

0557

BOX:

18

FOLDER:

230

DESCRIPTION:

Mitchell, Lucy

DATE:

08/10/80



230

0558

**BOX:**

18

**FOLDER:**

230

**DESCRIPTION:**

Charles, Louisa

**DATE:**

08/10/80



230

0559

OFFICE OF THE DISTRICT ATTORNEY, DISTRICT OF COLUMBIA

THE PEOPLE OF THE DISTRICT OF COLUMBIA, by and through their Attorney General, do hereby certify that the following is a true and correct copy of the indictment returned by the Grand Jury of the District of Columbia, on the 10th day of August, 1880, against the within named defendants, for the crime of Grand Larceny of Money, &c.

Witness my hand and the seal of the District of Columbia, this 10th day of August, 1880.

102

Counsel,

Filed 10 day of Aug. 1880

Pleads

*Not Guilty*

THE PEOPLE  
vs.  
Lucy Mitchell  
Louisa Charles

Grand Larceny of Money, &c.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*W. H. Adams*

Foreman.

Chas. D. Aug. 10/1880.

*Lead guilty.*

*Pen. One year.*

*Chas. D. Discharged.*

OFFICE

ON THE 10th DAY OF AUGUST, 1880, AT THE DISTRICT COURT OF THE DISTRICT OF COLUMBIA, THE FOLLOWING INDICTMENT WAS RETURNED BY THE GRAND JURY:

THE PEOPLE OF THE DISTRICT OF COLUMBIA, by and through their Attorney General, do hereby certify that the following is a true and correct copy of the indictment returned by the Grand Jury of the District of Columbia, on the 10th day of August, 1880, against the within named defendants, for the crime of Grand Larceny of Money, &c.

0560

FORM 89½

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

SS.

POLICE COURT—SECOND DISTRICT.

*William E. Gilbert*  
 of No. *48 Water* Street, being duly sworn, deposes  
 and says, that on the *5* day of *August* 18*80*  
 at the City of New York, in the County of New York, was feloniously taken, stolen and carried  
 away, from the possession of deponent,

the following property, to wit:

*Good and lawful*  
*money viz Nineteen National Bank*  
*Bills of the denomination of Two*  
*dollars each in all*

of the value of *Thirty Eight* Dollars,  
 the property of *deponent*

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


*Lucy Mitchell*  
*and Louisa Charles (now here)*  
*for the reasons following—that*  
*about half an hour prior to said*  
*Larceny deponent met the said*  
*defendant Charles and accompanied*  
*her to 178 Thompson Street—after*  
*entering one of the rooms in said*  
*premises the said defendant*  
*Mitchell entered said room*  
*at that time deponents pantaloons*  
*which contained said money*  
*was lying on a chair at the foot*  
*of the bed in said room on which*

*Sworn to before me, this*  
*18*  
*day*

*Police Justice*

0561

deponent was lying. - Deponent saw  
said defendant Mitchell standing by  
the said pantaloons and saw the said  
pantaloons moved from the chair by said  
Mitchell at which time the said  
defendant Charles was sitting on the  
side of and towards the foot of the  
said bed and between deponent and  
the said Charles. during said interval  
of time no other person was in said  
room - immediately thereafter deponent  
missed the said money

Sworn to before me this { William E Gilbert  
5<sup>th</sup> day of August 1890  
by  Murray Police Justice

0562

Police Court—Second District.

CITY AND COUNTY  
OF NEW YORK.

*Lucy Mitchell* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he is at liberty to refuse to answer any question that may be put to h<sup>er</sup>, states as follows, viz:

QUESTION.—What is your name?

ANSWER.—

*Lucy Mitchell*

QUESTION.—How old are you?

ANSWER.—

*Twenty Three*

QUESTION.—Where were you born?

ANSWER.—

*Albany*

QUESTION.—Where do you live?

ANSWER.—

*178 Thompson*

QUESTION.—What is your occupation?

ANSWER.—

*Washing and Ironing*

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

Answer.—

*I am not guilty of  
the charge*

*Lucy Mitchell*

Taken before me this

day of

188

Police Justice.

0563

Police Court—Second District.

CITY AND COUNTY)  
OF NEW YORK ss.

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

QUESTION.—What is your name?

ANSWER.—

*Louisa Charles*

QUESTION.—How old are you?

ANSWER.—

*Twenty Four years*

QUESTION.—Where were you born?

ANSWER.—

*New York city*

QUESTION.—Where do you live?

ANSWER.—

*Caroline street*

QUESTION.—What is your occupation?

ANSWER.—

*General housework*

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

Answer.—

*I was sitting on the bed with complainant but know nothing of the charge*

*Louisa Charles*

Taken before me, this

day of

1880

Police Justice.

0564

FORM 894  
POLICE COURT—SECOND DISTRICT  
AUG 2 1880  
RECEIVED

THE PEOPLE & C.  
ON THE COMPLAINT OF  
William E. Gilbert  
vs Martin H. H. H.  
Lucy Mitchell  
Louisa Charles

DATED August 5 1880

Murray MAGISTRATE.  
Ryan OFFICER.

WITNESS  
George J. Ryan  
# 15 To Precinct Police

Complainant Committed  
House Detention in default  
of \$100 Bail

\$100 To Ans.  
bailed Gen. Secy.

BAILED BY  
No. STREET.

Loon

0565

CITY AND COUNTY }  
OF NEW YORK, } ss.

## THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,

in and for the body of the City and County of New York, upon  
their Oath, present :

That Lucy Mitchell and Louisa Charles each

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

of the goods, chattels, and personal property of one

William E. Gilbert

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

BENJ. K. PHELPS, District Attorney.

0566

BOX:

18

FOLDER:

230

DESCRIPTION:

Mittimore, James

DATE:

08/05/80



230

0567

449

Counsel,  
Filed 5 day of Aug 1880  
Pleads.

Larceny, and Receiving Stolen Goods.

THE PEOPLE

vs.

P

James Wittmore

BENJ. K. PHELPS,  
District Attorney.

A True Bill.

R. A. Kessam

Foreman.

Aug 5/80

Chas. D. D.

S. P. Two years.

0568

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

FORM 112.

Police Court—Third District.

Herman Heinemann

of No. 15 Centre st Street, being duly sworn, deposes  
and says that on the 6th day of July, 1888  
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
away from the possession of deponent.

the following property viz: One gold watch and chain

of the value of fifty Dollars  
the property of this deponent

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

(now here) for the reason that on the morning of the  
6th day of July deponent missed his watch and chain  
which was in deponent's vest placed upon the bedpost in  
the room where deponent was sleeping. That the accused  
was occupying the next room, that when deponent arose  
in the morning he missed his watch & chain, that when  
the accused was arrested by Officer James Van Rensselaer of the 11th Precinct Police  
in the presence of deponent and the said officer that  
he had taken & stolen the said watch and chain and  
had pawned the same at a pawnshop in Chatham Street.

