out as irrelevant and immaterial and subsequent to the trial of the cause, and further on the ground that the District Attorney having asked the Defendant and he denied it, they are bound by the answer.

The Court: Objection overruled. Exception.

CHARLES J. WADE, s worn and examined.

By Dist. Atty. Officer Wade, what precinct were you connected with on the 18th day of December, 1889? The 18th precinct of this city. On or about the 18th day of December, 1889, did you arrest one James McGinn?

Objected to for the reason stated before.

Objection overruled. Exception.

Yes sir. Were you in Court on the 23rd day of December, 1889? Yes sir. I ask you to look at this defendant were you present when he was called?

Objected to. Objection overruled. Exception.

Yes sir.

By the Court. Were you present in court when he pleaded guilty to

an indictment charging him with grand larceny?

Objected to. Objection overruled. Exception.

Yes sir.

By Distz Atty.: Do you remember what disposition was made of his case? Yes sir. What was it? Two months in the Penitentiary.

Dist. Atty: I offer the indictment in evidence.

Counsel: I object on the ground that the District Attorney cannot offer anything in rebuttal for the reason having already asked the defendant those questions he is bound by his answer.

The Court: Objection overruled ----- the indictment and record is admitted in evidence. Exception.

The Jury rendered a verdict of guilty of assault in the third degree.



09 16

Testimony in the  
case of  
James McGinn

Filed July 1891

09 17

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*James Mc Ginn*

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

*James Mc Ginn*

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

The said

*James McGinn*

late of the City and County of New York, on the *eleventh* day of *July*, in the year of our Lord one thousand eight hundred and ~~eighty ninety one~~

*John Callahan* with force and arms, at the City and County aforesaid, in and upon one

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

with a certain *piece of iron* which *he* the said

in *his* right hand then and there had and held, the same being then and there a weapon and an instrument ~~and weapon~~ likely to produce grievous bodily harm, *him*, the said *John Callahan* then

and there feloniously did wilfully and wrongfully strike, beat, bruise and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*De Lancey Nicoll*  
*District Attorney.*

09 18

**BOX:**

444

**FOLDER:**

4095

**DESCRIPTION:**

McGowan, John

**DATE:**

07/15/91



4095

09 19

11-82

Witness:

Deft. Indone  
Informant  
than Accused.  
Victim of Rape  
ET

Counsel,  
Filed 15 day of July 1891  
Plends,

THE PEOPLE

vs.

John Mc Gowan

Grand Larceny and Degree  
[Sections 528, 530, 532 Penal Code.]

DE LANCEY NICOLL,  
District Attorney.

A True Bill.

Michael G. Cost  
July 16, 1891 Foreman.  
Plends G. L. 2d  
24th June 5th

0920

CITY AND COUNTY } ss.  
OF NEW YORK.

POLICE COURT, 2 DISTRICT.

of No. 300 Mulberry Street, aged 35 years,  
occupation Detective being duly sworn, deposes and says  
that on the 1st day of July 1891  
at the City of New York, in the County of New York

Anthony Callaghan, (born here), is a  
necessary and material witness for the  
People of the State of New York in a  
certain complaint against John M. Moran  
for Grand Larceny. Repones further  
that there is good reason to believe  
that said Callaghan will not appear  
to testify when wanted and prays that  
he be committed to the House of Detention.

James F. Mulvey

Sworn to before me this  
1st day of July 1891

Police Justice.

0921

CITY AND COUNTY { ss.  
OF NEW YORK,

James F. Valleley  
aged 30 years, occupation Detective Sergeant of No. 300 Mulberry Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Lewis C. Hopkins and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this

day of

188

James F. Valleley  
Police Justice.

0922

CITY AND COUNTY {  
OF NEW YORK, } ss.

aged 17 years, occupation Clerk of No. 182 Hamilton Ave Brooklyn

Street being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Lewis B Hopkins

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

Sworn to before me, this

day of July 1897

1897

Anthony F. Callaghan

[Signature]  
Police Justice.

0923

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

of No. 118 South Street, aged 40 years,  
 occupation Warehouseman being duly sworn,  
 deposes and says, that on the 28th day of August 1891 at the City of New York,  
 in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in  
 the day time, the following property, viz:

A quantity of rubber of the value of  
about One Thousand and no dollars

the property is in deponent's care and custody as agent  
of the firm of Kaphius Lane, and Hubbard  
Warehousemen

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 John M. Gorran, hisro here,  
 from the fact that between the said dates  
 this defendant was employed as laborer  
 in deponent's storehouse at the above  
 address, and as such employee had  
 access to the said property, which property  
 was stored in the premises. Deponent is  
 now informed by Anthony Gallagher  
 a clerk in deponent's employ, that on  
 about the 15th day of January 1891 he Gallagher  
 saw the defendant with some of the property  
 in his possession outside of the premises  
 and taking it away. That he Anthony Gallagher  
 the day which the defendant had in his  
 possession and saw that it was the same  
 kind of rubber that was stored in the premises

sworn to before me

day

Justice



That Depmunt is further informed by  
 Detective Sergeant James Malley of the  
 Custom Office, who arrested the defendant,  
 that the defendant admitted to him Malley  
 that he, the defendant, had at different  
 times taken property out of the said premises  
 and disposed of it to a fur dealer.

