

0187

BOX:

170

FOLDER:

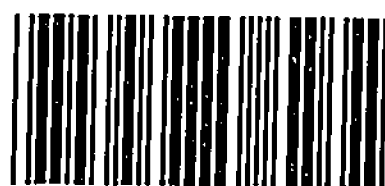
1730

DESCRIPTION:

Ryan, Matthew

DATE:

03/11/85



1730

POOR QUALITY
ORIGINALS

0188

99 - X

Counsel, E. E. P.
Filed 11 day of March 1885
Pleads Not Guilty W.

Witnesses:
Marianne Morrison
vs Elizabeth J.

THE PEOPLE
vs. P
Matthew Ryan
Assault in the First Degree, etc.
[Sections 217 and 218 Penal Code].

RANDOLPH B. MARTINE,
PETER B. OLNEY

22 Apr 1885 District Attorney.
Ind. Acquitted
A True Bill.

W. J. Le. Berry

Mar 31 To Apr 1 Foreman.

Mar. 17 adpt. Mar. 17 1885
Mar 20 adpt. Mar 20 1885
Mar 23 To Mar. 26 modified
Mar. 26 Not modified

0189

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Matthew Ryan

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

Matthew Ryan
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Matthew Ryan*,

late of the City of New York, in the County of New York aforesaid, on the *twentieth* day of *February*, in the year of our Lord one thousand eight hundred and eighty-*five*, with force of arms, at the City and County aforesaid, in and upon the body of one *Marine Morrison* in the peace of the said People then and there being, feloniously did make an assault and *then* the said *Marine Morrison*, with a certain *knife*

which the said *Matthew Ryan* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound, *the name* *being such means and ways as were likely to produce the death of the said Marine Morrison*, with intent *then* the said *Marine Morrison* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT:

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

The said *Matthew Ryan*,

late of the City and County of New York, on the *twentieth* day of *February*, in the year of our Lord, one thousand eight hundred and eighty-*five*, at the City and County aforesaid, with force and arms, in and upon the body of one *Marine Morrison* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and *then* the said *Marine Morrison*,

with a certain *knife*

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

Randolph P. Martin
District Attorney

POOR QUALITY
ORIGINALS

0190

BAILED,
No. 1, by _____
Residence _____ Street _____
No. 2, by _____
Residence _____ Street _____
No. 3, by _____
Residence _____ Street _____
No. 4, by _____
Residence _____ Street _____
Witnesses _____ Street _____

Police Court No. 99
District.

THE PEOPLE, Sec.,
ON THE COMPLAINT OF

Mannie Morrison
133 E. 14th St.
Matthew Ryan
Offence Felony's Assault

Dated January 25, 1885

Matthew Ryan Magistrate

Leah's 14 Officer

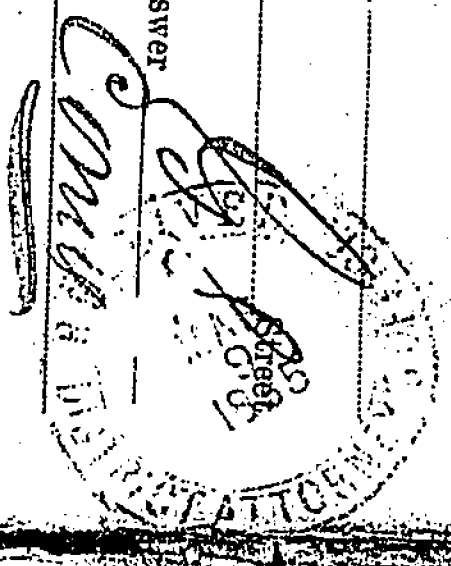
14th Precinct

Witnesses Off. Bradley 6

No. _____ Street _____

No. _____ Street _____

No. 1500 to answer



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

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

Dated March 8, 1885 E. M. Patterson Police Justice.

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

Dated _____ 1885 _____ Police Justice.

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

Dated _____ 1885 _____ Police Justice.

0191

Sec. 151.

First
District Police Court.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by *Mamie Morrison*
of No. *153 Elizabeth* Street, that on the *24* day of *Feb*
188*5* at the City of New York, in the County of New York,

he was violently *Deliciously* Assaulted and Beaten by *Matthew Ryan who did*
then And there cut and stab complainant with a knife

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring *me*
forthwith before me, at the *24* 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 *24* day of *Feb* 188*5*

John Patterson POLICE JUSTICE.

POLICE COURT, DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Matthew Ryan

Warrant-A. & B.

Dated *Feb 25th* 188*5*

Patterson Magistrate.

Neall Officer.

The Defendant

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

Neall Officer.

Dated *Feb 25* 188*5*

This Warrant may be executed on Sunday or at
night.

John Patterson Police Justice.

REMARKS.

Time of Arrest, *1 PM*

Native of *N. J.*

Age, *23*

Sex

Complexion,

Color *gr*

Profession, *Minister*

Married

Single, *Yes*

Read, *Yes*

Write, *Yes*

W. C. Brown

0192

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Matthew Ryan 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.

Matthew Ryan

Question. How old are you?

Answer.

23 years

Question. Where were you born?

Answer.

New York

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

Answer.

12 Roosevelt St. 3 years

Question. What is your business or profession?

Answer.

Machinist

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

Matthew Ryan

Taken before me this

26

day of

July

1885

Police Justice.

0193

Police Court—First District.

City and County { ss.:
of New York,

of No. 153 Elizabeth Mamie Morrison Street, aged 18 years,

occupation Honoree being duly sworn

deposes and says, that on 24 day of February 1888 at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Matthew Ryan who did then and there
beat and stab deponent on the face
with a pen knife then and there held
in his hands and said assault
was committed

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

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

Sworn to before me, this 25 day
of February 1888

Mamie Morrison

J. M. Patterson Police Justice.

POOR QUALITY
ORIGINALS

0194

Police Court, First District.

THE PEOPLE, etc.,

on the complaint of

William Monahan

Matthew Ryan

Offence—Felonious Assault & Battery

Date

188

Magistrate

188

Officer

188

Clerk

188

Witnesses

188

No.

188

No.

188

No.

188

No.

188

No.

188

No.

188

No.

188

No.

188

No.

188

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

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

Dated 26 Feb 1885 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.

POOR QUALITY
ORIGINALS

0195

The People vs
Mamie Morrison
Matthew Ryan

Police Court First Dist.
March 7 / 1885

Examination Before Justice Patterson

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John Connell

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Officer John J. Bradley

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Charles J. Hemberg (Banker)

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Thomas Ryan
Matthew Ryan (Dependant)

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0 196

The People vs } Police Court First District
Mamie Morrison }
Matthew Ryan } March 7 1885

Examination Before Justice Patterson

Mamie Morrison, the Complainant being
duly sworn deposes and says:-
Cross Examined by Counsellor Price.

Q How long have you known the
defendant?

A About seven or eight months.

Q You say that on the 24th day
of February he cut you with a pen-
knife?

A Yes Sir

Q Do you swear to it?

A Yes Sir

Q Where was it?

A At the corner of Mott and Pell
streets

Q What time of the day or night?

A It must be between ten and
half past ten

Q Had you been in a drinking
saloon just before that?

A Yes Sir

(1) Q Where?

(2) A At the corner of Mott and
Bell streets

2 Who was present when you were
cut?

A On the side when I was there
was this young girl that I
had words with - Marnie -

Justice Patterson - you are talking about
who was in the liquor store?

Who was in the liquor store?

A There was a partition between the
bar and the other side

By Mr Price

2 Who was in the liquor store

A I could not say who was in
the saloon but in the ladies
place where I was there was
another girl named Mary
Leary, Miss Sally and Marnie
Larme the girl that I had
words with.

2 When you say you had words
do you say that was in the
saloon?

A Yes Sir, in the saloon - We had
words first off.

2 What time was it that you
had words in the saloon?

0198

A Between 10 and half past ten

Q You went outside?

A Yes Sir, I went outside

Q With this girl?

A No Sir, I went out and the girl came right out after me.

Q What is the bartender's name?

A Charles J. Hernberg

Q Did he tell you to leave the place?

A Yes Sir, and we went outside.

Q You were quarrelling and he told you to leave?

A Yes Sir.

Q Who went out with you?

A Mammie Leary Larne

Q You women were drinking?

A Yes Sir

Q In the house?

A Yes Sir

Q And you and this Mammie quarrelling?

A Yes Sir.

Q And after the quarrelling the bar keeper told you to go out?

A Yes Sir, at that time - at the time I went back he came across the bar attacking me -

(3)

(4) 2- Who struck you?

A- The defendant came across the bar and struck me. He called me names and then he struck me across the bar first off

2- Struck you where?

A- Across the bar.

2- And called you vile names?

A- Yes Sir

2- Where did he strike you?

A- Just there {pointing to her breast}

2- And how long was it before you went out of the saloon?

A- It was about five minutes.

2- Five minutes before that you were quarrelling with the girl and the bartender told you to go out?

A- Yes Sir

2- When you got outside did you see the Defendant? Whom did you see there?

A- This girl Marnie Larnie followed me out. As soon as she came out all the gang from the store came out.

2- You had words outside?

A- Yes Sir; we had words outside

0200

- 2 The whole gang came out?
- A Yes Sir
- 2 Were you fighting outside?
- A Yes Sir
- 2 Were you fighting - you and this girl - fighting when the officer came up?
- A No Sir - we were separated.
- 2 Who separated you?
- A John Carroll Connell.
- 2 Was it while you were fighting with this girl that you were cut?
- A No Sir; just at the time John ~~Connell~~ separated us I was cut.
- 2 "You say" just at the very time John ~~Connell~~ separated us I was cut?"
- A Yes Sir
- 2 Is Connell here?
- A Yes Sir
- 2 In court?
- A Yes Sir
- 2 Have you got any feeling against the defendant - any animosity?
- A No Sir. I have not.
- 2 You have not - or he has not?
- A Well; at this time he and I did not speak - since Thanks giving

(6) we did not speak - bad feeling existed

2 - Did you tell anybody yesterday that you thought he was not the one that cut you?

A - No sir I said no such thing

2 - You are sure of that

A - I am sure of it yes sir.

2 - And you say you had been cut when the officer came?

A - Yes sir; we were separated

2 - This girl that you were fighting with, you were bad friends with her?

A - Yes sir - from about two weeks before that

By Justice Patterson

2 - Have you been living with this man?