H. Heinemann

Sworn to, before me this

day of

July

1888

McDonald  
Police Justice.

0569

Police Court—Third District.

CITY AND COUNTY } ss.  
OF NEW YORK.

*Sam. Millemore* being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was at  
liberty to refuse to answer any question that may be put to him, states as follows,  
viz:

Question. What is your name?

Answer.

*Sam. Millemore*

Question. How old are you?

Answer.

*Forty years*

Question. Where were you born?

Answer.

*Harrisburg Pa*

Question. Where do you live?

Answer.

*Reading*

Question. What is your occupation?

Answer.

*Physician*

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

Answer.

*I have nothing to say except  
to state that for years I have  
been under the influence  
of intoxicating liquors and  
~~I say~~ *now* I am guilty  
of the act.*

*Sam. Millemore*

Taken before me, this *29th* day of *July*, 18*80*  
*Frederick C. Stearns*  
Police Justice.

0570

COUNSEL FOR COMPLAINANT.

Name, \_\_\_\_\_

Address, \_\_\_\_\_

COUNSEL FOR DEFENDANT.

Name, \_\_\_\_\_

Address, \_\_\_\_\_

POLICE COURT—THIRD DISTRICT

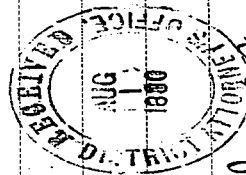
THE PEOPLE, &c.

ON THE COMPLAINT OF

*Harman Heinemann*

*15 Centre St*

*Jane Littlemore*



Dated

1880

*July 29*

Magistrate

Officer

*W. A. Vauclust*

Clerk

Witnesses

*W. A. Vauclust*

*11th*

\$ *10.00* to answer

at *General* Sessions

Received at Dist. Attys. Office,

*[Signature]*

BAILED.

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

Residence \_\_\_\_\_

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

Residence \_\_\_\_\_

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

Residence \_\_\_\_\_

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

Residence \_\_\_\_\_

No. 5, by \_\_\_\_\_

Residence \_\_\_\_\_

No. 6, by \_\_\_\_\_

Residence \_\_\_\_\_

0571

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

That

*James Wittermore*

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

*one watch of the value of thirty  
dollars*

*one chain of the value of twenty  
dollars*

of the goods, chattels, and personal property of one

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

0572

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

*James Wittmore*

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

*one Watch of the Value of thirty  
dollars*

*one Chain of the Value of twenty  
dollars*

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

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

*Herman Haimeman*

*Herman Haimeman*

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

*James Wittmore*

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

**BENJ. K. PHELPS, District Attorney.**

0573

BOX:

18

FOLDER:

230

DESCRIPTION:

Moore, George

DATE:

08/10/80



230

0574

99 *Copy*

Filed 10 day of Aug 1880

Pleads

*W. G. Peck*

THE PEOPLE

vs.

*Assault and Battery—Felonious.*

*P.*

*George Moore.*

BENJ. K. PHELPS,

*District Attorney.*

A True Bill.

*R. A. Adams*

*Foreman.*

*Aug 11th 1880*

*Frederick H. H. H.*

0575

Form 15.

## Police Court—Third District.

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

James Daucher  
of No. 112 Madison Street  
on Monday the 2nd day of August  
in the year 1880 at the City of New York, in the County of New York,

being duly sworn, deposes and says, that  
he was violently and feloniously ASSAULTED and BEATEN by George Moore  
(nowhere), who is well known and with  
felonious intent to take the life of deponent  
and discharge at the deponent of  
certain pistol loaded with powder & ball  
thereby wounding the deponent on the  
head and also at the breast & 3/  
Moore struck on the back the  
knave of hand. Five of the day after.  
said -

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

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

Sworn before me, this  
of August 1880

1880

James <sup>his</sup> Daucher  
man

*W. M. M. J.*  
Police Justice.

0576

99

Form 15.

Police Court—Third District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

ABIDAVIT A. & B.  
FELONIOUS.

*James Crawford*  
112 Madison St.

*James Crawford*

*August 3*

1890

Dated

*Wm. C. Moore*  
Magistrate.

*James Crawford*  
Officer.

WITNESS:

*James Crawford*  
239 Henry Street



*1500 Wm*

0577

Police Court—Third District.

CITY AND COUNTY } ss.  
NEW YORK, }

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

Question.—What is your name?

Answer.—

Question.—How old are you?

Answer.—

Question.—Where were you born?

Answer.—

Question.—Where do you live?

Answer.—

Question.—What is your occupation?

Answer.—

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

Answer.—

*I am not guilty*  
*George Elmore*  
*mark*

Taken before me, this

day of August 1890

Police Justice.

0578

CITY AND COUNTY } ss.  
OF NEW YORK.

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

That

*George Moore*

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

on the *second* day of *August* in the year of our Lord  
one thousand eight hundred and ~~eighty-eight~~ *eighty-eight* with force and arms, at the City and  
County aforesaid, in and upon the body of *James Donaher*  
in the peace of the said people then and there being, feloniously did make an assault  
and to, at and against *him* the said *James Donaher*  
a certain *pistol* then and there loaded and charged with gunpowder and one  
lead bullet, which the said *George Moore*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,  
with intent *him* the said *James Donaher*  
thereby then and there, feloniously and wilfully to kill, against the form of the Statute  
in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

SECOND COUNT.

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

*George Moore*

with force and arms, in and upon the body of the said *James Donaher*  
in the peace of the said people then and there being, wilfully and feloniously did make  
an assault and to, at and against *him* the said *James Donaher*  
a certain *pistol* then and there loaded and charged with gunpowder and one  
lead bullet, which the said *George Moore*

in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously, did then and there attempt to discharge,  
with intent *him* the said *James Donaher*

thereby then and there, feloniously and wilfully to kill, against the form of the Statute  
in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

## THIRD COUNT.

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

George Choore with force and arms, in and upon the body of the said James Donaher then and there being, wilfully and feloniously, did make an assault and to, at and against him the said James Donaher a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which pistol the said George Choore in his right hand, then and there had and held, wilfully and feloniously, and without justifiable and excusable cause, did then and there shoot off and discharge, with intent, then and there, thereby him the said James Donaher

wilfully and feloniously then and there to injure, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

## FOURTH COUNT.

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

George Choore with force and arms, in and upon the body of the said James Donaher then and there being, wilfully and feloniously, did make an assault and to, at and against him the said James Donaher a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which pistol the said George Choore in his right hand, then and there had and held, wilfully and feloniously, and without justifiable and excusable cause, did then and there attempt to shoot off and discharge, with intent, then and there, thereby him the said James Donaher

wilfully and feloniously then and there to injure, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

BENJAMIN K. PHELPS, District Attorney.