Depmunt further says that the property  
 was stolen with his things on the 28<sup>th</sup> day  
 of August 1890, in 35 bags, and the property  
 was taken out of store on the 3<sup>rd</sup> day of March  
 1891 and the property was short to the  
 extent as ascertained by Depmunt. Therefore  
 Depmunt charges this defendant with  
 feloniously taking, stealing and carrying  
 away the said property and prays that he  
 be held and dealt with as the law directs

From before me,  
 this 5<sup>th</sup> day of July 1891.

Lewis C Hopkins

L. H. M.  
 Police Justice

0925

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK }

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*I am not guilty, the property  
was given to me by Anthony Gallagher  
and I sold it.*  
*John McGowan*

Taken before me this

day of

1889

Police Justice.

0926

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

*Alfred*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Two* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.  
Dated *July 9* 18..... Police Justice.

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

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

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

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

0927

Witness Callaghan, failed by  
Elen Kennedy  
604 Court St  
Bklyn

BAILED.

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Lewis C. Thompson  
H. S. -  
John W. Brown

2

3

4

Dated

July 8 1891

Magistrate.

Walter M. Thompson

Officer.

Precinct.

Witnesses

Call the officers

No.

Street.

Anthony Callaghan

No.

No.

Street.

\$ 1000



Can 921

0928

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY  
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John Mc Gowan*

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

*John Mc Gowan*  
of the CRIME OF GRAND LARCENY in the *first* degree committed as follows:

The said

*John Mc Gowan*

late of the City of New York, in the County of New York aforesaid, on the *third*  
day of — *March* — in the year of our Lord one thousand eight hundred and  
ninety-one, at the City and County aforesaid, with force and arms,

*thirteen hundred and one pounds  
of rubber of the value of eighty-  
four cents each pound*

*Levi C. Hopkins*  
of the goods, chattels and personal property of one

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

## SECOND COUNT—

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

*John Mc Gowan*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

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

*thirteen hundred and one pounds  
of rubber of the value of eighty  
four cents each pound*

of the goods, chattels and personal property of one

*Lewis C. Hopkins*

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

*Lewis C. Hopkins*

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

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

DE LANCEY NICOLL,

*District Attorney.*

0930

**BOX:**

444

**FOLDER:**

4095

**DESCRIPTION:**

McGowan, Thomas F.

**DATE:**

07/30/91



4095

0931

POOR QUALITY  
ORIGINAL

Witnesses:

Off Tho Hesson  
for Henry Rattan

In this case the forfeiture was entered through inadvertence and a new bail bond having been executed, and the People not having been prejudiced by the forfeiture, I recommend that the judgment entered thereon be vacated and discharged of record.

Taylor Asst. A.D.A.

No. 226  
226X  
Counsel, *Pitney*  
Filed 30 day of July 1891  
Pleads, *Not Guilty*  
17 June 1891  
364450  
THE PEOPLE  
vs.

Thomas D. McGowan

Def. - May 24/91  
DELANCEY NICOLL,  
Plead. Pet. Henry District Attorney.

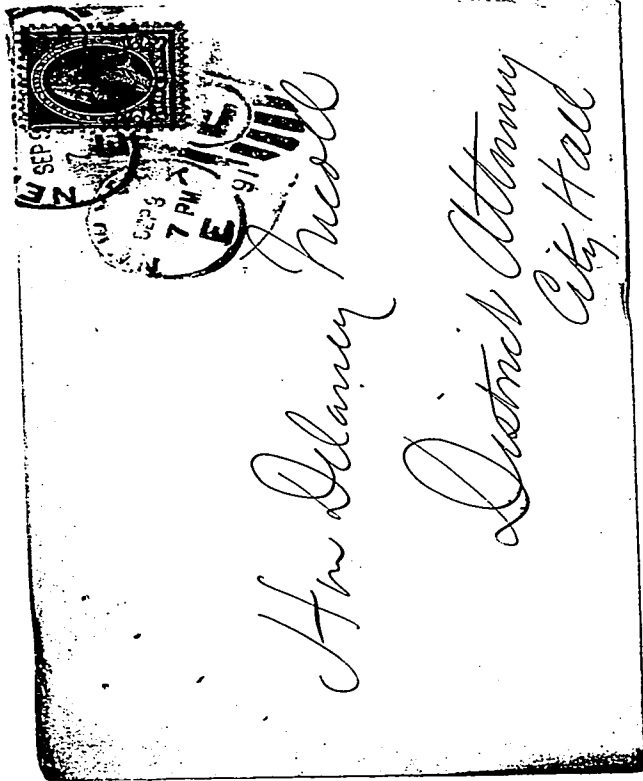
Sen suspended.  
Off Petition term  
A TRUE BILL.