A - Well: not exactly living with him - Yes sir - He kept me - I kept him

2 - You supported him?

A - Well: I gave him money.

In Price - I ~~accept~~ I object

Justice Patterson - You asked her about

0202

(4)

animosity, and I am asking her
the cause of it

Q You say this man was living with
you?

A Not exactly living - well I gave
him money.

Q How did you get the money?

A I was bad

Q Where did you get it?

A I was bad - that is the way I
got it.

Q You got it by prostitution?

A Yes, Sir

Q Had you stopped giving him
money?

A Yes Sir

Q Had he any reason to know where
you got the money?

A Yes, Sir; he knew where I got the
money. He was all the time throwing
hints and threatening; I did not
like it.

Q Was there any reason for animosity
except you stopped giving him money?

A Obedient to
Inertion withdrawn

Q Did you say there was animosity?

A Yes Sir, because I did not speak
to him.

(7)

POOR QUALITY
ORIGINALS

0203

(4)

animosity, and I am asking her
the cause of it

2 You say this man was living with
you?

A Not exactly living - well I gave
him money.

2 How did you get the money?

A I was bad

2 Where did you get it?

A I was bad - that is the way I
got it.

2 You got it by prostitution?

A Yes, Sir

2 Had you stopped giving him
money?

A Yes Sir

2 Had he any reason to know where
you got the money?

A Yes, Sir; he knew where I got the
money. He was all the time throwing
hints and threatening; I did not
like it.

2 Was there any reason for animosity
except you stopped giving him money?

A Objection to
Inertion withdrawn

2 Did you say there was animosity?

A Yes Sir, because I did not speak
to him.

(7)

POOR QUALITY
ORIGINALS

0204

(8) Q Was that the cause of the animosity?

Objected to
Question withdrawn

Q What was the cause of the animosity?

A Well: we did not speak

Q Is that all the cause?

A We did not speak. of course I did not speak to him and dropped off.

Q What do you mean by "dropped off"?

A Well: I was not speaking to him.

Q Is that all you mean by "dropping off"?

A Yes Sir

By Mr Price

Q You never knew the defendant before seven or eight months ago?

A Not before that: No Sir.

Q And you did not speak to him since when?

A Since last November.

Q Did not speak to him at all?

A No, Sir.

Q Was anybody else present when you were out?

POOR QUALITY
ORIGINALS

0205

(5)

A No; when I was cut nobody else was present. John O'Connell came out and separated us - as soon as the girl had gone away the defendant came out and cut me.

By Mr Price.

2 Did you not state a moment ago that when you went out the whole gang came out?

A The gang came out at that time yes sir; but they all went back to the store again and then it was I was cut.

2 Then there was nobody in the street at all but you and the defendant when you were cut

A Yes sir; I did not see any others - I would not be positive I would not say for sure whether there was anybody there or not.

2 When was it that the policemen came there?

A When we were separated.

2 When you were separated the policemen came?

A Yes sir

2 Did you take a shovel to strike Marnie with?

(9)

POOR QUALITY
ORIGINALS

0206

(10) A No, Sir

Q Did you have a shovel there?

A No, Sir

Q At any time that evening?

A No Sir

Maurice Morrison
Sworn to before me
this 9th day of March
1885

J. M. [unclear]
Justice

Henry O. Donnell a witness for the
Defendant, being duly sworn deposes
and says:-

Q Where do you live?

A 41 Mott street

Q How long have you lived there?

A About four months

Q Were you present on the occasion
of the difficulty between Matthew
Maurice Morrison and the other
girl? Did you see any trouble?

A I did not. I saw some words
between Ryan the Defendant and
the complainant.

POOR QUALITY
ORIGINALS

0207

2 - Where was it?

A - In the liquor store

2 - What liquor store?

A - Corner of Mott and Bell street.

2 - What time of night was it?

A - About half past ten

2 - Where were you at the time?

A - I was in the liquor store

2 - Did you see when they went out?

A - Yes Sir.

2 - When did he go out?

A - Half past ten. He went with me

2 - Did you see Mammie Larrue at that time?

A - I seen her inside with Mammie

2 - Did you see Mammie Larrue and this woman the complainant inside - were the women drinking?

A - Yes Sir - both of them

2 - Did you go out with the defendant?

A - Yes Sir

2 - Did you leave these premises with him?

A - Yes Sir

By Justice Patterson

2 - You left the premises when?

A - I left the liquor store at half past ten

(11)

POOR QUALITY
ORIGINALS

0208

(12) 2 With whom?

A Half past ten with the prisoner, and went to a ball

2 Before you went state to the court whether you saw the face of Marnie Morrison the complainant?

A Yes, sir. I seen it. Her face was all right.

2 What is your business?

A I drive a truck at the present time for Mezer Lane & Co

2 When did you work last?

A I laid off to come here

H O Dornell

Sworn to before me

this 7th day of March 1945

A. M. Pittman
Police Justice

POOR QUALITY
ORIGINALS

0209

John Connell, a witness for the defendant
being duly sworn deposes and says.

Examined by Mr Price

Q What is your business?

A Truck driver

Q Where do you live?

A 89 Mulberry street

Q Were you in this saloon on the night
in question?

A Yes Sir.

Q What time were you there?

A From about 10 o'clock until half
past 10 - or 11

Q Did you hear any quarrell or anything
- and if so what?

A Between Miss Morrison and Ryan

Q State to the court what position
you occupied in the store at the
time of the quarrel?

A There was a partition between
the place there - just like that -
she got cheeky insolent towards -

Q How long did you remain there?

A Until half past eleven

Q Did you recollect seeing them leave
there?

A Yes Sir

Q About what time?

(13) A - About half past ten - a little after

0210

(14) Q State to the court if there was any quarrel between Mamie Morrison and anybody else after they left the saloon?

A Yes Sir

Q Between whom?

A Mamie Larne and Mamie Morrison

Q You saw them?

A Yes Sir

Q What occurred?

A She a little begrudge against this girl, and she came in there and the bar tender told them to go out, and the complainant went out, and the Larne girl ~~went~~ staid in there about five or ten minutes, this Morrison girl was waiting on the sidewalk until the Larne girl came out. About ten minutes after I heard a scream and I ran out - me and the bar tender. By that time this Larne girl was on the ground. She hit Miss Mamie Morrison a blow on the nose. Then the Officer came up and he sent the Larne girl one way and the Morrison

POOR QUALITY
ORIGINALS

0211

girl another. and that's all I
know about it.

By Justice Patterson

2 - You were there after the fight?

A Yes Sir

By Mr Price

2 - State to the court whether you saw
these two girls, the ~~defendant~~
Larime girl and the complainant
after the defendant had left the
store?

A No Sir

By Justice Patterson

2 - Did you not tell me in court that
you did not see any cutting on that
night?

A I said I seen the blow on the nose

2 - Didn't you tell me that that was
in the store?

A No, Sir - I seen her on the side-
walk with the blood running from
her nose

2 - Did you tell me any such story
in the Foster court?

(15) A - I might have made a mistake

By Mr Price

0212

16 2 What is your business

A Truck Driver - I worked for
Meyer & Lane and I am now
working for my father.

Sworn to before me
this day of March 1945

Police Justice

POOR QUALITY
ORIGINALS

0213

1
Policeman John J. Bradley, a witness for
the defendant, being duly sworn
deposes and says:-

2 You are a member of the Municipal
Police?

A Yes Sir

2 Were you on duty on the night of
the 24th of February?

A Yes, Sir

2 Where?

A In Bagard Street

2 Do you recollect on that night
seeing the complainant here?

A I do

2 State to the court where she
was and in what condition?

A At 10 minutes to 11 I was on
Bagard street going towards Bell,
I heard a scream and ran
down - I went down there and
when I got there I seen Marnie
Morrison with her face all bloody
and Miss Larrue was standing
near on the corner - they were
about thirty feet apart

2 What was said then?

A There was nothing said. I told
them to go away. Her face was
cut. I told her to wipe her face

(17)

(18) and go home. She done so and walked up Pell street

2 - Did she say this man had cut her?

A - No, Sir. she did not

2 - Did she accuse the defendant with having cut her with anything?

A - No, Sir

2 - Not a word of that said to you?

A - No Sir.

2 - You saw Miss Larne did you?

A - Yes Sir

By Justice Patterson

2 - Was she on the same side of the way with Miss Larne?

A - Yes Sir

2 - About 30 feet off?

A - Yes Sir.

2 - Anybody else there?

A - Yes, some others. The bar tender was standing at the door. He saw me to take them away from the door

Charles J. Hemberg, a witness for the
defendant, being duly sworn deposes
and says:-

Q What is your business?

A I am a bar keeper at 40 Mott
street

Q Do you recollect the night of the
24th of February?

A Yes Sir

Q State to the court whether you saw
this young lady - the complainant?

A I had occasion to have her ejected
from my place on account of a
quarrel with another girl

Q At what time?

A Between ten and twenty minutes
past ten, or half past.

Q Do you recollect seeing the defendant
there?

A Yes Sir

Q What time was it you saw him
there?

A I saw him there immediately
before that about 10 O'Clock. He
left the store about half past
ten in company with a young man
named O Donnell

Q After he left the store did
anything occur between this

POOR QUALITY
ORIGINALS

0216

(#8)
(20)

plaintiff and the girl Larne

A Yes, sir. They had a few words
I ordered complainant and the
other party to leave the store
They went. I jumped over the
counter. This young man Connell
ran outside on the sidewalk.
She went out on the sidewalk
and ten minutes after the
other party went out - Marnie
Larne. As soon as she went
out there was a quantity of
girls. I went out and this
complainant was fighting. I
seen Jack Connell run up the
street. Just then the officer came
up and I asked the officer to
take them away from the store.

Q How long was it before that that
Defendant had left the store?

A I could say it was fully
twenty minutes.

Q Was you outside when this fight
went on?

A No, sir; when the officer came up
I told him to take the girls
away from the front of the store.

POOR QUALITY
ORIGINALS

0217

2 - Were you in a position to see the
defendant if he had been
there?

A - Yes Sir

2 - You positively swear that he
was not there?

A - He was not there

2 - Did you see the face of Mammie
Morrison when you put her out?

A - Yes Sir

2 - Was there any blood there?

A - No Sir. There was no scratch,
blood or mark

By Justice Patterson

2 - When this officer came up the
fight was over?

A - She was cut, bloody - at the time
the officer came up. They were
separated, one party went up
Bell street, and the other went
the other way

2 - Then her nose was cut?