0580

BOX:

18

FOLDER:

230

DESCRIPTION:

Moran, Michael

DATE:

08/10/80



230

0581

85-*CoJ*

Filed *10* day of *Aug* 18 *80*  
Pleads *in Sundry*

*35* *with charge* *Stone built* THE PEOPLE  
vs.

*Michael Moran*  
(*2 cases*)

Felonious Assault and Battery.

BENJ. K. PHELPS,  
District Attorney.

A True Bill.  
*[Signature]*  
August 10 - 1880 Foreman.  
Tried and convicted  
A. & B.  
Per: *Thelmont*

0582

New York Aug. 10th 1880

I hereby certify that, about three weeks since, I attended one, Laddy, with a punctured wound of left side of chest, between the ribs. Wound was about one inch long; a portion of lung protruded. I considered the man in a dangerous condition.

F. B. Bennett M.D.,  
94 Suffolk St.

0583

July 19, 80

This certifies that Mrs.  
Freddy, 206 Dalaney St. is  
not in a condition to  
appear at Court

A. J. Bennett M.D.  
94 Suffolk St.

0584

Bethune Hospital

The patient  
Thomas Liddy admit-  
ted to hospital July 18-  
20 is suffering from  
a severe puncture &  
wound of abdomen  
at present he is doing  
well. No immediate  
danger.

W. D. Liddy, M.D.  
July 18-20  
2nd Surgical

0585

STATE OF NEW YORK  
CITY AND COUNTY OF NEW YORK.

of No.

being duly sworn, deposes and says that on the

18<sup>th</sup> day of July 1880 at the City of New York, in the County of New York

Street,

*James Jones Roundman*  
*Michael Moran (nowhere)*

*On the information of Thomas Luddy and John Luddy who charge the accused Michael Moran with feloniously and willfully and with intent to take the life of the said Thomas and John Luddy by cutting the said Thomas with a clasp knife across the abdomen causing the bowels of the said Thomas to protrude and killing the said John with a clasp knife on the left side and lung. The said Thomas is now lying dangerously ill in Bellevue Hospital and the said John is lying ill at his home No 206 Delancey. Wherefore deponent prays that the said Michael Moran may be held to await the result of the inquest to be held upon the said Thomas and John Luddy.*

Sworn to this

day of

1880

Police Justice.

*James Jones*

0586

POLICE OFFICE, THIRD DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Michael Moran*  
*vs. Thomas & Leddy*

*Affidavit - J. A. Assault*

Dated

*July 19*

*1880*

JUSTICE.

*My*

OFFICER.

WITNESSES:

*Caught taken for*  
*July 27. 1880 for*  
*the assault*

*Thursday July 28. 1880*

0587

Police Court—Third District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

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

Question.—What is your name?

Answer.—*Michael Moran*

Question.—How old are you?

Answer.—*Thirty five*

Question.—Where were you born?

Answer.—*Ireland*

Question.—Where do you live?

Answer.—*Cherry St. R<sup>2</sup> 445*

Question.—What is your occupation?

Answer.—*Stone - Cutter*

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

Answer.—*Not guilty.*  
*Michael Moran*  
*Moran*

Taken before me, this

9/18

day of

July

1880

Police Justice.

0588

Form 15.

Police Court—Third District.

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

of No. *206 Delaney* *Thomas Ledy* Street  
on *Sunday* the *18th* being duly sworn, deposes and says, that  
in the year 188*8* at the City of New York, in the County of New York, day of *July*

he was violently and feloniously ASSAULTED and BEATEN by

*Michael Moran (now here).*  
*Who wilfully and with the felonious intent*  
*to take the life of the deponent had*  
*cut and stab the deponent in the*  
*belly. thereby inflicting a wound several*  
*inches deep. A wound which deponent*  
*has been seriously ill in Bellevue*  
*Hospital since*

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

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

Sworn before me, this

*July 31st 1888*

of

*Michael Moran*  
Police Justice.

*Thomas Ledy*  
his  
mailed

0589

Form 16.

Police Court—Third District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*James J. Kelly*  
*206 Delaware St.*

*Meekins Norton*

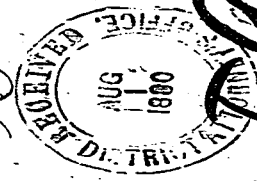
Dated

*July 27* 1880

Magistrate.

*Jnes D*

WITNESS.



*\$500.00*

*Sumner Benson*

*Can*

0590

CITY AND COUNTY } ss.  
OF NEW YORK,

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

That *Michael Moran*

late, of the City of New York, in the County of New York, aforesaid, on the  
*Eighteenth* day of *July* in the year of our Lord  
one thousand eight hundred and *Eighty* with force and arms, at the City and  
County aforesaid, in and upon the body of *John Leddy*  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *John Leddy*  
with a certain *Knife*  
which the said *Michael Moran*

in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *John Leddy*  
then and there, feloniously and wilfully to kill, against the form of the Statute  
in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

SECOND COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *Michael Moran*  
with force and arms, in and upon the body of the said *John Leddy*  
then and there being, wilfully and feloniously did make an  
assault and *him* the said *John Leddy*  
with a certain *Knife* which the said *Michael Moran*

in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *him* the said *John Leddy*  
against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said *Michael Moran*  
with force and arms, in and upon the body of *John Leddy*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *John Leddy*  
with a certain *Knife*  
which the said *Michael Moran*

in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *John Leddy* with intent *him* the

0591

said *John Leddy* then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

FOURTH COUNT.

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

with force and arms, in and upon the body of the said *John Leddy* then and there being, wilfully and feloniously, did make another assault and the said *John Leddy* with a certain *Knife* which the said *Michael Moran* in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *him* the said *John Leddy* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

85

Filed 10 day of May 1880  
Pleads *Not Guilty*

THE PEOPLE

vs.

*Michael Moran*  
*2 Chas*

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

*Undertaken to see that on another indictment was filed*

A TRUE BILL.

*John A. McKean*  
Foreman.

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

FOURTH COUNT.

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

afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-

said, the said Michael Moran with force and arms, in and upon the body of the said John Kelly then and there being, willfully and feloniously, did make another assault and

the said John Kelly with a certain knife which the said Michael Moran

in his right hand then and there had and held, the same being then and there a deadly weapon, willfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there willfully and feloniously main-  
the said John Kelly against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

2650

85

1880

Filed 10 day of Aug

Pleas

THE PEOPLE

vs.

Felonious Assault and Battery.

Michael Moran

2 Counts

BENJ. K. PHELPS,

District Attorney.

sentenced to Pen & Iron on another indictment same filing

A True Bill.

John Kelly

Foreman.

0593

Police Court—Third District.

CITY AND COUNTY } ss.  
OF NEW YORK, }

Michael Moran being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was  
at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—

Michael Moran

Question.—How old are you?

Answer.—

Thirty five

Question.—Where were you born?

Answer.—

Ireland

Question.—Where do you live?