Nicholas G. (Clerk)  
Foreman. *12*  
F. Sept 17/91  
Ret. Paul  
Sept. 14/91

Burglary in the Third Degree.  
Section 488, § 86, § 1, § 2, § 3, § 4, § 5, § 6, § 7, § 8, § 9, § 10, § 11, § 12, § 13, § 14, § 15, § 16, § 17, § 18, § 19, § 20, § 21, § 22, § 23, § 24, § 25, § 26, § 27, § 28, § 29, § 30, § 31, § 32, § 33, § 34, § 35, § 36, § 37, § 38, § 39, § 40, § 41, § 42, § 43, § 44, § 45, § 46, § 47, § 48, § 49, § 50, § 51, § 52, § 53, § 54, § 55, § 56, § 57, § 58, § 59, § 60, § 61, § 62, § 63, § 64, § 65, § 66, § 67, § 68, § 69, § 70, § 71, § 72, § 73, § 74, § 75, § 76, § 77, § 78, § 79, § 80, § 81, § 82, § 83, § 84, § 85, § 86, § 87, § 88, § 89, § 90, § 91, § 92, § 93, § 94, § 95, § 96, § 97, § 98, § 99, § 100.



0932



0933

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 37 years, occupation Matchman of No.

318 West 86 Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Thomas Herson  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 23  
day of July, 1891 } J. H. Kattan

W. A. [Signature]

Police Justice.

0934

Police Court— District.

City and County } ss.:  
of New York,

of No. 26 Precinct, Thomas Herson Street, aged        years,  
 occupation Police Officer being duly sworn  
 deposes and says, that the premises No. West End Ave & 86 Street, 12 Ward  
 in the City and County aforesaid the said being a Four Story Brick  
and 13 room House Dwelling  
 and which was occupied by deponent as a Vacant  
 and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly Breaking open  
the basement door leading to a room  
where a quantity of lead pipe was in said  
premises

on the 22 day of July 1894 in the day time, and the  
 following property feloniously taken, stolen, and carried away, viz:

Two coils  
of Lead Pipe of the value of  
about thirty dollars

the property of William E. D. Stokes  
 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  
Thomas J. McLowman (now known) and two  
others not arrested

for the reasons following, to wit: Deponent is informed by  
J. Henry Kattan of 318 West 86 Street  
that said premises were securely  
fastened, and that at about the  
hour of 5 P.M. on said date he  
discovered said defendants and two  
others not arrested having said premises  
Deponent arrested the said defendant  
and found in his possession, a

0935

quantity of Lead Pipe. Deposition on  
Examination discovered that said  
premises had <sup>been</sup> entered in the manner  
above described. Said property was  
found and positively identified as  
the property taken from and carried  
away from said premises. Deposition  
therefor accuses the said defendant  
in law with having feloniously taken  
stolen and carried away said property  
and asks that he be dealt with as  
the law directs.

Thomas Kerson

Shorn to before me this }  
23 day of July 1891 }

M. H. Hilde

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated \_\_\_\_\_ 188\_\_\_\_  
I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated \_\_\_\_\_ 188\_\_\_\_  
There being no sufficient cause to believe the within named  
guilty of the offence mentioned, I order he to be discharged.  
Dated \_\_\_\_\_ 188\_\_\_\_  
Police Justice.

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—BURGLARY.

vs.

1  
2  
3  
4

Dated \_\_\_\_\_ 188\_\_\_\_

Magistrate.

Officer.

Clerk.

Witness.

No.

Street.

No.

Street.

No.

Street.

\$ \_\_\_\_\_ to answer General Sessions.

0936

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Thomas McGowan*

Question. How old are you?

Answer. *17 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *364 West 50 Street 3 Years*

Question. What is your business or profession?

Answer. *Plumber*

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

Answer. *I am not guilty**Thos. L. McGowan.*

Taken before me this

*28*

day of

*1897**Police Justice.*

0937

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

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

Dated..... June 23 18 91..... Wm. J. White Police Justice.

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

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

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

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

0938

BAILED.

No. 1, by Catherine Allen  
Residence 144 W. 67th Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Police Court--- V 226974 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Thomas Herson  
269 W. 73rd St.  
Thomas F. DeLoe

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Officer W. J. Gray

Dated July 23 1891

W. J. Gray Magistrate.

Herson Officer.  
36 Precinct.

Witnesses J. Henry Kattan  
No. 318 W. 86 Street.

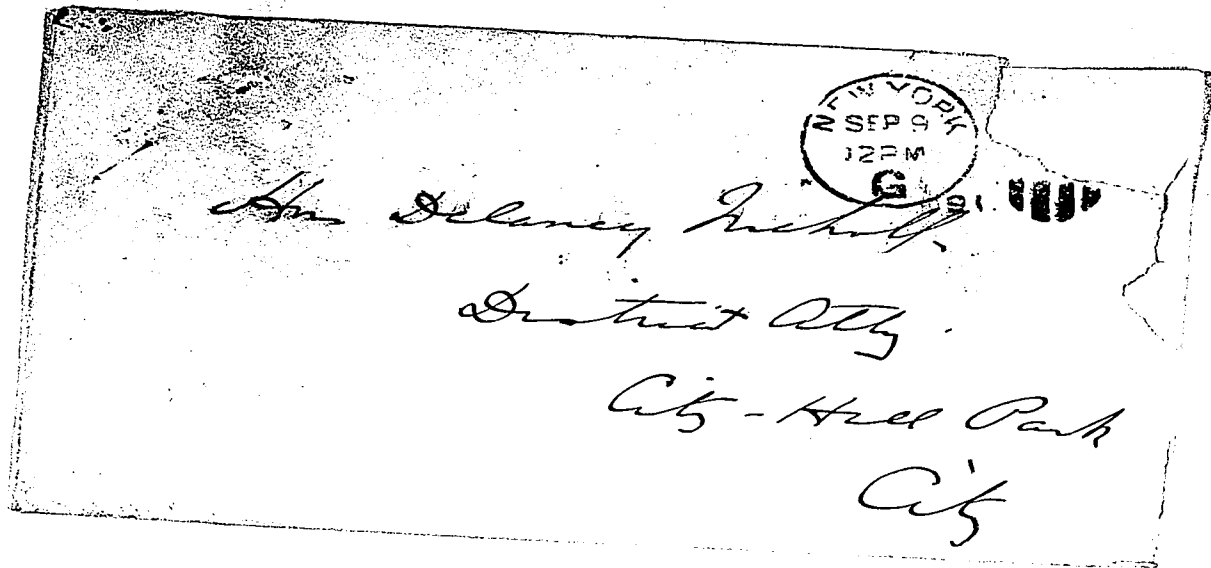
Charles Bennett  
No. 895 2d Ave Street.

