

00 10

BOX:

293

FOLDER:

2787

DESCRIPTION:

McDonald, John J. Jr.

DATE:

01/23/88



2787

Witnesses:

Counsel,

23

day of

1888

Filed,

Pleads,

Chas. J. Kelly (ny)

THE PEOPLE

vs.

Grand Larceny
[Sections 628, 629, 630 Penal Code]

1

John J. McDonald

JOHN R. FELLOWS,

RANDOLPH B. MARTINE,

Feb 9 11 3 22 AM District Attorney.

due for tomorrow

A True Bill.

March 2/8

Chas. J. Kelly

Part III March 2/8

tried and acquitted

0011

Court of General Sessions

The People
— against —
John J. McDonald }

Memoiranda for the Opening.

- 1) The defendant is indicted for Grand Larceny in the first degree.
- 2) On the 3^d of January, 1888, and prior thereto he was employed as cartman by Mr. Hines, a horse cartman, of No. 38 Crosby St. He did the carting business for the firm H. Hermann, Rembach & Co., dry goods merchants in Broadway.
- 3) On said 3^d of January the defendant was by Hines' foreman, James W. Bennett, directed to carry two cases of dry goods of the value of \$71.69 from said firm's place to the Pier Union Line, Pier 28, ~~East~~ N. R. He received the two cases for delivery at said pier, but he never delivered them.
- 4) The defendant claims that, when he came near the pier, he encountered

0013

a blockade of trucks and he transferred the said two cases to the custody of another truckman whom he supposed to be one of W. Dorrider's men, because the letters W. D. were on his truck.

5) On January, the 4th, he did not come to work and was not seen again, until he was arrested, on the 16th of January, 1888. During that whole time he had kept himself hidden in his room and had answered himself to the detectives who called at his house.

Notes:

Mrs. Hanna & Hainblock are cartmen in Mr. Dorrider's employ. They can testify that they have not received the two cases from the defendant. If possible, they should be examined first as I have given a promise to Mr. Dorrider that they will not be detained. We had better try to depend upon the good will of Mr. Dorrider.

THE PEOPLE

vs.

JOHN J. Mc DONALD.

*Immigration Case
verdict by Mr. Dawson*

ABRAHAM HERMANN states that he is a member of the Firm of H. Hermann, Sternbach & Co., who lost on the Third of January, inst., two cases of dry-goods of the aggregate value of \$761.69, to-wit : one case marked with an H. in a circle, No. 65, containing the following articles, to-wit : 10 pieces of drab cords measuring 538 yds of the value of 37 and one half cents per yard - total \$201.75. The other case was marked with the letter M. and inside of a diamond the letter F., and outside of said diamond, & Co. 699, which contained two pieces of black worsted coating measuring 117 and one quarter yards, of the value of \$1.45-per yard - total \$170.01. Another piece of brown worsted containing fifty-four yards of the value of \$1.75 per yard - total, \$94.50. One piece of blue worsted measuring 57 and one quarter yards, of the value of \$1.50 per yard - total, \$85.88. One piece of black worsted measuring 51 and three quarter yards, of the value of \$2. per yard - total, \$103.50. One piece of brown worsted measuring 50 and one half yards, of the value of \$2.10 per yard, amounting to \$106.05, which property was boxed and delivered, as usual for shipping, to James W. Bennett who usually attends to such matters for our Firm.

James W. Bennett states that on the 3rd of January he

received from Complainant the above described boxes and delivered them the same day about 3 P.M., for shipment to defendant and that about one hour later in the day he told me he had delivered them to another man on the Star Union Line, who he said drove for William Lowden, and when I demanded the receipts, he said that the man who had them was away, but that Lowden would get them. When, however, he failed to show up for work the next morning I went immediately to see Lowden who promptly denied that any such boxes had been delivered to anyone in his employment, and among other reasons he stated that on the day mentioned not one of his men had done anything with the Star Line at all, and could have received no goods from the defendant. I then went immediately to the Star Union Line where I was informed by the Receiving Clerk at Pier 28, North River, that no such goods had been delivered there at all.

Mr. Mulholland states: - "I am the officer who arrested defendant whom I found at 178 Christy Street. I had to break the door of the room he occupied to make the arrest. His explanation about the missing boxes was that he had given them to a stranger to ship. To Mr. Hines he said he had given the goods to a strange man on Franklin St., and W. Broadway. This statement Mr. McClosky corroborates. The defendant seems to have told three or four distinct stories about what he did with the goods. Mr. Mulholland, however, asks for a few days in order to make a thorough investigation of all the facts and discover, if possible, who is the real thief, if defendant is not.

Continued by
Mr. Grosse

John Marshall and, recalled.
Central Office Detective.