Answer.—

Cherry street

Question.—What is your occupation?

Answer.—

Marble Saw Cutter

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

Answer.—

I was in dread of my life  
in the neighborhood. I am  
not guilty.  
Michael Moran

Taken before me, this

27th day of July

1888

Justice

0594

Form 15.

Police Court—Third District.

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

of No. *206 Delancey* Street  
on *Sunday* the *18th* day of *July*  
in the year 18*80* at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

*Michael Moran (now here)*  
*who stabbed the deponent at the*  
*left lung with a Clasp Knife*  
*thru the lung inflicting a dangerous and*  
*painful wound*

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

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

Sworn before me, this *27th* day of *July* 18*80* }

*Maxwell Barber*  
Police Justice.

0595

Form 15  
Police Court—Third District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

ABRAHAM A. & B.  
FELONIOUS.

*John Kelly*

*621 206 "Deputy"*

*Wickham*

*July 27 - 1880*

Dated

Magistrate.

Witness.

*James Jones to Peter B. B. B.*

Witness.



*Wm. T. A.*

*General*

*C. C.*

410-

The People  
 vs. Michael Moran  
 — Indictment for felonious assault and battery.

Court of General Sessions, Part First.  
 Before Judge Geldersleeve August 11. 1880

Thomas Leddy, sworn and examined. I live  
 206 Delancey St. I was assaulted by the prisoner  
 on the 18<sup>th</sup> of July at 8 1/2 o'clock in the evening.  
 I was standing on the corner of Cherry and Jack-  
 son Sts; my brother was standing talking to me  
 on the corner. Mr. Moran was intoxicated, he was  
 growling and insulting people on the corner.  
 I asked him would he go up in the house.  
 A young man named Black was begging  
 him to go home to his wife. He says to Black,  
 "I will get something to fix you". So I was ask-  
 ing the man to go up, and the first thing I  
 knew I got the knife in the stomach. I did  
 not put a hand on him. I gave him no  
 reason to do it. he did not say a word before  
 the cutting. I was thirteen days in Bellevue  
 hospital. Cross Examined. I was teamster for  
 a coal Company, and before that I was work-  
 ing for Pete Duffy in Cherry St. I have a bro-  
 ther named John; he was cut right after me.  
 I gave no provocation whatever for the cutting.  
 This was Sunday evening; my brother was  
 with me and two gentlemen were standing  
 alongside of us. Mr. McManara and Mr.  
 O'Donnell; they are not in Court. I came

0597

down after my supper 20 minutes after five with the intention of going to the stable. I was standing near the coal box talking to my brother. Mack (McKinnara) was standing against a telegraph post talking to O'Donnell. I did not follow Mack towards Moran, but Mack was talking to him first. I did not see Mack knock him down. I did not see Moran on the ground; he was standing up and his wife was alongside of him. No one knocked him down or kicked him - no one laid a hand on him or touched him. Is it not a fact that Mack knocked him down and he called for assistance and you and your brother knocked him down? No sir. My brother and myself are not members of the Jackson gang. I am not a fighting man. I never was arrested in my life. May be once a week I stand on the corner. I heard from parties that the prisoner had been drinking that day, and he was pretty upsy around there. The cut was not deep, it cut the insides. John Sedley, sworn and examined, testified: I did not see the assault on my brother. I was standing on the corner, I heard the man halloo that he got stabbed. I turned around. I was up against the coal box about ten feet away away from the corner. As soon as I turned around Moran came running. I thought he had a

0598

club, it was in the dark, it was a knife, I kind  
 offell back, he let me have it in the left lung  
 I had not done anything to him, I never saw  
 the man. I did not see the wound on my brother,  
 he ran right away when he got cut, he was  
 carried to the station house. I did not know I  
 was cut, but I felt the pain. Dr. Bennett sewed  
 me up and after that I had Dr. Welsh. Cross  
Examined. I made a complaint against Moran  
 there is a separate charge pending against him.  
 I got down there 1/4 to 8. I was standing on the cor-  
 ner with my brother, but I was not near him  
 though. I do not know Mc Namara, I was stand-  
 ing by myself. I did not see Mc Namara and  
 O'Donnell, I do not know them. I was only about  
 four feet from my brother. I had been there about  
 seven minutes. I did not speak a word to him  
 during that time nor to anybody else. I was tak-  
 ing a walk, it was a hot night. I came up  
 Jackson St. to see him after he came from  
 the stable. I live in Scannel St. I have been  
 away from that neighborhood nine years; it  
 was the first time in three years I was around  
 there. I never had any trouble with the prisoner.  
 I said nothing to him, did not lay a hand on  
 him and I was stabbed. There I got there my  
 brother was lying on the floor bleeding waiting  
 for the ambulance. I went up to the Captain

0599

and told him I wanted some man to get him arrested before he got away. The Captain sent a man down with me and I told him he was up stairs. Didnt you throw this man upon the ground? No sir. Did not you and your brother and Mack Knock this man down and kick him? No sir, did not touch him. Did not lay a hand on him. No sir. You got cut for nothing? Yes sir. James Jones sworn. Officer, what do you know about this matter? About 7 1/2 on Sunday evening I was going toward the station house. I met John Laddy and the officer coming from the station house. I asked them what was the matter? I heard there was a young man stabbed down at the corner of Cherry and Jackson St. I hastened there and found where the man lived that had stabbed the young man and went up stairs and made the arrest of the prisoner in his own house. I took him to the station house and searched him; he had no weapon upon him. I saw Thomas Laddy's wound in the hospital; it was in the stomach. I presume it was sewed up when I saw it; the doctor lifted the cloth off and showed me the wound. Here is the knife (producing it) that was brought to the station house with blood on it. I asked the prisoner the next morning at the desk if it was his and he said, "yes". It was picked up at the corner of

0600

Micheal Moran, sworn and examined, in his own  
 behalf, testified: I live 445 Cherry St, am a married  
 man; my wife and children are in Court. I live in  
 the neighborhood where this occurred. I work in a  
 marble yard for Augustus Taber and Bros. in Water  
 St. I am working for them nearly seven years. Taber  
 is in Court. I was up and down the street all  
 the afternoon waiting for a brother-in-law of mine to  
 come and see me, Mike Sillick, over from the  
 north river, Charles St; he did not come, and about  
 8 1/2 o'clock I was on my way home. I did not meet  
 any of the Leddys before I went home. I know Mr.  
 O'Hearn and Mr. Kiely; they are in Court. I met  
 and spoke to them before I went home. I had no trou-  
 ble then ~~with~~ anybody; then I met with a man  
 named Mack; he asked me would I go home? No,  
 I say, I will not; what am I to go home for? He  
 said, "you have got to go home." No, I won't go, I said;  
 he slapped me in the face and said, "go along  
 you Mick," then he struck me; he say, "you  
 have got to go home, I will beat all belonging to you."  
 Then Mack and me got into "holds" with one another;  
 he was striking at me and those Leddys came  
 to take his part; they kicked me and knocked me  
 down, I fell on the sidewalk; they knocked my  
 senses away from me; there is a cut in my head.  
 The three of them knocked me down; the Leddys  
 were over me and trying to force at me all the