William A. Gracy  
No. 488 10th Ave Street.

\$ 1000 to answer D.S.

W. J. DeLoe  
269 W. 73rd St.  
Christopher Rathford

0939





0940

*Mr. Cawson*  
*Part 2<sup>o</sup>*  

---

0941



City of New York Recorders Chambers

New York 189

Sir

Mr M Munnery  
is now & has been all  
day yesterday engaged  
in the trial of an Arson  
Case before me

Please excuse his  
absence this morning  
Yours truly  
Dwy

May 24/92

0942

W. E. D. STOKES  
OFFICE  
No. 269 WEST 73 STREET  
146 BROADWAY

NEW YORK, Sept 9<sup>th</sup> 1891

Delaney Richard Eog.  
District Atty.  
Hyden Delaney.

My watchman has just informed me that Mr. Gorman came up today & that he did not appear but forfeited his \$1,000. bail. I am sorry to hear this, as it is of the utmost importance that there should be a conviction, - for the moral effect on the embezzler, I wish you would put me down as a witness and advise me whenever the case comes up next, and have one of your clerks advise me how the matter stands. Should he have jumped his

had I must the city will get the \$1,000. and the lawyer  
to caught, & have. [initials]

0943

W. E. D. STOKES  
OFFICE  
No. 269 WEST 73 STREET  
146 BROADWAY

NEW YORK, 9 September 1891

Hon. Delancey Nicoll

District Attorney

My dear Delancey

Since writing to you twice today, I have received a call from the brother of Father Cullen, in reference to the boy McGowan indicted for burglary. There seems to have been a mistake & he will be in Court tomorrow without fail.

Mr. Cullen thinks that Brennan & Malone will certainly be soon apprehended and that McGowan's evidence will convict them. as this is McGowan's first offence. Mr. Cullen thinks that he should be accepted as states evidence and let off.

They will apply for an adjournment & he thinks that in the mean time he can capture the other two. These two have a pull in the district which has prevented their arrest. Brennan has been up for burglary before and is a well known crook. Mr. Cullen believes McGowan was led astray by the bad influence of the others. He says, that Brennan's sister is married to an officer, whose name & address is on the enclosed slip. He is at 47th Street Station House. If you can see your way clear to grant this adjournment I trust you will do so. Yours very truly

Mr. Cullen comes at the request of Father Cullen of the Paulist Church. at 9th ave & 89th St.

\* His name is James McGowan

0944

W. E. D. STOKES  
OFFICES  
No. 269 WEST 73 STREET  
146 BROADWAY

NEW YORK, Sept 7 1891

Hon Delaney Nicoll  
District Attorney  
Dear Delaney

The clergy have interested themselves in the matter of the arrest of the boy McGowan and have advised me that this boy, who was caught and indicted and soon to be tried by you is the least guilty of the three, and that he was led astray by Malme & Brennan; Malme has made a full confession to me and others so you will need me as a witness, and I am ready to attend. <sup>and there is no danger of a mistake (Mr. McGowan)</sup> They want his trial delayed until the arrest of Malme & Brennan which <sup>and they want you in the court of Malme & Brennan's arrest and conviction to accept Mr. McGowan's confession as a satisfactory evidence</sup> they inform me can readily be done. Frank Malme lives at 440 W. 47<sup>th</sup> and Owen Brennan at 226 W. 67<sup>th</sup>. Arthur Kip of 430 W. 58<sup>th</sup>, drove for Geo. H. Knickerbocker Express saw Malme & Brennan the other day and had a talk with them. I am informed that they could be easily captured were it not for the fact that Malme's father is doctor.

0945

W. E. D. STOKES  
 OF AGES  
 No. 269 WEST 73 STREET  
 146 BROADWAY

NEW YORK, ..... 1891

2/ Keper at the 47th Station House.  
 I am also advised that Malone and Brennan have been arrested on several other occasions but uniformly got off.

I wrote you on the same subject August 1st. I wish you would look it up this letter.

The conviction of one or more of these men is absolutely essential to the protection of West Side buildings and all the landlords are constantly keeping the matter before me. So kindly do what you can in the matter.