A - I could not say cut - her nose
was bleeding

(49) *Sworn to before me this*
24 day of March 1915
Chas. Heimberg
Police Justice

POOR QUALITY
ORIGINALS

0218

(22) Thomas Flynn, a witness for the defendant, being duly sworn deposes and says

Examined by Mr. Price

Q - where were you on the night of the 24th of February?

A - I was in 40 Mott street - in the store

Q - did you see the defendant that night?

A - I did - yes sir

Q - where did you see the defendant?

A - He called me out - he and the other witness, O Donnell

Q - what was the time he called you out?

A - Half past ten. We went to this hall at Essex and Stanton street

Q - what Hall?

A - Harmony Hall

Q - Were you with him there?

A - Yes sir

Q - How long?

A - For about an hour.

By Justice Patterson Q - Was that after the fight with the girl?

A - I could not say.

POOR QUALITY
ORIGINALS

0219

12

Q Had he gone out before?

A - He was gone out before - He left in company with O'Donnell to the Hall in Essex Street

Q Did you see the fight?

A No Sir

Q Did not see it?

A No Sir. I was not in the saloon at the time; I was not there; I did not see it

Sworn to before me
this 12th day of March 1885

Police Justice

John Connell recalled

By Justice Patterson

Q You went out and saw the two women - where was this man the defendant when you went out and saw the women fighting?

A I did not see him

(23) Q You saw him before?

POOR QUALITY
ORIGINALS

0220

- 24 A Yes Sir, I seen him before
2 - Was he there when the bartender
told Mamie Morrison to go out?
A - No Sir
2 - How long had he been gone?
A - He must have been gone - it
may be - likely 10 or 15 minutes

Sworn to before me
this day of March }
1885

Police Justice

Mamie Morrison, the complainant,
recalled.

By Justice Patterson

Q - I want you to relate just how
this man cut you

A - After I went out of the store -
at the time me and the other
girl were separated, up he
comes and cuts me with a
knife - after we were separated

Q - Did he say anything?

A - Yes sir. He said "take that"

Q - Then he cut you?

A - Yes sir.

Q - That you will swear?

A - It was just after we were
separated he cut me

Q - Why did you not tell the
Officer?

A - I could not speak when I
seen the blood

Q - Why did you not tell the Officer?

A - I just went up the street
I did not think of telling

Q - You were bleeding then?

A - Yes sir. I went up and told
the housekeeper and she washed
the blood that was on me

(25) Q - Do you swear positively now that

POOR QUALITY
ORIGINALS

0222

(24) the defendant here cut you with a knife?

A Yes Sir

Q - Did he cut you with a knife?

A Yes Sir.

Q - It was after you were fighting with that girl?

A - Yes Sir - just between the time we were separated and Officer Bradley came up I was cut.

Q - You are positive that Officer Bradley came up after you were separated from this girl and the defendant cut you with a knife?

A Yes Sir.

Q Will you swear to it positively?

A Yes Sir

Mammi Morrison
Sworn to before me
this 1st day of March 1945
M. M. Blitzer
Police Justice

POOR QUALITY
ORIGINALS

0223

Officer Bradley recalled

By Mr. Price

Q I want you to be particular when you came up there did you see her face?

A The first thing I saw was people around where this liquor store was. I seen Marnie Morrisons face - I told her to go away - Her face was cut

Q What did you say?

A I told her to wipe the blood off her face and go home.

Q Did the bar keeper say anything to you?

A Yes; he said "Take these women away"

Q Did he tell you that they had been fighting?

A No sir - didn't say anything more than "Take these women from the door"

Q Was she intoxicated?

A No

Q Had her senses hadn't she?

A Yes, sir.

Q Understood what you said to her?

(27) A Yes sir.

POOR QUALITY
ORIGINALS

0224

(28) Q She went away?

A Yes. Sir

Q - She was not stupefied?

A - No Sir. She was not

Known to before me
this Day of March
1885-

Police Justice

Matthew Ryan, the defendant,
being duly sworn in his own behalf
when called as a witness by Mr
Price, deposes and says: -

By Mr Price

Q Where do you live?

A 12 Roosevelt street

Q You are the defendant in this
case?

A Yes Sir

Q Were you in the liquor store
at the time of this occurrence?

A Yes Sir.

Q What time did you leave?

A Half past ten - to the minute

Q With whom did you leave?

A Henry O' Donnell - He was

Q in the Candy store 40 Mott
street

Q Where did you go?

A Went up to Essex street and
Stanton - Harmony Hall

Q Did you cut or strike or beat
Mamie Morrison?

A No Sir. She came in there and
tried to get a fight up there,
used insulting talk. She took
a glass up to hit people. The
bar tender grabbed hold of her.

(30)

I did not touch her. all the time she abused me. I said "she knows where she is. If she was in the street she would not dare talk so" she went on daring me and calling me names. I did not want to have any trouble with the woman. In about five minutes after I seen Henry O'Donnell I had an engagement to go to Harmony Hall

Q - You did not cut her?

A - No Sir

Q - Did you see any fight outside the liquor store between her and Marnie Larne?

A - No Sir.

Cross Examined

By Justice Patterson

Q - What is your business?

A - machine helper - in the elevated railroad shop

Q - When did you work there?

A - I was coming from there

Q - How long did you work in the elevated railroad shop?

A - About four months

Q - Have you ever been arrested

POOR QUALITY
ORIGINALS

0227

before?

A - For being drunk and disorderly

Q - Only once?

A - Only once for being drunk and disorderly?

Q - Where do you live?

A - 12 Roosevelt street

Q - With whom?

A - with my parents

Q - Well, tell us how often you were arrested before?

A - Well that was some time ago.

Q - How many times?

A - Once for disorderly conduct; once for playing ball and once for larceny

Q - For larceny?

A - Yes

Q - Playing ball?

A - Yes.

Q - Disorderly conduct?

A - Yes.

Q - That is all - on no other charge?

A - Yes Sir.

Mr Price - I move to strike out all the questions asked by His Honor the Judge and the answers of the Defendant given in regard

(31)
(29)

POOR QUALITY
ORIGINALS

0228

(32) to the different arrests of the
defendant, such questions and
answers being illegal, incompetent,
and not pertaining to this issue.

Objection Overruled
Exception

The above is a true record
of the proceedings on the
examination in this case

M. L. Armistead Jr.
Stenographer

People

vs

Matthew Ryan

0229

BOX:

170

FOLDER:

1730

DESCRIPTION:

Ryan, Michael

DATE:

03/09/85



1730

0230

Witnesses:-

67
Counsel,
Filed
Plads
1885
day of
March
1885
1885
1885

Assault in the Third Degree.
(Section 210).

THE PEOPLE

vs.

P

Michael G. Ryan

RANDOLPH B. MARTINE

JOHN McKEON,

District Attorney.

A True Bill.

M. J. Le. Berry

Foreman.

March 17/85

Tried & acquitted

0231

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Michael J. Ryan

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

Michael J. Ryan

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

The said *Michael J. Ryan*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *first* day of *March*, in the year of our Lord one thousand eight hundred and eighty-*five*, — at the Ward, City and County aforesaid, in and upon the body of *Charles A. Blag* — in the peace of the said people then and there being, with force and arms, unlawfully did make an assault and *in* the said *Charles A. Blag* did then and there unlawfully beat, wound and illtreat, to the great damage of the said *Charles A. Blag*; against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

RANDOLPH B. MARTINE

JOHN McKEON, District Attorney.

0232

67-39242
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles A. Day
13 West 1st St.

Michael Ryan

2
3
4

Offence Assault & Battery

Dated March 2^d 1885

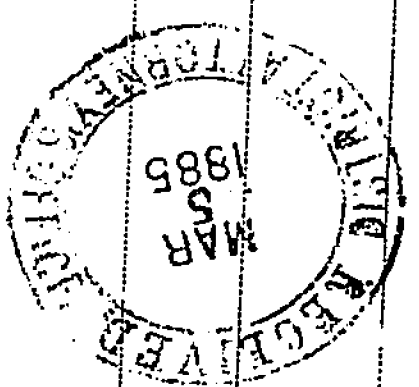
William J. Patterson Magistrate.

Officer
Precinct 13

Witnesses

No. _____ Street _____

No. _____ Street _____



No. _____ Street _____
to answer

Cond

BAILED,

No. 1, by _____ Street _____

No. 2, by _____ Street _____

No. 3, by _____ Street _____

No. 4, by _____ Street _____

Residence _____ Street _____

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 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 March 2^d 1885 J. M. Patterson Police Justice.

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

Dated _____ 1885 _____ Police Justice.

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

Dated _____ 1885 _____ Police Justice.

0233

Sec. 198-200.

J District Police Court.

CITY AND COUNTY { ss
OF NEW YORK,

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

Question What is your name?

Answer

Michael Ryan

Question. How old are you?

Answer

19 years of age

Question. Where were you born?

Answer.

New York

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

Answer.

417 Cherry St. 5 or 6 months

Question What is your business or profession?

Answer.

Driver of Car

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 don't know whether I
stuck him or not
M. Ryan*

Taken before me this

day of

1885

Police Justice.

POOR QUALITY
ORIGINALS

0234

Form 11.

Police Court—Third District, Halls of Justice.

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

of No. *the 1st Precinct Police* *Charles A. Flay* being duly sworn, deposes and says, that

on *Sunday* the *1st* day of *March*

in the year 188*5*, at the City of New York, in the County of New York,

he was violently ASSAULTED and BEATEN by *Michael Ryan,*

*now here, who struck deponent a violent
blow on the nose with one of his
Michael's fists. While deponent was
in the lawful performance of his duties
as a police officer, and deponent being so beaten*

without any justification on the part of the said assailant

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

Sworn to before me, this *2^d*

day of *March* 188*5*

Charles A. Flay

Am Patterson

POLICE JUSTICE.

0235

BOX:

170

FOLDER:

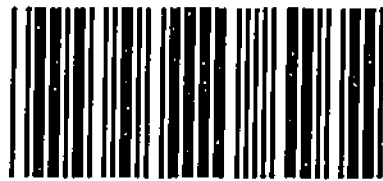
1730

DESCRIPTION:

Ryan, Michael

DATE:

03/09/85



1730

POOR QUALITY
ORIGINALS

0236

Witnesses :

Counsel,

Filed

Pleads,

188

Chiquito (10)

THE PEOPLE

vs.