0601

time. I was resisting them the best way I could. I believed myself to be in danger; the crowd was all gathered on top of me at the time, I thought they would kill me before I would get away and I defended myself. I did not cut him. Cross Examined I could not say who I cut. I was knocked senseless and cut at the time. I did not cut any one before I got the fall. I could not tell you if I cut anybody after I fell, for my senses were gone away from me by the fall I got on the head. Before I got the fall I was trying to get away from them. Did you cut these two young men? I made efforts to defend myself. You do not know whether you did it or not? I do not. That is my knife (knife shown) I took that to defend myself I was trying to do so. I do not know whether I did carry it out or not. They were striking at me and knocked me down on the sidewalk. I was trying to get up to the house as quick as I could. Black first spoke to me, he asked me would I go up to the house. I said, "No," he told me that I was drunk and that I had better go home; that did not make me mad. He slapped me in the face. I told him I did not want to go home in his company. I hit him with my hand. They got all around me - those two Leddys and Black. I know one of the Leddys over two years. I do not know the other man at all. Black knocked me down and the other two were standing beside the coal box at the time; it was kind of dark.

0602

Leddy was making to strike me while I was on the ground. I don't know whether he struck me or not. I got a pretty good knock on the head. I bled. Thomas Leddy struck me in the face. Then these men got around me. I was afraid of my life. I have been afraid for the last six years around that neighborhood; there are some pretty bad gangs around there; there is one gang of about thirteen or fourteen around there, and one of the Leddys belongs to it; the Leddys were about eight feet from me when Mack knocked me down. Then I came to my senses I saw a policeman in my own house. My wife got in between Mack and me and the two Leddys came to take his part. Then I was getting up I might have cut somebody. My wife went for a policeman. I got kicked in the ribs. I could not tell right who gave it. I had no marks on my face, but my head was all bruised and battered. I was bleeding. By the Court. Is it not the fact that you were pretty wild from the effect of drink and you did not care much what you did at that time? No sir, I never was very wild. I felt good natured. I did not want to cut anybody. I had been drinking some. Sarah Moran, the wife of the prisoner said she heard some one hallooing, "You Irish illick" and she saw Johnny Mack give her husband a slap in the face. I shoved Mack away and when I saw two other

0603

men with him I ran up for a policeman. I met a policeman in Henry St and told him there was a fight corner of Cherry and Grand Sts. I asked him to come around; he said, "that is a bad neighborhood, I don't want to go around." There was no policeman around. I went two or three blocks. I came back again. Laddy met me; he said, "Give me your children, Mike is after getting an awful beating." I went up stairs; he had a big cut in the back of his head and Mr. De~~man~~ was dressing his head; he was full an hour in the house before the policeman took him. Three policemen came up and took him. I saw my husband knocked down, I saw three men strike him, and that is what made me go for a policeman. The men were coming over him because when he is anyway drunk like that he always manages to get home. Cross Examined. I know one of the Laddys, I saw him in a fight one time. I did not see my husband draw a knife. Mary Hearn swore that she knew the prisoner five or six years and never knew him to insult man, woman or child. Mrs. Kiely and myself were talking to him five minutes before this trouble and he was expressing himself "as nice" as any man could. A number of witnesses were examined to show the peaceable and quiet reputation of the prisoner. The jury convicted him of a simple assault. He was sent to the penitentiary for three months.

0604

Testimony in the case  
Michael T. Moore

2002 filed Aug. 10.

0605

CITY AND COUNTY } ss.  
OF NEW YORK,

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

That *Michael Moran*

late of the City of New York, in the County of New York, aforesaid, on the  
*eighteenth* day of *July* in the year of our Lord  
one thousand eight hundred and *eighty* with force and arms at the City and  
County aforesaid, in and upon the body of *Thomas Laddy*  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *Thomas Laddy*  
with a certain *Knife*  
which the said *Michael Moran*

in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *Thomas Laddy*  
then and there, feloniously and wilfully to kill, against the form of the Statute  
in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

SECOND COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *Michael Moran*  
with force and arms, in and upon the body of the said *Thomas Laddy*  
then and there being, wilfully and feloniously did make an  
assault and *him* the said *Thomas Laddy*  
with a certain *Knife* which the said

*Michael Moran* in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *him* the said *Thomas Laddy*  
against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said *Michael Moran*  
with force and arms, in and upon the body of *Thomas Laddy*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *Thomas Laddy*  
with a certain *Knife*  
which the said

*Michael Moran* in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *Thomas Laddy* with intent *him* the

0606

said *Thomas Ledy* then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

FOURTH COUNT.

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

*Michael Moran* with force and arms, in and upon the body of the said *Thomas Ledy* then and there being, wilfully and feloniously, did make another assault and the said *Thomas Ledy* with a certain *knife* which the said *Michael Moran* in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *him* the said *Thomas Ledy* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

A True Bill.  
*W. A. Weston*  
August 10 - 1880. Foreman.  
Chief and Court Clerk  
S. H. B.  
Dei: shewit.

BENJ. K. PHELPS,  
District Attorney.

*Michael Moran*  
(2 bases)  
I  
Felonious Assault and Battery.

Filed 10 day of Aug 1880  
Pleads  
*W. A. Weston*  
THE PEOPLE  
vs.  
*Michael Moran*

*W. A. Weston*

0607

BOX:

18

FOLDER:

230

DESCRIPTION:

Morgan, James

DATE:

08/06/80



230

0608

#77

Filed 6 day of Aug 18 80  
Pleads

THE PEOPLE

vs.

James Morgan <sup>P</sup>

46  
Lathrop

Felonious Assault and Battery.

Burglary 1st Degree

BENJ. K. PHELPS,

District Attorney.

A True Bill.

R. H. Hissam

Foreman.

July 6/80  
Grand Jurors  
S. P. Two years & 6 mos

0609

Police Court—Second District.

City and County }  
of New York. }ss: *Amandus Scharder.*of No. *444 Fifth Avenue* Street, being duly sworn,deposes and says, that the premises No. *444 Fifth Avenue*Street, *21<sup>st</sup>* Ward, in the City and County aforesaid, the said being a *street dwelling**apartment*,  
and which was occupied by deponent as a *Sleeping room and**which said room was*  
**BURGLARIOUSLY**  
entered by means *bursting open the door leading*  
*from the Main hall way of said premises*  
*to said apartment* at about 9 o'clock.on the *Morning* of the *22<sup>d</sup>* day of *July* 188*0*.  
*with intent to take steal and carry away*  
and the following property feloniously taken, stolen, and carried away, viz:*One silver watch of the value of*  
*five dollars and other property*the property of *deponents*

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

the aforesaid **BURGLARY** was committed and the aforesaid property taken, stolen

and carried away by

*James Morgan*. (Who here  
for the reasons following, to wit: *Whom deponents discovered*  
*in said premises ransacking his*  
*trunk and who resisted and assaulted*  
*deponents with a club. When he dis-*  
*covered by deponents**I now depose me*  
*this 22<sup>d</sup> day of July 1880**Amandus Scharder**J. T. Withers*  
*Police Justice*

06 10

Police Court—Fifth District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

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

Answer.