Yours truly  
 W. E. D. Stokes  
 1/50 1/5/88

0946

Court of General Sessions, PART One

THE PEOPLE

vs.

Thomas J McGowan

INDICTMENT

For

To

M

No.

Catharine Bullen  
144 West 62 Street.

The indictment against the above-named defendant for whose appearance you are bound, has been placed upon the Calendar for trial at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on the 9<sup>th</sup> day of SEPTEMBER instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

DE LANCEY NICOLL,

*District Attorney.*

0947

487

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

THE PEOPLE OF THE STATE OF NEW YORK  
against

*Thos. J. McGowan*

Affidavit of Service of Subpoena.

City and County of New York, ss.

*Michael Roche* being duly sworn, deposes and says: I reside at No. *815 - 6<sup>th</sup> Avenue* Street, in the City of New York. I am a subpoena server in the office of the District Attorney of the City and County of New York, and am over twenty-one years of age. On the *8<sup>th</sup>* day of *September* 1891, at *144 West 62<sup>d</sup>* in said city, I served a ~~subpoena~~ *notice* in the above-entitled action, of which a copy is hereto annexed, upon *Catharine Cullen* a witness in the said action, personally, by delivering the said ~~subpoena~~ *notice* to and leaving the same with the said *Catharine Cullen* in person, at the place aforesaid; and that I know the said *Catharine Cullen* so served as aforesaid, to be the person named and described in the said ~~subpoena~~ *notice* as such ~~witness~~ *bondman*.

Sworn to before me, this

day of *9<sup>th</sup> September* 1891, }

*David Anderson*  
Notary Public  
N. Y. Co.

*Michael Roche*



0948

**Court of General Sessions.**

THE PEOPLE, on the Complaint of

vs.

*Thos J. McGowan*

Offense:

*Burglary  
3<sup>d</sup> degree*

DE LANCEY NICOLL,

*District Attorney.*

*Affidavit of Service of Subpoena by*

*Michael Roche*

*Subpoena Server*

0949

No. 2.

409

TO THE CHIEF CLERK.

*Chas. Evans what became of*  
Please send me the Papers in the Case of  
PEOPLE

vs.

*McFowan*

*referred to in*  
*annexed letter*

*Hewings*

0950

No. 2.

400.

TO THE CHIEF CLERK.

*Have been what became of*  
Please send me the Papers in the Case of  
PEOPLE

vs.

*Malforan*

*referred to in*  
*annexed letter*

*Living*  
*for* District Attorney.

## GRAND JURY ROOM.

From Wm E D Stokes

### PEOPLE

Series of burglaries & thefts of lead pipes had been committed upon buildings in course of erection to the great annoyance of builders.

Mr Stokes' premises had been similarly plundered - one thief caught and confessed implicating two others, who have not been found.

Mr Stokes requests:

I Special help in the capture of the two at large

II Early disposition of the case of boy who was caught

Ans 29,

0952

W. E. D. STOKES  
OFFICES  
No. 269 WEST 73 STREET  
146 BROADWAY

NEW YORK, *Aug 1<sup>st</sup>* 1891

Hon De Lancey Nicoll  
District Attorney

My dear De Lancey

I have had a series of burglaries in my buildings for the last four years, but have never been able to capture the offenders until about 10 days ago. The door of my plumbers lock up in basement of my 86<sup>th</sup> West End Ave. house was smashed in and 3 young fellows broke in and attempted to carry away some \$500 of lead between them, the policeman and watchman gave chase and through the help of a passerby, Thomas McGowan, of 364 W. 80<sup>th</sup> St., was captured, he made a full confession to me and said that his two companions were Frank Malone, 440 W. 47<sup>th</sup> St and Owen Brennan 226 W. 67<sup>th</sup> St, and that they were out for the purpose of plunder. McGowan's case was brought up before the Grand Jury, July 30<sup>th</sup>, and he will probably now be indicted for burglary in the 3rd degree.

0953

W. E. D. STOKES  
OFFICES  
No. 269 WEST 73 STREET  
146 BROADWAY

NEW YORK, ..... 1891

2 I trust his case will be pressed as an example, all of us builders on the West Side, are anxiously awaiting the result of his trial.

Malone and Corrigan, I find from the records of the 47th Police Station, are old offenders and both have been in the station for similar offences before. The detectives and policemen of 100th Street Station have thus far been unable to capture them. I would be exceedingly obliged if you would do what you could to bring these rascals to justice.

Staple would interest himself for my sake in this case if you are too busy to give the matter your personal attention.

Yours truly -  
W. E. D. Stokes

0954

483

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas F. McGowan

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

Thomas F. McGowan

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

The said

Thomas F. McGowan

late of the 12th Ward of the City of New York, in the County of New York aforesaid, on the  
twenty-second day of July in the year of our Lord one  
thousand eight hundred and ninety-one in the day time of the same day, at the  
Ward, City and County aforesaid, a certain building there situate, to wit, the building of  
one William E. W. Stokes

there situate, feloniously and burglariously did break into and enter, with intent to commit some  
crime therein, to wit: with intent the goods, chattels and personal property of the said William  
E. W. Stokes in the said building  
then and there being, then and there feloniously and burglariously to steal, take and carry away,  
against the form of the statute in such case made and provided, and against the peace of the  
People of the State of New York and their dignity.