P

Michael Ryan

[Sections — 129 — Penal Code]

Mandamus

RANDOLPH B. MARTINE,

District Attorney.

Indicted to Court of Oyer & Terminer for trial, Apr 11, 1885

A True Bill.

W. J. C. Berry

April 15, 1885. Foreman

Tried and convicted

Manslaughter 1st degree with recommendation to mercy

5 years S. P. 1885

1887

0237

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Ryan

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

of the CRIME OF *Manslaughter in the first degree,* —

committed as follows:

The said Michael Ryan,

late of the *First* Ward of the City of New York, in the County of New York aforesaid, on the *First* day of *February*, in the year of our Lord one thousand eight hundred and eighty-*five*, at the Ward, City and County aforesaid, with force and arms, in and upon the body of one James Derrick, in the presence of the said People, then and there being, wilfully and feloniously did make an assault, and the said Michael Ryan, a certain pistol, then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said Michael Ryan in his right hand then and there had and held, to, at, against and upon the said James Derrick, then and there wilfully and feloniously did shoot off and discharge; and the said Michael Ryan, with the leaden bullet aforesaid, out of the pistol aforesaid, then and there, by force of the gunpowder

aforesaid, shot off, sent forth and
 discharged as aforesaid, from the said
 James Devine, in and upon the head
 of him the said James Devine, then
 and there wilfully and feloniously
 did strike, penetrate and wound, giving
 to him the said James Devine, then
 and there with the leaden bullet aforesaid,
 as aforesaid discharged, sent
 forth, and shot out of the pistol aforesaid,
 by the said Michael Ruger, in
 and upon the head of him the said
 James Devine, one mortal wound
 of the breadth of one inch and of the
 depth of six inches, of which said
 mortal wound, the said James Devine,
 at the Ward, City and County aforesaid,
 from the day first aforesaid, in the
 year aforesaid, until the sixth day of
 February, in the same year aforesaid,
 did languish, and languished his,
 and on which said sixth day of February
 in the year aforesaid, the said James
 Devine, at the Ward, City and County
 aforesaid, of the said mortal wound, did
 die. And so the Grand Jury aforesaid, do say:
 that the said Michael Ruger, from the
 said James Devine, in the manner and
 form aforesaid, and by the means aforesaid,
 said, wilfully and feloniously did kill

0239

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

Randolph C. Martin,

District Attorney.

0240

Michael Ryan

John H. H. H.

John H. H. H.

0241

Copy

New York Sept 27. 1886

No

His Excellency

David B. Hill
Governor of

In response to the communication in reference to the application for the pardon of Michael Ryan permit me to say, that Ryan was tried before me convicted of manslaughter, first degree, - the verdict being accompanied by a recommendation to mercy.

The facts as developed at the trial were briefly these, as I recollect them.

Ryan and a companion had been drinking together upon the evening of the killing and started to go home at a late hour.

Upon the way a dispute arose between them and a tussle began, both fell to the pavement when Herrick drew a pistol and Ryan took it.

away from Herrick & shot him through the head inflicting a wound from which he died.

Upon the trial Ryan denied the shooting, alleging that the pistol went off while in Herrick's hands.

The nature of the wound however, as well as the circumstances attending Ryan's arrest, conclusively disproves this statement. In fact there seemed to be no doubt as to his guilt.

Previous to this time Ryan had been of good character, sober and industrious supporting his wife and children by his trade which was that of a carpenter.

I have no doubt that he has felt his punishment severely and that there is but little danger of his again violating the law after the lesson which he has received.

Hoping that your Excellency will excuse the delay in

0243

answering, which was unavoidable because of my absence in Europe.

I remain

(signed) Yours very resp^y
Charles H. Van Buren



POOR QUALITY
ORIGINALS

0244

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss:

AN INQUISITION,

Taken at the *Coroner's Office*
No. *15* *Chatham* Street, in the *5th* Ward of the City of
New York, in the County of New York, this *13th* & *16th* day of *February*
in the year of our Lord one thousand eight hundred and *85* before

BERNARD F. MARTIN, Coroner,
of the City and County aforesaid, on view of the Body of *James Derrick*
now lying dead at

Upon the Oaths and Affirmations of
Sworn good and lawful men of the State of New York, duly chosen and
sworn or affirmed and charged to inquire on behalf of said people, how
and in what manner the said *James Derrick* came to his
death, do upon their Oaths and Affirmations say, That the said
James Derrick came to his death by

Shot in the left temporal region accidentally received
during a struggle with one Michael Ryan for
the possession of a revolver while in the
room of Mr. Ryan having been drawn
by deceased on Feb. 1st 1885 about 2.30 AM

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

JURORS.

B Beck 315 8th Ave.

Isaac McBail 324 8th Ave

Ch. Gerald 294 8th Ave

J. Barnett 319 8th Ave

Thos L. McLean 286 8th Ave

Pearl Taylor 282 8th Ave

W. S. Cushman 308 8th Ave

Bernard F. Martin

Thos. H. Bell 272 8th Ave

W. Marsh 266 8th Ave

Geo. A. McMurtry 278 8th Ave

CORONER, [L. S.]

TESTIMONY.

Officer Ambrose Moreshead 2nd Regt being
examined says. On Sat. 11th about 2.30
I was walking on foot on 3rd St. bet.
7th & 8th St. when I heard a pistol
shot and I walked to 7th St. & 3rd
St. and heard some loud talking
and went down 7th St. towards
7th St. when near the St. about
4 houses from it some one shouted
that a man was shot and lying
on the sidewalk in front of some
new buildings on the South side
I then followed out of a window
you had better just the view of
I said who shot him and was
told a man around the corner I
went around the corner and met
Officer Tenthamer who had a man
in charge I asked the man why
did you shoot the man he said
I took the pistol away from the
man and gave it to him meaning
he shot him I said where is the
pistol and he held his right
hand down and the pistol was
in it I said what is it he said
I have it here secret I went to
the Officer take that pistol out of
my hand and the Officer drew on
I said you got to go to the Station
Ding and we walked up through
7th St. where the man had been
lying we found him on the east

Sworn to before me

this

day of

188

CORONER.

POOR QUALITY
ORIGINALS

0246

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss:

AN INQUISITION,

Taken at the *Coroner's Office*
No. *15 Chatham* Street, in the *1st* Ward of the City of
New York, in the County of New York, this *13th* & *16th* day of *February*
in the year of our Lord one thousand eight hundred and *85* before

BERNARD F. MARTIN, Coroner,
of the City and County aforesaid, on view of the Body of *James Derrick*
now lying dead at

See Upon the Oaths and Affirmations of
good and lawful men of the State of New York, duly chosen and
sworn or affirmed and charged to inquire on behalf of said people, how
and in what manner the said *James Derrick* came to his
death, do upon their Oaths and Affirmations say, That the said
James Derrick came to his death by

Shot in the left temporal region accidentally received during a struggle with one Michael Ryan, the perpetrator of a murder while in the new 2nd St. said murder having been committed by deceased on Feb. 1st 1885 about 2.30 AM

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

JURORS.

B Beck 315 8th Ave.

Isaac M Bail 304 8th Ave.

Ch Gerrald 294 8th Ave.

J. Barnett 319 8th Ave.

Thos L McLean 286 8th Ave.

Pear Fryer 282 8th Ave.

W S Cushman 308 8th Ave.

Bernard F. Martin

Thos H Bell 272 8th Ave.

W Marsh 266 8th Ave.

Geo A McMurtry 278 8th Ave.

CORONER, [E. S.]

TESTIMONY.

Officer Ambrose Mowery 28th Prec. being
sworn says. On Sat. 1/10/05 about 2.30
I was walking on foot on 3rd St. bet.
7th & 8th when I heard a pistol
shot and I walked to 7th St. & 3rd
St. and heard some loud talking
and heard above 7th St. towards
4th St. when near the St. about
4 houses from it some one shouted
that a man was shot and going
on the sidewalk in front of some
new buildings on the South side
Some one followed out of a window
you had better pick the man up
I said who shot him and was
told a man around the corner I
went around the corner and met
Officer Tenbrunser who had a man
in charge I asked the man why
did you shoot the man he said
I took the pistol away from the
man and gave it to him meaning
he shot him I said where is the
pistol and he held his right
hand down and the pistol was
in it I said where is it he said
I have it here and I went to
the Officer take that pistol out of
my hand and the Officer does so
I said you got to go to the Station
and we walked up through
7th St. where the man had been
lying we found him on the east

Sworn to before me

this

day of

188

CORONER.

POOR QUALITY
ORIGINALS

0248

CORONER'S OFFICE.

TESTIMONY.

2

of a b- up then tried to
shoot me. D and Ryan said
I took the pistol off him &
I let the team of L a b have
it as I gave it to him either
one or the other. The pistol was
full of blood, I did not have
any shot fired. I said come
on and we will see what's
the matter we went to the
cor. 7th st and I wrapped the
wound and I then hand
my wrap around and
went in the direction of it
and met Officer Brannan
and we then went to where
the wounded man was
lying. I asked the wounded
man saying Jim who done
that to him and Ryan
the injured man seemed to
be stupid or unwilling to
tell. ~~on Ryan~~ Ryan helped to
take hold of the wounded
man for a while while going
to the Station House he did
not make much resistance
when in the Station House the

Taken before me

this day of

188

CORONER.

POOR QUALITY
ORIGINALS

0249

CORONER'S OFFICE.

TESTIMONY.

Sergeant asked Ryan his
name and whether he shot
the man and he replied
the wounded man was asked
his name and he said Derrick
the sergeant asked Derrick
whose pistol it was and
after a good deal of trouble
he said he in the station
Ryan was searched but
no pistol was found and
an ambulance was sent for
which came from Presbyterian
Hospital and took the man
away. I recognize the prisoner
Ryan as the man I mentioned

Henry Turnbagen

James. Cleary. Henry O'Brien says.
I reside at No 210 East 70th
and am a conductor on 8th
R.R. On Feb. 11th about 2 AM
I was ^{after finishing} smoking a cigar
and ~~was~~ ^{my} sleeping and
heard a pistol shot then
opened the window and looked
out and saw two figures going

Taken before me

this

16 day of February 1880

James H. Martin

CORONER.

Called to before me this
25th day of July 1885
Attest Justice

CORONER'S OFFICE.