Taken before me, this

day of

187

*James Morgan*  
Police Justice.

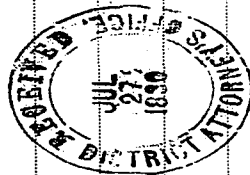
0611

Police Court—Second District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF  
*Amandus Schardt*  
444 6th Ave.  
vs.  
*James Morgan*

Dated *July 22* 188*8*  
*Delbert* Magistrate.  
*Amos Hill* Clerk.  
*29th*

Witnesses:



Committed in default of \$ *1000* Bail.

Bailed by

No. Street.

06 12

CITY AND COUNTY } ss.  
OF NEW YORK,

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

That

*James Morgan*  
late of the *twenty first* Ward of the City of New York, in the County of  
New York, aforesaid,  
on the *twenty second* day of *July* in the year  
of our Lord one thousand eight hundred and ~~seventy~~ *eighty*  
with force and arms, about the hour of *nine* o'clock in the *day* time  
of the same day, at the Ward, City and County aforesaid, the Dwelling-house of

*Amandus Schroeder*  
there situate, feloniously and burglariously did break into and enter by means of  
*forcibly bursting open an outer door of said dwelling house*  
whilst there was then and there some human being to wit, one

*Amandus Schroeder* within the said dwelling-house he, the said

*James Morgan*  
then and there intending to commit some crime therein, to wit, the goods, chattels, and  
personal property of *Amandus Schroeder*

in the said dwelling-house then and there being, then and  
there feloniously and burglariously to steal, take, and carry away, against the form of  
the Statute in such case made and provided, and against the peace of the People of the

aforesaid, the said *James Morgan*  
with force and arms, in and upon the body of the said *Amandus*  
*Schroeder* then and there being, wilfully and feloniously did make an  
assault and *kill* the said *Amandus Schroeder*  
with a certain *club* which the said

*James Morgan* in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *him* the said *Amandus Schroeder*  
against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

### THIRD COUNT.

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

*James Morgan*  
with force and arms, in and upon the body of *Amandus Schroeder*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *kill* the said *Amandus Schroeder*  
with a certain *club*

which the said

*James Morgan* in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *Amandus Schroeder* with intent *kill* the

06 13

~~CITY AND COUNTY  
OF NEW YORK~~

*And* <sup>*aforesaid*</sup> THE JURORS ~~OF THE PEOPLE OF THE STATE OF NEW YORK,~~  
~~in and for the City and County of New York,~~  
upon their Oath, *aforesaid as further present*

That

*James Morgan*  
late of the City of New York, in the County of New York, aforesaid, on the  
*twenty first* day of *July* in the year of our Lord  
one thousand eight hundred and *eighty* with force and arms, at the City and  
County aforesaid, in and upon the body of *Amaudus Schroeder*  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *Amaudus Schroeder*  
with a certain *club*  
which the said *James Morgan*

in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *Amaudus Schroeder*  
then and there, feloniously and wilfully to kill, against the form of the Statute  
in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

#### SECOND COUNT.

*And the Jurors aforesaid, upon their Oath aforesaid, do further present: That*  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *James Morgan*  
with force and arms, in and upon the body of the said *Amaudus*  
*Schroeder* then and there being, wilfully and feloniously did make an  
assault and *him* the said *Amaudus Schroeder*  
with a certain *club* which the said

*James Morgan* in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *him* the said *Amaudus Schroeder*  
against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

#### THIRD COUNT.

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

with force and arms, in and upon the body of *Amaudus Schroeder*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *Amaudus Schroeder*  
with a certain *club*

which the said

*James Morgan* in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *Amaudus Schroeder* with intent *him* the

06 14

said *Amarius Schroeder* then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

FOURTH COUNT.

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

*James Morgan*  
with force and arms, in and upon the body of the said *Amarius Schroeder*  
then and there being, wilfully and feloniously, did make another assault and *him*  
the said *Amarius Schroeder* with a certain *club* which the said  
in *his* right hand then and there had and held, the same being then and there  
a deadly weapon, wilfully and feloniously did then and there beat, strike, stab,  
cut and wound, with intent to then and there wilfully and feloniously maim *him*  
the said *Amarius Schroeder* against the form of the Statute in  
such case made and provided, and against the peace of the People of the State of  
New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

A True Bill.  
*John H. Williams*  
Foreman.  
*James Morgan*  
S.I. Swenson & Co.

BENJ. K. PHELPS,  
District Attorney.

Filed 6 day of Aug 1890  
Pleads  
THE PEOPLE  
vs.  
*James Morgan*  
Felonious Assault and Battery.  
Burglary, 1st Degree

06 15

BOX:

18

FOLDER:

230

DESCRIPTION:

Morris, Frank

DATE:

08/05/80



230

06 16

Counsel,

Filed 5 day of Aug 1880

Pleads,

THE PEOPLE

vs.

BURGLARY—Third Degree,  
and Larceny.

Frank Morris

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Wm. A. Mason  
Aug 5/80 Foreman.

Wm. A. Mason  
Aug 5/80 Foreman.

S. P. C. Two years & six

0617

Police Court—Second District.

City and County } ss:  
of New York. }

Benjamin B. Van Buren  
of No. 445- Sixth Avenue, being duly sworn,  
deposes and says, that the premises No. 445- Sixth Avenue  
Street, 20th Ward, in the City and County aforesaid, the said being a  
and which was occupied by deponent as a Cigar Store

were BURGLARIOUSLY  
entered by means breaking open the  
door at the rear of the  
said store between  
Wednesday & Thursday  
on the 31st day of July 1880

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

Silver & Copper coin  
to the amount and  
of the value of  
two dollars & fourteen  
cents  
\$ 2.14  
100

the property of

deponent

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

the aforesaid BURGLARY was committed and the aforesaid property taken, stolen

and carried away by Frank Morris

for the reasons following, to wit:

admits that he so entered  
said premises & deponent  
is informed by Officer  
Packerman that he  
arrived there on  
out of said premises  
at about 5 o'clock  
even of said day

Ben B. Van Buren

Ben B. Van Buren  
31 day of July 1880  
Deponent

06 18

Police Court—Fifth District.

CITY AND COUNTY  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*Frank Morris*

Question. How old are you?

Answer.

*21 years*

Question. Where were you born?

Answer.

*Boston Mass*

Question. Where do you live?