0955

SECOND COUNT—

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

*Thomas J. McGowan*  
of the CRIME OF *Grand LARCENY in the second degree* committed as follows:  
The said *Thomas J. McGowan*

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

*three hundred pounds of lead  
pipe of the value of ten cents  
each pound*

of the goods, chattels and personal property of one *William E. D. Stokes*  
in the *building* — of the said *William E. D. Stokes*

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



## THIRD COUNT:

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

*Thomas J. McGowan*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Thomas J. McGowan*

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,

*three hundred pounds of lead  
pipe of the value of ten cents  
each pound*

of the goods, chattels and personal property of *William E. D. Stokes*

by a certain person or persons (to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said *William E. D. Stokes*

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

*Thomas J. McGowan*  
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.

DE LANCEY NICOLL,

*District Attorney.*

0957

**BOX:**

444

**FOLDER:**

4095

**DESCRIPTION:**

McKeon, Thomas

**DATE:**

07/08/91



4095

Witnesses;

No. 10  
Counsel,  
Filed  
Pleads,  
W. Langford  
day of July 1891  
Not Guilty (9)

23 THE PEOPLE  
330 N. 17th St.  
Thomas McKeon  
Grand Larceny, Second Degree.  
(From the Person.)  
[Sections 528, 531 Penal Code].

JOHN R. FELLOWS  
Sept 2-Sept. 9, 1891.  
District Attorney.  
Pen 2 1/2 yds. Sept. 11  
A True Bill.

Foreman  
Nicholas J. Cow  
Jury 20  
Sept 11 1891

0959

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:  
of New York,

Edward E. Marriott  
 of No. 63-Park Row Street, aged 31 years,  
 occupation City Editor being duly sworn,  
 deposes and says, that on the 12 day of June 1891 at the City of New York,  
 in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in  
 the day time, the following property, viz:

A Diamond Leaf Pin, of the  
 value of one hundred and  
 twenty dollars

( $\$120 \frac{00}{100}$ )

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 Thomas M. Rem (now here) from the  
 following facts to wit: That on the  
 aforesaid date about the hour of four  
 o'clock P. M. while the deponent was  
 stepping from a car of the Manhattan  
 Railroad at the station at 155 Street  
 and 8th Avenue, the said defendant who  
 was standing on the station at said  
 Street, forcibly and feloniously took,  
 stole and carried away the aforesaid  
 property, from a scarf which was then  
 and there worn on the person of deponent.  
 Deponent further says that he has not seen  
 the defendant from the aforesaid date, until  
 the defendant was placed under arrest.

Edw. E. Marriott.

Sworn to before me, this

1891

Police Justice

0960

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK,

District Police Court.

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

Question. What is your name?

Answer. *Thomas McKen*

Question. How old are you?

Answer. *27 years old*

Question. Where were you born?

Answer. *New York City*

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

Answer. *1011 West 108th St + 6th Ave, N.Y.C.*

Question. What is your business or profession?

Answer. *None at present*

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

Answer. *I am not guilty.*

*Thomas McKen*

Taken before me this  
day of *July* 188*9*

Police Justice.

0961

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

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

Dated *July 2* 18 *91* *W. H. Brown* Police Justice.

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

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

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

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

0962

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Police Court---

2877 District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Edward O'Malley  
263 Park Row  
James McKim

1 .....  
2 .....  
3 .....  
4 .....

Dated July 4 1884

Magistrate.

Officer.

Precinct.

Witnesses

No. .... Street.

No. .... Street.

No. .... Street.

\$ 1000 to answer



Em ghe person

0963

COURT OF GENERAL SESSIONS OF THE PEACE,  
CITY AND COUNTY OF NEW YORK.

.....  
T h e P e o p l e ,

vs.

THOMAS MCKEON.

)

) Before

)

) HON. RUFUS B. COWING,

)

) and a Jury.

)  
.....

Tried September 9, 1891.

Indicted for GRAND LARCENY IN THE SECOND DEGREE.

Indictment filed July 8th, 1891.

-----  
APPEARANCES:

Assistant District Attorney Lynn, For The People.

James W. McLoughlin, Esq., For The Defense.  
-----



0964

2

EDWARD M. MARRIOTT, the COMPLAINANT, testified that he was a newspaper man, connected with the Evening World. He lived at 170 West 78th Street. He remembered the 12th of June, 1891. On that day he was on an express train on the 8th Avenue Elevated Railroad. As he, the witness, was getting off the train at the terminus at 155th Street, the defendant snatched a diamond pin from his scarf. He, the complainant, saw the defendant take the pin, and tried to catch him, but there was a large crowd who were all rushing to get to the ball game. The express train was intended only to take persons up to the ball game. There were so many people between him, the complainant, and the defendant, that he could not reach the defendant, but he kept him in sight for about twenty seconds. He, the complainant, next saw

0965

3

the defendant at Police Headquarters. He, the complainant, complained of the loss of the pin on the day following its loss, and gave a description of the pin. About two weeks after the pin was stolen, he saw the defendant at Police Headquarters. The defendant was there, and he, the complainant, identified the defendant as the person who stole his pin. He, the complainant, afterwards got back his pin. The pin he, the complainant, was informed had cost \$120. In