TESTIMONY.

on the ground one raised up
and said you tried to shoot
me and B. L. show you
what had will do to the
walked towards 3rd St.
(that is the prisoner) you
were present and I said
to the Officer you had better
arrest that man that I
thought he shot that man
lying on the sidewalk
When the night came
after a while I got up
and went down on the side-
walk and went to 3rd St.
and saw a man and the
numbered man ^{and officer} going to the
Station House, I lived on
the 2nd floor front and was
about 50 feet from the corner
where they were going I
went to the Station House, when
was asked his name he gave it
he asked if he shot the man
he said so. the deceased was
asked if the pistol was his and
he said, maybe it is he shot
at the building in front of the ~~corner~~

Taken before me

this day of

188

CORONER.

CORONER'S OFFICE.

TESTIMONY.

On the Station House while Patrick
the deceased was in the back
room of the Station House he
was taken into the street and
he said "I saw this man carried
by the Sergeant, I did not see
any print in his Ryan's hands
when I was looking out of the
window"

James Cleary

~~Thomas Fitzgerald being sworn says~~
~~I reside at 305 East 63rd St and~~
~~am a carpenter.~~ I

~~after being sworn by the Coroner that he had~~
~~Michael Ryan a statement that would criminate~~
~~I reside at 235 East 73rd St and~~
~~am a carpenter and on Jan 3rd~~
~~was employed by David Demorey~~
~~builder, the deceased was~~
~~also employed by Demorey~~
~~On Jan 3rd I and the deceased~~
~~were down in a liquor store~~
~~kept by a man named~~
~~O'Donnell cor. 74th St & 2nd~~
~~St. I put a man named~~
~~Thos. Cummings & John Ruffin~~

Taken before me

this 12th day of February 1885

Gerard H. Harty

CORONER.

Admon to before me this
12th day of Feb 1885
John Harty

POOR QUALITY
ORIGINALS

0252

CORONER'S OFFICE.

TESTIMONY.

6

left there about 11.45 P.M. we
went along and when we
got to ~~top of~~ 2nd St. we
went into ^{Kierman's} ~~the~~ liquor store to
have a drink. Derrick was
inside and asked us to have
a drink which we did after
that we went out on the
sidewalk and I put Duffy
in a car. As we were going
Derrick and I went down
to Duffy's store cor. 70th St &
2nd St. and had a drink.
I asked Duffy to have a game
of dice he said yes Derrick
joined in we played about
4 games and we had 2 drinks
but I agree Derrick and I
had some words and he said
to me I'll discharge you to-
morrow morning you will
not work there any more I
said who can you discharge
I would not take a discharge
from you as you did not
hire me, I called him a bloody
old crank and to go to the
devil, he had a ^{blackberry} stick in his

Taken before me

this day of

188

CORONER.

POOR QUALITY
ORIGINALS

0253

CORONER'S OFFICE.

TESTIMONY.

7
I had just put it against
the bar saying I am a
better man than you, I
told him I wanted nothing
to do with him and showed
him away a couple of times
the last time came from
behind the bar and went
behind me, he could not
keep him back and the
lapel of my coat was torn
after a while I and Herrick
went out on the sidewalk
and I said Jim come
home I'll see you home
and he said to me I'll
kill you and he put his
right hand down in his
hip pocket and pulled out
a revolver he was close to
me I could see the revolver
and then I sprang on him
and threw him to the side-
walk on his right side I
got hold of his right wrist
with my right hand then
got the revolver by the barrel
with the left hand, he still

Taken before me

this day of

188

CORONER.

POOR QUALITY
ORIGINALS

0254

CORONER'S OFFICE.

TESTIMONY.

held on to it, and while I
was trying to wrench it out
of his hand the shot went
off the pistol fell in Derrick's
hands. I got the pistol off
him then got up. I did
not know the man was
shot at all nor did I
know it until two days
afterward, when I got
the pistol I went to the
Ct. 2nd St. about 10 feet
from where Derrick lay &
met Officer Pombeyen going
up the St. and I said to
him take this revolver there
is a man up the street
wanted to shoot me he said
where is he now. I said
come on and I will show
him to you. The officer mapped
and found the revolver in his
pocket, me then went to
Derrick another officer came &
asked what was the matter
and Pombeyen said there is
a man wants to shoot the
man come over tell me

Taken before me

this day of

188

CORONER.

POOR QUALITY
ORIGINALS

0255

CORONER'S OFFICE.

TESTIMONY.

9.
We, about it when we got to
Derrick he was just about
getting up, ~~and~~ I and the
two Officers took him up
and went to 34 St. and
went to the Station House
Derrick was asked his name
he said James Derrick he was
asked if the pistol belonged
to him and he said Yes
he was asked what did you
pull it out of your pocket
for, to shoot this man ^{meaning myself} and
he made no answer and
was then taken to the back
part of the Station House an
ambulance was then sent for
the Sergeant had asked me
my name and number
and I was locked up.
Sunday I was taken to
at Court next morning by
Judge Patterson, I deny the
statement made by Officer Moncrief
with regard to my having the
pistol in my hand when he came up
as I had given the pistol to Officer ~~Officer~~
before that, I went to the Station

Taken before me

this day of

188

CORONER.

POOR QUALITY
ORIGINALS

0256

CORONER'S OFFICE.

TESTIMONY.

Now voluntarily I was not searched
in the Station House I never
carried a pistol and the pistol
that I handed to the Officer
belonged to James Derrick
I worked for him the winter
I guess was never in any
trouble, I deny the statement
made by the witness Carey
with regard to me saying that
when I stood over Derrick that
you tried to shoot me and I
will show you what legal will
do when we get in Hyman's store
I did not know Derrick had a
pistol.

Wm. A. Chase & Ryan
Attorneys

I come to before me this
25th day of July 1885
Office Justice

Taken before me
this 25th day of

July 1885
James H. Hurd
CORONER.

POOR QUALITY
ORIGINALS

0257

CORONER'S OFFICE.

TESTIMONY.

11.

Officer Moncrief being recalled
said that on Feb. 1st when I
reached where Ryan and Officer
Purkayen was ^{in 2nd} he saw the pistol
in the right hand of Ryan
and told Purkayen to take it
when done so and put it in his
back pocket we then went to
where Derrick was he was in
a standing position and I
said to him who shot you
and he said of murdered
Ryan, I cannot say whether
Ryan heard that remark or
not as he was very much
excited at that time, in
the Station House Derrick did not
say who shot him while I was
present

Ambrose Moncrief

Sworn to before me this
25th day of Feb, 1885
Oliver Justice

Taken before me

this 13th day of Feb

1885

CORONER.

CORONER'S OFFICE.

TESTIMONY.

12

James Payne being sworn says
Oswide at 1027. 2nd St. and
Lafayette St. On
Apr 3rd about 11.30 PM Ryan
and Berwick came in and sat
at the bar and had a few rounds of
drink, they commenced to
throw dice and had a few
more drinks and then got
a little quarrelsome I closed
up and then no one was
in the store but the three
of us, I understood they
worked together and seeing
them quarrel I got them out
and while doing so I heard
Ryan say he would take
the other man home I saw
nothing further for I went
up stairs to my room I
saw no blows struck but Ryan
had his coat torn a little I
saw no pistol but when they
were clucked I came from the
bar and separated them, they
were both somewhat under
the influence of liquor, I should
say that one was as much to

Taken before me

this 13 day of February 1885

CORONER.

POOR QUALITY
ORIGINALS

0259

CORONER'S OFFICE.

TESTIMONY.

13

Came as the other ^{for the quarry} I looked
the side over and I heard
afterwards that some shots
had been fired up the street
and that the men had been
taken to the Station House
where Ryan said he would
take Derrick home Derrick
said all right after they had
gone out I remained in the
store about 15 minutes, when
I heard about the shots being
fired I imagined that it
was the end of the quarrel
between Ryan and Derrick, the
following day I heard that
Ryan had been arrested for
shooting Derrick, I know Ryan
about 5 or 6 months and he
never bothered me any I never
saw him have a pistol, when
they left my store it was about
2 or 2.30 P.M. Feb. 11th the sidewalk
in front of the new buildings ^{in 70th} were
not flagged but full of bricks
stones and building stuff

James Wynne

Taken before me
this 13th day of Feb.

1885

CORONER.

John H. H. H.

Shown to defendant on this
day of Feb. 1885
John H. H. H.

POOR QUALITY
ORIGINALS

0260

CORONER'S OFFICE.

TESTIMONY.

Edward J. James being sworn says I
am House Surgeon, Presbyterian Hosp.
On Feb. 1/88 about 3:45 PM the
deceased James Corrick was admitted
to the Hospital I did not see
the man until the morning I found
two wounds one representing
apparently the entrance of a
bullet, the other the
exit, the head also one or
two small scalp wounds above
the head but they were
considered of little consequence
as if they had been inflicted
in another manner as if by
a stick, club or something
of that kind, I did not
disturb the wound until
about the 3rd day after the
patient's admission he then
developed symptoms which
showed the brain was seriously
involved. I then performed an
operation which consisted in
connecting the two apparent
bullet holes by an incision
with a scalpel, a depressed
portion of bone was found

Taken before me

this day of

188

CORONER.

CORONER'S OFFICE,

TESTIMONY.

upon the brain and a portion
of what are considered a
large clot of blood was
removed and the drainage
tube to carry off any
decompressing matter was inserted
the next day the patient's
condition was perhaps a little
better, but after that he continued
to grow worse and died about
2 P.M. Sat. Oct. 3. I cannot say
the wound was caused by a
bullet, the deceased said he
was conscious up to the time he
developed brain symptoms but
he did not tell me what
caused his wound, the wound
was about an inch or a half
apart on the temporal region
I do not believe that any other
person had anything to do
with his death excepting the
one in the temporal region there
was no burnt powder imbedded
in the flesh of the deceased, if a
bullet was fired 12 or 15 inches from a
person's face powder marks will show
upon the face.

Taken before me
this 10th day of July
Bernard J. McGowan

E. S. Garner

1885

CORONER.

Taken before me
 25th day of July 1885
 Arthur J. Purkin

POOR QUALITY
ORIGINALS

0262

CORONER'S OFFICE.

TESTIMONY.