Answer.

*Boston Mass*

Question. What is your occupation?

Answer.

*Shoe. maker*

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

Answer.

*I am Guilty*

*J. Morris*

Taken before me, this

day of

*July 31*  
*1878*

*J. P. Smith*  
Police Justice.

06 19

Form 10.

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

*Charles A. Parkinson*  
of No. *the 29th Street* being duly sworn, deposes and says,  
that on the *31* day of *July* 188*8* at the City of  
New York, in the County of New York,

*before me arrested*  
*Frank Morris as*  
*set forth in the*  
*foregoing affidavit*

*Charles A. Parkinson*

*July 31*  
1888  
Notary Public  
in and for the State of New York

0620

Form 115.

Police Court—Second District.

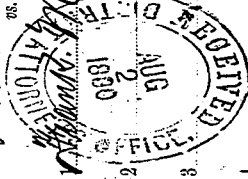
THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Benjamin B. Van Buren*  
of 445, 6 & Ave.

vs.

*William H. Harris*



Office, *Boulevard*

Dated *July 31<sup>st</sup>* 1880

*Wine*

Magistrate.

*Proctor*

Officer.

*29<sup>th</sup>*

Clerk.

Witnesses

*John A. Proctor*

*Office 29<sup>th</sup> Avenue & 10<sup>th</sup> St.*

*Arthur Hagan*

*135<sup>th</sup> West 28<sup>th</sup>*

Street.

No.

Street.

*100<sup>th</sup>* to answer Committed.

Received in Dist. Atty's Office.

*Am*

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

0621

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

That

Frank Morris

late of the *Twentieth* Ward of the City of New York, in the County  
of New York, aforesaid, on the *Thirtieth* day of *July*  
in the year of our Lord one thousand eight hundred and ~~eighty~~ *Eighty* with force  
and arms, at the Ward, City and County aforesaid, the *Store* of  
*Benjamin Van Buren* there situate, feloniously and  
burglariously, did break into and enter, the same being a building in which divers  
goods, merchandise, and valuable things were then and there kept for use, sale and  
deposit, to wit: the goods, chattels, and personal property hereinafter described, with  
intent the said goods, chattels, and personal property of the said *Benjamin*  
*Van Buren* then and there therein being, then and there  
feloniously and burglariously to steal, take and carry away, and

*Stove* come of a number and denomination  
to the jurors aforesaid unknown, and  
a more accurate description of which  
can not now be given of the value  
of *Two dollars and fourteen cents*.

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

*Benjamin Van Buren*

so kept as aforesaid in the said *Store* then and there being, then  
and there feloniously did steal, take and carry away, against the form of the Statute in  
such case made and provided, and against the peace of the People of the State of New  
York, and their dignity.

BENJ. K. PHELPS, District Attorney.

0622

BOX:

18

FOLDER:

230

DESCRIPTION:

Murphy, Felix

DATE:

08/05/80



230

XX-40

## Counsel,

Filed 5 day of Aug 1888

## Pleads

# THE PEOPLE

228

2  
Alex Murphy

**INDICEMENT.**  
FORGEBY in the Third Degree

BENJ. K. PHELPS,

*District Attorney,*

# A True Bill.

Foreman.

David W. Smith

Chapman entered.  
Joseph Brown  
and wife

Joseph B. Davis

0624

## Police Court—First District.

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

George P. Foster  
 of No. 135 South Street,  
 being duly sworn, deposes and says, that on the 24  
 day of July 1880, at the City and County of  
 New York, Felix Murphy now here  
 did present to this deponent  
 the false token or order hereto  
 annexed and demanded pay  
 thereon. Said token pur-  
 porting to be an order made  
 by Mr. John H. McCarthy on  
Wm. Pratt Captain of the  
 Steamboat Ontario for the amount  
 of twenty two dollars for services  
 rendered by said McCarthy as  
 fireman on said steamboat.  
 That deponent believes and  
 charges that said order was  
 not made or uttered by said  
 McCarthy no such person having  
 any claim on said Captain for  
 services rendered but was written  
 and presented by the prisoner with  
 the felonious intent and purpose  
 to cheat this deponent's employer  
 and deponent believes the same  
 to be true—

Sworn to before me this  
 24 day of July 1880  
Geo P Foster  
 (Deputy Justice)

0625

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK, }

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

Question. What is your name?

Answer. *Celix Murphy*

Question. How old are you?

Answer. *19 Years*

Question. Where were you born?

Answer. *Ireland*

Question. Where do you live?

Answer. *I have no fixed residence*

Question. What is your occupation?

Answer. *Labourer*

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

Answer. *I am not guilty*

*Celix Murphy.*

Taken before me this

day of

1870

JOHN J. JUSTICE,

0626

COUNSEL FOR COMPLAINANT.

Name, .....

Address, .....

COUNSEL FOR DEFENDANT.

Name, .....

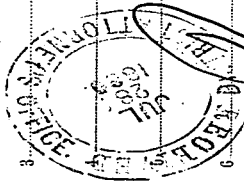
Address, .....

Police Court—First District.

THE PEOPLE, &c.,

vs. THE DEFENDANT.

*Gene O. Foster*  
*15 South*  
*John Murphy*



Offence, .....

Dated July 26, 1891

Magistrate.

Officer.

Clerk.

Witnesses, .....

BAILED,

No. 1, by .....

Residence, .....

No. 2, by .....

Residence, .....

No. 3, by .....

Residence, .....

No. 4, by .....

Residence, .....

No. 5, by .....

Residence, .....

No. 6, by .....

Residence, .....

\$500 to answer  
at Special Sessions  
Received in Dist. Atty's Office

0627

New York July 24<sup>th</sup> 1880

Please pay the bearer, John  
M<sup>r</sup> Gasty for services as fireman on steamboat  
Ontario, from July 1<sup>st</sup> till 24<sup>th</sup> at the rate of  
25 dollars per month. for sweeping floor  
2 dollars.