C r o s s - E x a m i n a t i o n .

the witness testified that the defendant was about two feet from him, when the pin was taken, but the crowd was so great that he could not get to the defendant. At the time that the pin was stolen, he, the complainant was about to get off the train. A man got in his, the complainant's, way, and he could not get at the de-

0966

4

fendant. At that time the defendant was on the platform of the station facing him, the complainant. The defendant reached over the man who was in the complainant's way, and took the pin. He, the complainant, ran after the defendant, and did not pay any attention to the man who had been in his way. He, the complainant ran downstairs and about 50 feet from the bottom of the stairs, in the street, he saw the defendant again, moving towards the baseball ground. He, the complainant, had excellent eyesight, although he wore glasses. About 18 days later the officer came to him, the complainant, and said, "We have a man who we have arrested on suspicion of being the man, and we want you to come up." He, the complainant, did not go uptown with the officer. When he, the complainant, saw the defendant in the Police Headquarters, he was in a room with several other men---about a dozen. Nevertheless, he, the complainant immediately identified him.

-----

0967

5

OFFICER HENRY LANG, testified that he was a detective, attached to Police Headquarters, and he saw the defendant at 28th Street and 8th Avenue. He told the defendant that he was under arrest, and asked him to come down to the Police Headquarters, as he was wanted down there. Then he, the witness, and Officer McManus took the defendant down to Police Headquarters, and sent for Mr. Marriott, and Marriott identified the defendant. The pin was afterwards returned to Mr. Marriott, after the arrest of the defendant. When the defendant was informed of the cause of his arrest, he said he was innocent, and that he knew nothing at all about it.

-----

## FOR THE DEFENSE.

----

MARY KEHOE, testified that she lived at 237 West 37th Street, and she was employed in 34th Street, by a Mrs. Butler, for about six months, as a domestic. She, the witness, remembered the 12th of June. She went to South Beach, Staten Island, with the defendant and his wife, on that day. They left the City of New York about half-past 2 o'clock in the afternoon, and remained until 8 o'clock, or a little after, that evening. The defendant was with them---his wife and the witness. She, the witness, remembered the date, because it fell on Friday, and she had a place to go to in the Catskill Mountains---to Hunter. She did not go to the place, because she took sick.

In

0969

7

C r o s s - E x a m i n a t i o n .

the witness admitted that she knew that South Beach was not opened until the 1st of July. She had mixed the matter up, and meant that she had gone to Bath Beach. She, the witness, did not know whether bathing was going on or not, when she was there. She, the witness, never bathed in salt water. She saw a number of people there. They had sandwiches at the beach, and some beer, too. She, the witness, had been idle for some time, and did not expect to go to work until the 15th of July. On Saturday Mr. McKeon passed the remark that he hoped that the next day would be fine, as the day before. They did not go anywhere at all on the Island. Nobody even noticed their presence there. She, the witness, had known Mrs. McKeon for about seven months before that. She had never lived in the same house with them. She lived at 237 West 37th

Street, and the defendant and his wife lived in 17th Street at the time. Mrs. McKeon invited her, the witness, to come to visit her that day, because the witness was going away on the following Monday. They stayed at Bath Beach until about 3 o'clock. Bath Beach was crowded, and bathing was going on. After his arrest the defendant's wife came to her, the witness, and asked her if she would testify in his behalf. That was in July. The defendant's wife said that he, the defendant, was innocent.

-----

ALICE MCKEON, testified that she lived at 1018 Avenue A, and that the defendant was her husband. She remembered the 12th of June, 1891. On that day they were down at South Beach---the previous

witness, the defendant and herself. They left their home at about half-past 2 o'clock---not later. They were down there about 2 1/2 hours, at the most, and got back from South Beach about 8 o'clock. She knew that it was the 12th of June, because they had sandwiches, and they made the mistake of eating meat when it was Friday, and Mrs. Kehoe was going away on Monday, and the defendant said that he would give her a good time before she went away. Mary Kehoe was then taken sick afterwards, and could not go away.

-----

THOMAS F. MCKEON, the DEFENDANT, testified that he was 23 years of age, going on 24. He resided at 330 West 17th Street, with his wife. He heard the testimony of the complainant. He did not



0972

10

take the complainant's pin, or have anything to do with the taking of that pin. On the 12th day of June he was at South Beach. He went with his wife and lady friend, Mrs. Conroy. They started out between 2 and half-past 2---he would not be accurate. They returned about 20 minutes to 3.

\*\*\*\*\*

0973

The Evening World,

PULITZER BUILDING,

NEW YORK.

EDITORIAL ROOMS,

Sept 9, 1891

Hon Rufus B. Cowing.

Dear Sir,

As the complaining witness against Thomas McKee, convicted today of grand larceny in the second degree, I beg to appeal to you for a lenient sentence upon him.

The diamond pin, which was the property stolen, was returned to me in the hope and expectation that the case would be dropped. Of course I could not carry out any

such bargain, and was  
careful to say that  
the matter was out of  
my hands, but I drew  
the prisoner's brother on  
to return the pin, by  
keeping silence on other  
points. I did what I

felt was my duty, in  
securing the man's  
conviction, but I know  
the prisoner is doomed  
to die by consumption,  
and feel sympathy for  
him.