Deputy P. Officer M. L. King On sworn Oath,
I am ambulance surgeon attached
to Presbyterian Hosp. On Feb. 1st
about 1.30 P.M. I was called
to 284 Presb. Station and reached
there about 2.45. There we found
James Smith suffering from
shock his muscles relaxed he
had on the left side of the
head 2 wounds about 1 1/2 inches
apart they were bleeding very
slightly he also had a star
shaped wound on the top of
his head and another small one
about the middle of his
forehead, I introduced my
finger into one of the wounds
on the left side of the head
and found the skull was broken
when I got him to the Hospital
Dr. James asked me to dress
the wounds as he was sick
they were dressed in the usual
manner until the 2nd or 3rd day
when Dr. James took charge of
the case, I had asked Smith at the Hospital
if that man shot him and he answered he
knew in the Station House I

Taken before me
this day of

188

CORONER.

POOR QUALITY
ORIGINALS

0263

CORONER'S OFFICE.

TESTIMONY.

With some of the Officers that
the man was very dangerously
wounded and that his out-
most statement ought to be
taken, when I arrived at the
Station I was informed by
some of the Officers that the
deceased (Lynch) had been
shot, when I spoke to Herrick
he could speak intelligently
he was conscious until about
the 3rd Feb. there was no powder
mark on the face of Herrick
I would not swear that the
wound I saw on the man
while in the Station I saw
was from a pistol, I went
in the supposition that it
was a pistol shot wound because
it had a number of punctures
resembling one and because
I was told he had been shot
Herrick, Charles W.D.

Seen to before me this
5th day of Feb 1888

Dee Justice

Taken before me

this 6th day of Feb 1888

James J. [Signature]

CORONER.

POOR QUALITY
ORIGINALS

0264

CORONER'S OFFICE.

TESTIMONY.

New York Feb 16th 1885
Hon. Henry Murray
Police Justice

Dear Sir

I am in the case of Michl.
Ryan charged with the shooting
of James Merrick, deceased and
the following verdict viz:

The jury in the case of the
deceased James Merrick are of the
opinion that his death was caused
by a pistol shot wound in the left
thoracic region, accidentally received
during a struggle with the person
Michael Ryan for the possession of
a revolver drawn by the deceased
on the morning of Feb 1st 1885

To be sworn to
this day of Feb 1885

Permanently
CORONER.

POOR QUALITY
ORIGINALS

0265

James Hyman
1827. 2nd Ave

Edward S. Garner M.D.
House Surgeon at
Presbyterian Hospital
Number 3 Cooper M.D.
Faculty of Medicine Hospital

BAILED

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

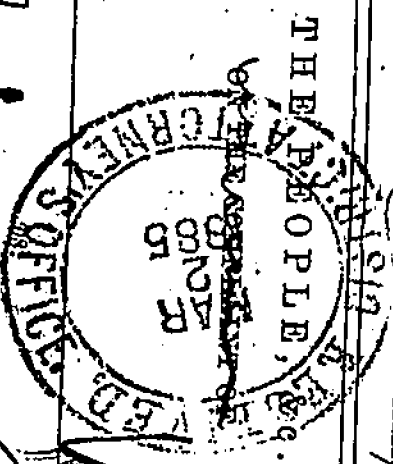
No. 4, by

Residence

Street

Police Court

District



Michael Ryan

Offence Homicide

Dated

February 25 1885

by

Henry Dinkelman

Magistrate

Witnesses

James Cleary
206 Street,
Michael Ryan
235 Street,
to answer Sessions,
Commenced without
bail

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

Michael Ryan

guilty thereof, I order that he be held to answer the same and he be committed to bail in the sum of \$1000 and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

February 25 1885 Henry Dinkelman Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

0266

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss

District Police Court.

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

Question What is your name?

Answer

Michael Ryan

Question. How old are you?

Answer

33 Years

Question. Where were you born?

Answer.

Ireland

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

Answer.

235 East 73 Street

Question What is your business or profession?

Answer

Carpenter

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

Answer.

I am not guilty. The deceased was injured while he was attempting to shoot me

his
Michael Ryan
(maff)

Taken before me this

day of *January*

188*8*

Police Justice.

0267

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

POLICE COURT, 4th DISTRICT.

of Henry Turnhagen
28th Precinct Police ~~Street~~, being duly sworn, deposes and says,
that on the 1st day of February 1885
at the City of New York, in the County of New York, Michael Ryan,

Now here, did feloniously shoot and
seriously wound one James Herrick, of
1219 Third Avenue, with a pistol ball
over the left eye. That said wounded
man is now in the Presbyterian
Hospital suffering from the effects of
said wound and unable to appear
in Court. That deponent was present
when said wounded man identified
said deponent as being the person who
inflicted upon him the wound aforesaid.
Henry Turnhagen

Sworn to before me, this

of

February

1885

day

John J. Patterson Police Justice

0268

POLICE COURT— 4 DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Henry Bernhagen

vs.

Michael Ryan

AFFIDAVIT.

Dated Feb. 1 1885

Patterson Magistrate.

Bernhagen 2d Officer.

Witness, _____

Justice Murray holding
the H. Dist. Police
Court in my absence
will please hear and
determine the within
Case.

J. M. P.

Police Justice

Disposition To await result

The injured man reported

dead by Officer Bernhagen

28th Dist Feb 6th 1885

Come without bail Feb 12th 1885

POOR QUALITY
ORIGINALS

0269

Presbyterian Hospital,

70th ST. AND MADISON AVE.

New York, Feb 4th 1885

My Dear Capt Gunner

The man James Derrick who
was shot in the head on Feb 1st.
has developed complications that
threaten a fatal termination of his
injury - I inform you thus pri-
vately that his assailant may be
secured - if he is out on bail -
before any thing is known of
the change in Derrick's condi-
tion

Yours very truly
John C. Wall
Capt
28th Regt
Inf

POOR QUALITY
ORIGINALS

0270

Presbyterian Hospital,

70th ST. AND MADISON AVE.

New York,

Feb 2, 1885

Dear Sir:

I can say that
Jas Horrieth is not in immediate
danger but that at any moment
he may develop complications
which will jeopardize his
life.

E. S. Gannett
House Surgeon

**POOR QUALITY
ORIGINALS**

0271

Ryan.

POOR QUALITY
ORIGINALS

0272

The evidence in this case ~~was not~~ ^{was strong} enough ~~to sustain the~~ ^{for} conviction but there were ~~admirable~~ ^{circumstances that warranted} the ~~recommendation~~ ^{recommendation} of the jury's recommendation to the clemency of the court. The defendant did not belong to the criminal class. The assault through it ended in the death of the injured man was the outcome of a drunken quarrel - ~~at~~ ⁱⁿ which the defendant did not apparently begin. ^{The deceased man drew his pistol and the fatal shot was fired from that pistol} The defendant had been, as I am informed, a ~~good~~ ^{kind} husband to his wife and a good father to his ~~small~~ ^{four} children. If he were released I do not believe ~~that he~~ ^{from which} I am informed that he would lead a criminal life. I am informed that ten of the jurors, all who could be found, have signed a petition for Executive clemency in this case. I do not think that a pardon in this case would work any ~~injury~~ ^{injury} to the administration of justice.

POOR QUALITY
ORIGINALS

0273

4th District

Police Court

An

Examination

Subsequent

to and

Inquisition

on the

view of the body

of

James Herrick.

4th District

Police Court

The People vs.
on complaint of
James Herrick (deceased)

vs
Michael Ryan.

Testimony for the people.

Counselor for Ryan;

I move
to strike out the testimony of
the doctor, so far as it relates
to any conversation he had with
Herrick, where he says, that
Herrick said, that Ryan shot
him. — Motion denied. —

Ambrose Mowcrieff testifies
On the morning of the 1st of
February, I helped to arrest
him, with officer Henry
Purnhagen; it was between 2
and 3 o'clock, between 70th and
71st Sts. I heard a pistol
shot. I ran towards 70th Street.
As I was near Second Avenue, I
heard a man say "A man around

(2)

the corner has been shot." I met officer Purnhagen who had a man in charge. I said to the man "Why did you shoot the man? Where is the pistol?" I said to the other officer "Take the pistol from him." The injured man was lying in 170th St. about one hundred feet from 2nd

Avenue. We brought the prisoner to the wounded man, and asked him who shot him. He said "Ryan." I said "Come to the Station House". The four of us went to the Station House, Ryan assisting to carry Herrick there. When we reached the Station House, the Sergeant asked the wounded man, if that was his pistol. He said, "It may be." We brought him to the back room, and placed him in a chair, and brought Ryan back also.

Ques.

(Was Mr. Ryan in the room at the time, the doctor came to the Station House?)

0276

(3)

Ans. Yes Sir.

Ques. Was he there all the time?

Ans. He was.

Ques. Could he hear all the conversation?

Ans. I think he could.

Ques. How long did you know the deceased?

Ans. About two months.

Ques. You do not know how he was shot?

Ans. No Sir.

Ques. You found Ryan with a pistol in his hand?

Ans. Yes Sir.

Ques. You walked over to Herrick, and asked who shot him?

Ans. Yes Sir.

Ques. Was Herrick conscious when you came there?

Ans. Yes Sir.

Ques. Did you lean down towards his mouth to get an answer?

Ans. No.

Ques. You did not hear him say that Ryan shot him?

(4)

Ans. I did hear him say so. He said it in a low voice.

Ques. Did you not say before the Coroner, that he spoke in a low voice, that you could not distinguish what he said, but you thought he ^{mentioned or} pronounced Ryan's name?

Ans. I cannot exactly say.

Ques. Did you say anything before the Coroner at any time, that you had any doubt or that the deceased man had any doubt that Ryan shot him?

Ans. Yes.

Ques. Did you see any powder in the deceased's face?

Ans. There was blood on his face.

Ques. Did you go on first after you went to the Station House?

Ans. Till the Ambulance came.

Ques. Did Herrick identify his pistol?

0278

(5)

Ans. *Adm. to Dep. Sec. of War*
28th Jan by Dep. Sec. 1893
Henry Henry
Office Jan

I think Herrick said it was his pistol. Ambrose Moncrieff

Officer Henry Purnhagen testifies, On the morning of Feb. 1st I arrested the defendant Wm Ryan. I heard some loud talk. I recognized Ryan. A young man shouted out of the window "There is a man killed up the street;" and pointed to Ryan. Ryan came towards me. I said "Ryan what have you been doing?" I took the pistol from him. He was under arrest. I went to 71st St. and rapped and the answer came back. The other officer came then. He asked him how it happened. When we reached the injured man, I said, "Let us bring him to the Station House or Hospital." We asked "Who did this?" He said "Ryan." — Exception taken —

Not allowed.