J. H. Pratt. Captain.

0628

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

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

That

*Felix Murphy*

late of the First Ward of the City of New York, in the County of New York, afore-  
said on the *twenty fourth* day of *July* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *eighty* with force and arms, at the Ward,  
City, and County aforesaid, feloniously did falsely make, forge, and counterfeit, and  
cause and procure to be falsely made, forged and counterfeited, and willingly act and  
assist in the false making, forging and counterfeiting a certain instrument and writing  
*of the kind called a request for the payment*  
*of money*

which said false, forged and counterfeited *request for the payment of money*  
is as follows, that is to say:

*New York July 24<sup>th</sup> 1880*

*Please pay the bearer, John McCarty*  
*for services as fireman on steamboat*  
*Outaxis from July 1<sup>st</sup> till 24<sup>th</sup> at the*  
*rate of 25 dollars per month. for*  
*sweeping fees 2 dollars*

*H. Pratt Captain*

with intent to injure and defraud

*George P. Forte*

and divers other persons; to the jurors aforesaid unknown  
against the form of the statute in such case made and provided, and against the peace  
of the People of the State of New York and their dignity

0629

And the Jurors aforesaid, upon their Oath aforesaid, do further present:

THAT the said

*Felix Murphy*

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously and falsely did utter and publish as true, with intent to injure and defraud the said

*George P. Doote*

and divers other persons, to the jurors aforesaid unknown, a certain false, forged, and counterfeited instrument and writing. *of the kind called a request for the payment of money*

*money* which said last-mentioned false, forged and counterfeited *request for the payment of* money is as follows, that is to say:

*New York July 24<sup>th</sup> 1888*

*Please pay the bearer, John McCarty, for services as fireman on steamboat Ontario, from July 1<sup>st</sup> till 24<sup>th</sup> at the rate of 25 dollars per month, for sweeping fees 2 dollars*

*H. Pratt Captain*

the said

*Felix Murphy*

at the same time *he* so uttered and published the last-mentioned false, forged, and counterfeited *request for the payment of money*

*as aforesaid*, then and there well knowing the same to be false, forged and counterfeited, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

BENJ. K. PHELPS, District Attorney.

0630

BOX:

18

FOLDER:

230

DESCRIPTION:

Murphy, John

DATE:

08/10/80



230

0631

98  
W.R.

Filed 10 day of Aug 1880

Pleads *Not Guilty*

THE PEOPLE

vs.

*Assault and Battery—Felonious.*

*John Murphy*

BENJ. K. PHELPS,

*District Attorney.*

A True Bill.

*W.A. Cassam*

*Foreman.*

Aug 13- 1880

*Fried and acquitted*

0632

Police Court— 5<sup>th</sup> District.

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

John C. Shandley  
of 34 Avenue near 140<sup>th</sup> Street,

being duly sworn, deposes and says, that  
on the 21<sup>st</sup> day of July  
in the year 1880 at the City of New York, in the County of New York,  
he was violently and feloniously ASSAULTED and BEATEN by John Murphy

who came in to deponent's  
place of business and took his  
pistol from his Murphy's  
pocket and aimed & pointed  
it at deponent's body say-  
ing. I'll fire you now  
you son of a bitch  
and deponent believes &  
charges that said pistol  
was loaded with powder  
& ball & so aimed & pointed

with the felonious intent to take the life of deponent, or to do him bodily harm; and with out any justification on the part of the said assailant :

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

Sworn to before me, this 24 day  
of July 1880 }

John C. Shandley

B. V. Pryby POLICE JUSTICE

0633

Police Court-- District.

THE PEOPLE, ETC.,  
ON THE COMPLAINT OF

AFIDAVIT--A. & B.  
FELONIOUS.

vs.

Dated, 188

Magistrate.

Officer.

Witness,

*Fredrick Sharp*

North side of 189<sup>th</sup> St  
between Elton & 3d Aves

0634

## Police Court—Fifth District.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer. *John Murphy*

Question. How old are you?

Answer. *29*

Question. Where were you born?

Answer. *Ireland*

Question. Where do you live?

Answer. *E 139 St-*

Question. What is your occupation?

Answer. *Laborer*

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

Answer. *I am not-quitting this man and me has been good friends all along I went into his place I had 8 cents <sup>and</sup> wanted a drink and was after coming from Port Morris and he says no God damn your soul if you dont get out of here and then struck me with the blunt end of the ice pick and said if you dont get out I will run it through you and I going to the door he went behind the ~~door~~ bar I was not-sure <sup>by</sup> within it was for a club and as I stepped to the door I pulled out a pistol to ~~Port Morris~~ <sup>Port Morris</sup> his following me*

*John <sup>his</sup> Murphy*  
*mark*

*Taken before me this*

*24 day of July 1880*

*121, 121, 121 Police Justice*

0635

POLICE COURT—FIFTH DISTRICT

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John C. Shandley  
3rd Ave near 148th St

610

John Murphy



BAILED.

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

Dated

July 24 1890

Magistrate.

B. D. Birby

Sinclair

Officer.

Court Squad  
Clerk.

M. A. Harris

Witness.  
Frederick Sharp & Co.

North side of 159th St. bet

Elton & 3rd Avenue, &  
Office for medical pistol

\$500 Am. G. S.

Comm

Received in Dist. Atty's Office.

0636

CITY AND COUNTY } ss.  
OF NEW YORK,

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

That *John Murphy* —

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

on the *Twentyfirst* day of *July* — in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *Eighty* with force and arms, at the City and  
County aforesaid, in and upon the body of *John C. Shandley*  
in the peace of the said people then and there being, feloniously did make an assault  
and to, at and against *him* the said *John C. Shandley*  
a certain *pistol* then and there loaded and charged with gunpowder and one  
lead bullet, which the said *John Murphy*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously, did then and there shoot off and discharge,  
with intent *him* the said *John C. Shandley*  
thereby then and there, feloniously and wilfully to kill, against the form of the Statute  
in such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

SECOND COUNT.

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

with force and arms, in and upon the body of the said *John C. Shandley*  
in the peace of the said people then and there being, wilfully and feloniously did make  
an assault and to, at and against *him* the said *John C. Shandley*  
a certain *pistol* then and there loaded and charged with gunpowder and one  
lead bullet, which the said *John Murphy*

in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did then and there attempt to discharge,  
with intent *him* the said *John C. Shandley*

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.

0637

THIRD COUNT.

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

*John Murphy*  
with force and arms, in and upon the body of the said *John C. Shaudley*  
then and there being, wilfully and feloniously did make an  
assault and to, at and against *him* the said *John C. Shaudley*  
a certain *pistol* then and there loaded and  
charged with gunpowder and one leaden bullet, which *pistol* the said

in *his* right hand, then and there had and held, wilfully and feloniously, and  
without justifiable and excusable cause, did then and there shoot off and discharge,  
with intent, then and there, thereby *the said*

*John C. Shaudley*  
wilfully and feloniously then and there to injure, against the form of the Statute in  
such case made and provided, and against the peace of the People of the State of  
New York and their dignity.

FOURTH COUNT.

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

*John Murphy*  
with force and arms, in and upon the body of the said *John C. Shaudley*  
then and there being, wilfully and feloniously, did make an  
assault and to, at and against *him* the said *John C. Shaudley*  
a certain *pistol* then and there loaded and  
charged with gunpowder and one leaden bullet, which *pistol* the said

in *his* right hand, then and there had and held, wilfully and feloniously, and  
without justifiable and excusable cause, did then and there attempt to shoot off and  
discharge, with intent, then and there, thereby *the said*

*John C. Shaudley*  
wilfully and feloniously then and there to injure, against the form of the Statute in  
such case made and provided, and against the peace of the People of the State of  
New York, and their dignity.

BENJ. K. PHELPS, District Attorney.