Very respectfully yours,  
Edward E. Morrill  
Cf Editor

0975

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas Mc Keon*

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

*Thomas Mc Keon*  
of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said *Thomas Mc Keon*

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

*one scarf - piece of the  
value of one hundred and twenty  
dollars*

of the goods, chattels and personal property of one *Edward E. Marvitt*  
on the person of the said *Edward E. Marvitt*  
then and there being found, from the person of the said *Edward E. Marvitt*  
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.

*De Lancey Ricoll*  
District Attorney.

0976

**BOX:**

444

**FOLDER:**

4095

**DESCRIPTION:**

McMannis, Richard V.

**DATE:**

07/29/91



4095

0977

Wp 204

Thomas Brackett  
120 Bway

Counsel,

Filed 29 day of July 1891  
Plends, 104 Equity on ground  
of insanity

THE PEOPLE

vs.

Grand Larceny Second Degree  
[Sections 528, 581 & 50 Penal Code.]

Richard L. McManis

Placed by J. J. Tracy

DE LANCEY NICOLL,  
District Attorney.

Pen one yr  
Pen one yr

A TRUE BILL.

Amos L. Cook

Foreman.

Witnesses:

0978

State of New York,  
City and County of New York,

ss.

of No. 517 - W - 36 Street, being duly sworn, deposes and says,

that Richard B. McManus (now present) is the person of the name of

Benjamin McManus, mentioned in deponent's affidavit of the 22

day of June 1889, hereunto annexed.

Sworn to before me, this

day of July 1889

Bridget Galway  
POLICE JUSTICE.

0979

Police Court

District.

Affidavit—Larceny.

City and County } ss:  
of New York,

Bridget Galway

of No. 517 W 36

Street, aged 41 years,

occupation Contractor

being duly sworn,

deposes and says, that on the 22 day of June 1891 at the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

one living Horse with harness  
 Cart attached of the value of  
 Two hundred and twenty  
 five dollars

the property of

William J Galway  
 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 Bernard Mc Manus

deponent is informed by Patrick  
 O'Kavanagh that he purchased  
 the aforesaid property from said  
 defendant on or about said  
 date

Bridget Galway

Sworn to before me this

of July

1891

day

So by J. J. Smith, Police Justice.



0980

Sec. 198-200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this

day of

Police Justice.

0981

Sec. 151.

Police Court \_\_\_\_\_ District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Dorothy Salway of No. 517 W 36 Street, that on the 22 day of June 1891 at the City of New York, in the County of New York, the following article to wit:

one living Harve with harness and  
car attached  
of the value of two hundred and twenty five Dollars,  
the property of Complainant and husband  
w. as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by Burnard Mc Manus

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

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

Dated at the City of New York, this 8 day of July 1891

D. J. Mc Manus POLICE JUSTICE

0982

Police Court ..... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated ..... 188

Magistrate

*Cary*

Officer.

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

Officer.

Dated ..... 188

This Warrant may be executed on Sunday or at  
night.

*Do* ..... Police Justice.

having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.

Dated ..... 188

Police Justice.

The within named

0983

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Patrick Kavanagh*  
aged 58 years, occupation Salem Sleeper of No.

113 Greenwich

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of

*Bridget Galway*

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

Sworn to before me, this

day of July 1887

*J. M. Mearns*

*J. C. B. Mearns*

Police Justice.

0984

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

Alfred Lewis  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, 500 and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated July 24 1891 [Signature] Police Justice.

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

Dated                      18                      Police Justice.

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

Dated                      18                      Police Justice.

0985

wt 964

Police Court--- / District.

THE PEOPLE, &c  
ON THE COMPLAINT OF

Bridget Galway  
vs. Richard  
Edward McManus

2

3

4

Offence

Carney

Dated

1891

Magistrate.

Officer.

Precinct.

Witnesses

No. 113

Street.

No.

Street.

No.

Street.

\$

1000

Committed

giz

BAILED.

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

0986

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY  
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Richard V. McManis*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *Richard V. McManis*

of the CRIME OF GRAND LARCENY in the second degree committed as follows:

The said *Richard V. McManis*

late of the City of New York, in the County of New York aforesaid, on the *22nd*  
day of *December* in the year of our Lord one thousand eight hundred and  
ninety-*one*, at the City and County aforesaid, with force and arms,

*one horse of the value of  
one hundred and fifty dollars,  
one vehicle, to wit: one cart  
of the value of fifty dollars and  
one set of harness of the  
value of twenty-five dollars*

of the goods, chattels and personal property of one

*Bridget Galway*

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

## SECOND COUNT—

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

*Richard V. McMannis*  
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

*Richard V. McMannis*

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

*one horse of the value of one hundred and fifty dollars, one vehicle, to wit: one cart of the value of fifty dollars and one set of harness of the value of twenty-five dollars.*

of the goods, chattels and personal property of one

*Bridget Galway*

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

*Bridget Galway*

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

*Richard V. McMannis*

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

DE LANCEY NICOLL,

*District Attorney.*