When I got to the Station House, I made a charge against

(C)

Ryan for shooting. The Sergeant asked the prisoner his name. He gave his name and said he did not shoot the man. He was asked if Herrick owned the pistol. He said "Yes. We left him there till the ambulance came. The ambulance surgeon told us the man was dangerously wounded — Exception taken and over-ruled. He asked him some questions.

Ques.

What did he say?

Exception taken and over-ruled.

The question was asked to Herrick "did that man shoot you?" Herrick said "Yes."

Ques.

Did he say to the ambulance surgeon that Ryan shot him?

Ans.

Yes Sir.

Exception taken and over-ruled.

The ambulance surgeon asked if Ryan shot him, and he said "Yes."

0280

7

Ques. How long was the ambulance surgeon in the room?

Ans. I cannot say.

Ques. Is that all that occurred?

Ans. I cannot remember.

Ques. Did he charge Ryan but once?

Ans. I heard it three times.

Ques. How large is the back room?
Is the room 40 x 30?

Ans. I don't know.

Ques. How far was Ryan from Herrick?

Ans. About twelve feet.

Ques. (Was Herrick conscious?

Ans. He was conscious when the doctor spoke to him.

Ques. Who talked to him besides the doctor in the back room?

Ans. I don't know.

Ques. You cannot recollect who talked with Herrick?

Ans. I don't know.

Ques. How close were you to Herrick?

Ans. By his side.

Ques. Did the doctor give him any thing to revive him?

Ans. I don't know.

(8)

Ques. When you heard the pistol-shot did you go towards the direction of the wounded man?

Ans. I think Ryan came up to me with a pistol in his hand, and said a fellow attempted to shoot him.

Ques. Did Ryan offer you the pistol?

Ans. No.

Ques. Are you sure Ryan did not hand you the pistol?

Ans. He handed me the pistol.

Ques. How long before you saw Ryan was it that Officer Mourieff told you to take the pistol from him? He was not a prisoner?

Ans. No Sir.

Ques. You did not know he did anything?

Ans. I thought he whipped him. I thought he killed him.

Ques. After you saw the wounded or deceased man, what did he say?

Ans. He answered me. He spoke low - very low.

9

Ques. Did you have to put your ear to his mouth to hear him?

Ans. No.

Ques. Did not Ryan ask you to, and assist you in accompanying him to the Station House?

Ans. Yes.

Ques. Did you go to Ryan's house that day?

Ans. Yes.

Ques. Did you tell Mr. Ryan it didn't amount to anything?

Ans. I did.

Ques. What were you doing at Ryan's house?

Ans. I went to get his clothes.

Ques. Did you have any ill-feeling towards Ryan?

Ans. No Sir. Henry Pemberton

*Sworn to before me this
28th day of July 1885 -
John H. H. Justice*

Mr. J. Cleary of 1223 Second
Av. Conductor on the 8th Av. R.R.
being sworn, says,

I reached home
about one o'clock. I was sitting
down after my supper and heard
a pistol shot. I ~~went~~ ^{looked} out, and

(18)

saw two figures on the ground. I saw an officer and told him to arrest that man. As the officer passed my window, he asked, "Where is the man who was shot?" The officer arrested him. This officer here was assisting him. The other officer had the prisoner Ryan. In the Station House the prisoner was asked who shot him. The sergeant asked him,

(Exception taken and over-ruled.)

The wounded man said the pistol was his, or might be his. The man was cut all over the forehead. (Exception offered again and over-ruled.)

(The ambulance surgeon came about fifteen minutes after he was sent for. He came, and said he thought the ball was in the brain by this time. The wounded man was asked by the men "Who shot you?" He said "Ryan". Ryan said he did not shoot him.

11

Ques. Did you ever see Ryan before?

Ans. No Sir.

Ques. It was between two and three o'clock in the morning?

Ans. Yes Sir.

Ques. Can you distinguish faces?

Ans. Yes Sir.

Ques. When did you see Ryan's face?

Ans. When he walked towards me.

Ques. You saw two forms on the ground?

Ans. Yes Sir.

Ques. You did not know what took place before this?

Ans. No Sir.

Ques. Did you not swear before the coroner, that you said "you tried to shoot me, now you will see what lead will do."

Ans. No Sir; the Coroner was mistaken, nor I.

Ques. Why did you take such an interest?

Ans. Because I felt for the poor man on the ground with no medical aid.

12

Ques Did you see him get up?

Ans I saw him in the act of getting up.

Ques Was it too dark for you to see his face, did you follow behind him?

Ans No Sir, I met him at 69th St and 3rd Av.

Ques How did you meet him?

Ans I went through to 69 St.

Ques Why did you go to 3rd Av?

Ans I thought he was going to the Station House.

Ques What did you go there for?

Ans To see if the man was hurt.

Ques You say you recognize Ryan as one of the forms that was lying down, did you see the pistol in Ryan's hand?

Ans No Sir.

Sworn to before me this
28th day of July 1885
James M. Murray
District Justice

James Cleary

103

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For the Defence.

For the Defence.
James Wynne being
sworn says,

Lues

Were you one of the witnesses called for the people in this case before the Coroner?

One

2ms

Do you recollect the night or
morning of Feb'y?

Ans

Luc

Do You recollect Herrick
and Ryan coming into your
house?

Ans

Quers

How long did they remain there?

Aus

A Couple of hours.

Pres

Did they quarrel?

Ans

They did not come to blows,
I don't exactly remember.

14

Ques Nevertheless they had some
angry discussion?

Ans I got
from behind the bar and
separated them.

Ques Did Herrick
take hold of Ryan, and
did they wrestle?

Ans Yes. I told
them they ought to be
ashamed of themselves;
Ryan said he would
take Herrick home, and
Herrick said all right;
they parted in good friends.
I did not hear a pistol
shot.

Ques How often has Ryan
been in your place?

Ans Once in a week.

Ques Did you ever know of his
being in any trouble before?

Ans No Sir, I know him
4 or 8 months.

Ques Did you know
him to be arrested?

Ans Yes Sir

15

Ques By Justice Murray

What is his reputation as a peaceable man, good or bad?

Ans I heard he was a little quarrelsome.

Ques You never had any trouble with him?

Ans No Sir.

Ques You looked on him as a man of violence?

Ans I thought he was a nice man, I

don't know anything about this occurrence ^{as James Flynn}

Michael Ryan being sworn says;

Ques Were you ever arrested?

Ans Yes, for being drunk. I was discharged.

Ques Were you ever before that?

Ans No Sir.

Ques What is your business?

Ans Carpenter, being on it about 16 years.

Ques You recollect Feb 1?

Ans Yes Sir.

James Flynn
20th day of Feb 1885
Justice

16

I and two others Kelly and Cumming went into the Liquor Store, my friends Herrick and me had a glass of Ale each; we had a chuck at dice. Herrick said he worked for Hermann, I said "who can you discharge?" "I will discharge you" he said "Monday morning." "I am a better man than you." I said "Why do you get ugly?" Mr. Wynn separated us and told us to go home, I said to Herrick "Come and I will take you home." He pulled a revolver and said he would kill me. I sprang on him, took hold of his right wrist. I held the pistol. In trying to get the pistol out of his hand the pistol went off. I went to get an officer, and said to him "There is a man up there, who wants to shoot me. Take this pistol." The officer rapped on the sidewalk then; the officer said

17

to me "Help us up". I did not know that Herrick was shot. We came to the Station House. Hee was placed before the bar. I was asked if the revolver was mine. I said "No". I was still at the bar when the ambulance came. I did not go into the back room. I was taken from the deck to a cell.

Ques. Did you hear any conversation between the ambulance surgeon and Herrick?

Ans. No Sir.

Ques. Did Herrick say at any time that you shot him?

Ans. No Sir.

W^{ms} Ryan, being sworn, says, I am the wife of the prisoner. I remember the afternoon of the 1st of February last. The officer came in about three o'clock. Hee said "Does W^{ms} Ryan live here?". I said "Yes". "Did you hear your husband was arrested?"

(18)

the officer said, and said he was the man who arrested him. I said "I heard he shot a man, but I never knew him to carry a revolver or use one. The officer said "I was on the corner of 59th St. and 3rd Av. and heard loud talk. I knew your husband's voice. If any thing should happen to the man, your husband is all right," for I had the presence of mind, to ask if the revolver was his. I am married eleven years and have six children. My husband never carried a revolver.

Counsel — I ask for the dismissal of Ryan.

Motion denied.

Counsel — The only living evidence of the shooting is Ryan himself. If that pistol went off as he describes it we have no evidence that the man was shot over the left

POOR QUALITY
ORIGINALS

0292

19

temple. He died from softening
of the brain. The doctor said he
would not swear that this man
was shot.

Case sent down to District Attorney.

POOR QUALITY
ORIGINALS

0293

Michael Ryan
Friend of Veterans

POOR QUALITY
ORIGINALS

0294

Michael Ryan was tried and convicted on April 15th 1885, before Justice Charles H. Van Brunt in the Court of Oyer and Terminer of the crime of manslaughter in the first degree, with a recommendation by the jury to the mercy of the court. Under this conviction he was sentenced on April 17th 1885, to five years in the State Prison.

The act which led to his conviction was the killing of James Herrick who died on February 6th 1885, from the effect of a pistol shot ^{in the head} wound which was inflicted on the morning of February 1st in a struggle with Michael Ryan on Seventieth St. near Second Ave.

The testimony showed that the defendant, Ryan and the deceased man, Herrick, were in the employ of Daniel Hennessy, a builder. They had been drinking together on the night of the shooting and between one and two O'clock in the morning of Feb. 1st were in the ~~sign~~ ^{liquor} store of James Wynne at 70th Street and Second Ave. They there had a quarrel in which ~~Herrick threatened to have the defendant, Ryan discharged from his position and Ryan said that "Herrick was unable to have him discharged"~~ Both men were under the influence of liquor. The quarrel was apparently ended for the time and the men left the saloon, Ryan promising to see Herrick home. A few minutes later James Cleary, a car conductor living at ~~251 East 70th Street~~ ^{in the room} at 251 East 70th Street

POOR QUALITY
ORIGINALS

0295

looking out of his window saw two men lying on the sidewalk and heard a pistol shot. He called to officer Ambrose Moncrieff to arrest the man who was walking away and that officer and officer Henry Purnhagen, both of The Twenty Eighth Precinct, arrested Ryan. A pistol was found in Ryan's hand, and was surrendered to the officers. This pistol it was ~~admitted~~ ^{Sagal} ~~belonged to~~ Herrick. ~~There was no evidence that the defendant Ryan owned or carried a pistol.~~ "I might be his"

Ryan and the officers took Herrick to the Station House, whence he was taken to the Presbyterian Hospital. He was found to be suffering from a wound which the attending physicians believed, ~~though they were not certain~~, to be caused by a pistol shot. Herrick seemed at first to rally and was conscious, but after an operation he died on February 6. The physician testified ~~that the wound caused the~~ ^{death was caused by} the wound. Herrick ~~told Officer Purnhagen~~ ^{identified} Ryan as the man who shot him.

Ryan's story was that after ~~the~~ he and Herrick left the saloon, and ~~as~~ ^{while} he was helping Herrick along, the latter renewed the quarrel and said to the defendant Ryan "I'll kill you". Herrick then according to Ryan's testimony, drew his pistol, and a struggle for its possession ensued. Ryan said that the pistol was discharged by Herrick, but

POOR QUALITY
ORIGINALS

0296

that he (Ryan) had ~~been~~ hand on the pistol at the time. He said that he did not know that the bullet had struck Herrick until the officers had arrested him. When the pistol had been discharged he was able, he said, to get the pistol away and rose and went toward the corner.

The killing was investigated before Coroner Bernard F. Martin on February 16, 1885 and the Coroner's jury returned a finding of accidental shooting.

POOR QUALITY
ORIGINALS

0297

forwarded
July 5/97

John +
Diana
C. Johnson

POOR QUALITY
ORIGINALS

0298

State of New York.

Executive Chamber.

ALBANY, *Aug. 15* 188*6*

SIR:

An application for Executive clemency having been made on behalf of *Michael Ryan*, who was convicted of *Mansl. 1st* in the County of *W. H.* and sentenced *April 17* 188*5*, to imprisonment in the *Hugliug Prison* for the term of *5* years and _____ months and to pay a fine of \$_____. I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial or upon the preliminary examination, or before the Coroner's jury, if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since the conviction.

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

I am,

Very respectfully yours,

Living G. Craig,

acting Private Secretary.

To Hon. *R. B. Martine,*

N. Y. city.

0299

Wednesday April 15. 1885

The People vs Michael Ryan	} On Trial Manslaughter 1 st degree Killing of James Herick filed March 9. 1885 J. R. Fellows for People
----------------------------------	--

Jurors balloted and sworn

George E. Montague	Jacob Kaufman
Charles W. Ludeke	Jacob Webster
Charles W. Macy	Morris Price
Jacob E. Meyers	Bernard Molloy
Thomas S. Adams	John A. Mustich
Bernard Fitzpatrick	William B. Bennett

Peoples Evidence

Ambrose Moncrief — {Deposition of County P. Cooper M. D. before
Coroner read by consent
Henry Fernhagen — {Deposition of W. D. Jenkins M. D. before
Coroner read by consent.
James Wynne — James Cleary

Defendants Evidence

Michael Ryan — James R. Green
William W. Lavin — Peter Mc Goff
James Ryan —

The Jury return to the bar and say
the first defendant

Guilty Manslaughter 1st dg
rec. to mercy —

People
vs
James Graghty } Pleads Guilty Manslaughter 1st dg

At 5-05 P.M. Court adjourns

0300

Memorandum on application for pardon.

II

The defendant was a ^{mechanic} ~~belonging~~ man in good repute, and had never committed an offence before. He did not begin the quarrel in which he killed the deceased ^{man}. No one except himself saw the shooting sufficiently close at hand to describe it. The ~~defendant~~ ^{pistol} with which the shooting was done belonged to the deceased ^{man}, and no one contradicts the defendant's story that the pistol was in the hands of the deceased ^{man} when the defendant knocked it ~~out~~ to one side and ~~the pistol~~ ^{was discharged} ~~entered the defendant's body~~. The only evidence of weight against him was ~~a~~ ^{several} remarks or ~~was~~ ^{several} remarks made by him which seemed inconsistent with his testimony ~~but~~ which were made in the midst of excitement. The facts that the ~~defendant~~ ^{man} never carried a pistol, that the deceased ^{man} was the originator of the quarrel and for the ~~more~~ ^{more} temper of the two men and ~~that his pistol~~ ^{that the shot was fired from} ~~the deceased man's~~ ^{his} pistol are strongly corroborative of

Justice Van Brunt does not oppose the application for pardon.

Respectfully Submitted

James R. Davenport
21 Park Row
N.Y. City.

0301

People vs } Oyer & Tenner April 1885
 vs }
 Michael Ryan } Convicted manslaughter 1st deg.
 with strong recommendation to mercy
 Sentenced to five years in State Prison.
 by Van Buren, Justice

the defendant's story of ~~accidental~~ shooting in
 warding off danger from himself.
 The Coroner's Jury ~~accepted~~ found a
 verdict of accidental shooting.

The defendant who was hard-working
 peaceful, and kind to his family was the
 sole support of his wife and several children
 at home. They are poor in poor circumstances.
 If he were released, the defendant would
 not become a criminal but would be
 a good member of society. He would not be
 found transgressing the law. If he were
 guilty of any offense, the surrounding
 circumstances are such that ~~usually~~ he
 has abundantly expiated any crime he
 has committed by the imprisonment already
 suffered.

The members of the jury which con-
 victed him became satisfied several
 months ago that he had been sufficiently
 punished and all of them, who could
 be found in the city, united in asking
 for Executive clemency. No juror who
 was applied to declined to sign the
 petition.

The Pamphe et al. —
vs.

Michael Ryan.

Memorandum on

application for pardon.

Jan 21, 1897

J. P. Danforth
24 Park Row

N.Y. City.

Hon. Paul M. R. Magnus

District Attorney

0302

POOR QUALITY
ORIGINALS

0303

CORONER'S OFFICE.

TESTIMONY.

Station House. the deceased did not
charge Ryan with shooting him
I recognize the prisoner present
Ryan as the man who was
arrested and locked up.

Frederic Moncrieff

Officer Henry Pumphrey 2nd Dist.
being sworn says On Dec. 1/85
about 7.20 AM I was on duty from
66th to 71st St on 2nd St. and
when on the cor. 69th St when I
heard loud talking and saw
I and I walked in the
direction of it and when
I got to where the talking
was on I was on the east
side of 2nd St and crossing
to the west James E. Barry
followed from a window
and Ryan's legs were over the car
71st St saying that a man
was killed over there and
to arrest that man that he
knew in the mean time Ryan
I said to Ryan what is the
matter and he said, that on

Taken before me
this 13th day of

1885

Frederic Moncrieff

CORONER.

Admitted before me this
13th day of Dec. 1885
Frederic Moncrieff

POOR QUALITY
ORIGINALS

0304

To His Excellency
David B. Hill
Governor of the State of New York

The undersigned the Jury in the
case of the
People vs. Michael Ryan
who was tried and convicted of Man-
slaughter in the first degree, but re-
commended to the mercy of the court at
a term of the Court of Oyer and Terminer
for the City and County of New York, held
in the month of April 1886 and who is
now in incarceration in the State Prison at
Sing-Sing, N.Y. respectfully petition
your Excellency to grant a pardon un-
to said Michael Ryan they believing
that he has been already sufficiently
punished by an imprisonment of Four-
teen months: and that the ends of just-
ice would be fully carried out by his
pardon.

Dated N. Y. June 20th 1886

George E. Montanye. Foreman
Morris Prince
Chas H. Ludcke

POOR QUALITY
ORIGINALS

0305

Jacob Webster
Bernard Morley
Bernard Fitzpatrick
Wm B. Bennett
Chas H Macy
John A Wuslich
Jacob Kaufman

POOR QUALITY
ORIGINALS

0306

guy

0307

City and County of New York ss:

August Kohn being duly sworn says that he is the Attorney for Michael Ryan a petition for whose pardon is hereto annexed and is signed by ten of the jury who tries him that the only signatures of Jurors not annexed are those of Thomas H. Adams and Jacob E. Meyers whose names are not annexed because said Adams is absent from the State of New York and said Meyers name cannot be found in the Directory of the City of New York and after diligent inquiry Depoant has been unable to learn his whereabouts and that Depoant has been unable to see either of said Jurors.

Sworn to before me this 8th Day of July. 1886 August 1886
 J. B. Gwinn

Notary Public Kings Co
 Certificate filed in N.Y.

0308

TESTIMONY.

Wm. J. Jenkins M.D. being sworn says From a view of the body of deceased and examination thereof I am of the opinion that death is due to Hemorrhoidal Penetrating Wound of the Brain Structure of Skull (left side in temporal region) Cerebritis (Softening of Brain Traumatic) Exhaustion

J. W. G. W.

W. J. Jenkins, M.D.

of getting up I recognized the man who was shot as a matchman named Derrick. I asked him who shot him and he said Ryan. I got the injured man by the arm & we all moved to the Station House. Officer Simlapan made a charge against Ryan and he was locked up. Derrick made no statement in the Station House as he seemed to be half stunned, while taking Derrick along to the Station House he never spoke a word. Ryan the prisoner was interrogated but I think he knew right from wrong. I did not hear Ryan say that Derrick tried to shoot him. I did not hear ~~him~~ Ryan while going to the Station House nor did the other Officers in the Station House. The Sergeant asked Derrick if the prisoner was Ryan and he said I think so to the best of my knowledge, I could not tell whether Derrick was under the influence of liquor or not at the

Sworn to before me

this 13th day of February 1885

James A. Hester
CORONER.

POOR QUALITY
ORIGINALS

0309

MEMORANDA.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE. When Reported.
46	Years.	Months. Days.	Ireland	Presbyterian Hosp	Feb 6 th 85

Physical death
very much of the heart
fracture of skull (left
side in compound region)
Cerebric (splitting of
brain hemisphere)
Evolution.
Remarks; said to have been
shot by one Ryan and was
killed by 28 m. 8000
Capt. Sumner.
Prisoner of Michael Ryan

E. F. M.

No. 376

Quar 1

1885

AN INQUISITION

On the VIEW of the BODY of

James Throck

whereby it is found that he
came to his death by

fracturing of skull of
head, fracture of skull
(left side of compound
region) cerebral too
(splitting of brain
hemisphere) evolution

Inquest taken on the 13th day
of February 1885
before

BERNARD F. MARTIN, CORONER.