On the 16th of January, 1888, I and
officer Mc Cloy went to defend-
ant's residence at No. 178 Chrystie
Street. We rapped at the door three
or four times, but got no answer.
We heard that the wife of the defend-
ant was out working. When we
returned to the door, we heard some
body moving ^{and coughing} in the room. We
kicked very loudly against the
door, but received no response
from the inside. We asked the
party inside to open the door,
but got no answer. Thereupon
we broke open the door and found
the defendant inside. He asked
us what we wanted. We told
him that we had come to arrest
him for stealing those two boxes
that belonged to Mr. Hines. The
defendant told us, that the said
boxes were to be shipped to the
Har Union Line, Pier 28, N.R., but
as there were a number of carts
ahead of him and as he had
to deliver a trunk for a dinner

00 17

of his firm at another pier. He thought he would be too late for that, if he should wait until his turn should come, and he therefore turned the two boxes over to one of Coruder's cartmen, or a man whom he took for one of Coruder's man, to deliver the same on the Pier. When we informed the defendant that all of Coruder's men arrived having received the boxes from him, he said that he took the driver for one of Coruder's men. Afterwards the defendant said that the man to whom he gave the two boxes, was keeping at the corner of West Broadway and Franklin Street. After this happened, the defendant stayed away from work, until he was arrested, claiming to have been sick. He was on a spree for three days, although he retained only \$2 from his wages as spending money.

William Coruder, Jr.
329 West 21 Street.

00018

I am a boss cartman, and
in business with my father.
Our office is at No. 80 Laight Street,
in the Public Store. On the 3^d of Ja-
nuary, 1888, we employed four
cartmen, one of whom was
not on our regular roll. He
worked off and on for us. I am
convinced of the honesty of these
four men, because I entrusted
daily thousands of dollars worth
of goods to each of them. About
five weeks ago, a man came to
my office and inquired whether
either of our men had received
two boxes of goods belonging
to Hermann, Rembach & Co. I told
him to examine our file of
receipts from our men for goods
that they had delivered for other
cartmen. There was no receipt
for the said goods on file. The
cartmen have to accommodate
each other in the delivery of goods,
or they could not do any busi-
ness. There would be constant
blockades. I afterwards inquired
of each of our men, whether they

had received the said two boxes, but each of them denied their receipt. Only one man inquired for the boxes of me.

Mr. Coruder and Mulholland will go over Mr. Coruder's papers and ascertain whether any of L.'s men had any business at the War Union Line, on the 3^d of January, 1888.

Edward Cross
Dep. Asst.

James W. Bennett, (recalled)
115 Greenwich Avenue.

Foreman for boss cartman George B. Hines, of No. 38 Crosby Street. On the 3^d of January, 1888, I gave the defendant the said two boxes to deliver them at the War Union Line, Pier 28, N.R. and told him, that if he had to give them to any body else, he should know to whom he gave them, as I needed the receipts for the goods on the same evening. I also told him, that he should after

0020

the delivery of the boxes, he should ^{meet} me at the White Star Line pier. About an hour after he got the boxes from me, he met me at the last mentioned pier and told me that he had given the boxes to a truckman whose truck was marked W.L., that he was one of William Loder's men. On the next morning, the 4th of January, 1888, I sent the defendant to Loder's office to get the receipts. When he came back, he said, that the driver had them in his pocket, and that the boss would get them for him. This was in the afternoon of the 4th of January. Before he had made this report to me, he had sent a porter to the corner of Franklin Street and West Broadway to get the receipts there. The porter could not find out any thing at all about them at said place. On the 5th of January, 1888, I went myself to Mr. Loder and inquired of him about the said receipts. He and myself looked over his receipt files, but could find no trace of the goods. Mr.

0021

Louder had no recollection of having been previously spoken to by anybody about these goods. He promised me to make another careful inquiry and afterward sent me word that he could find no trace of the said goods. On the 7th of January, 1888, I went to the Star Union Line and had the general freight agent make an examination of his papers to find out whether the said goods had been delivered on the pier. He did not find any entry or other record of them. I then suggested that the boxes might have been stolen from the pier, and he ordered another man to make a thorough search for them. His report was that there was no trace of the goods in their possession. The defendant left his place on the 14th of January, 1888, and did not return, although he had received a full week's wages in advance.

Malcolm Ingersoll

719 Seventh Avenue.

I am the agent of the Pennsylvania Railroad Company at Piers Nos. 27 and 28, N. R. They are one of the stations of the ^{Pearl} Union Line. On or about the 7th of January, 1888, a man representing himself as the foreman of Mr. Vines, a cartman, came to me and inquired for two boxes of goods, ^{giving the} addressed as marked. I made a search for them on the piers and among our records, but found no account of them, and I am free to assert that the packages were never delivered to us, unless a receipt was given, and if so, the packages were properly forwarded to the consignee as receipted for and acknowledged by us on the receipt mentioned. If freight is shipped, and the document is lost by the receiving station, or if the goods are loaded by mistake into a car, the agent at the point of destination, not having the manifest or way bill ~~should~~ ^{must} hold the goods as a special consignment.

which is called a ^{note} ~~note~~, until he
 has made a report and has re-
 ceived ~~a~~ ^{the} directions from the
 billing agent. No such report has
 ever been received by our station
 in regard to the two boxes in ques-
 tion. When a consignment is
 made, the form used is called a
 shipping receipt, being a receipt
 with a stub attached, both of which
 are filled out by the shipping or
 receiving clerk. One of the papers is
 delivered ~~by~~ ^{to} the shipper, and the
 other retained by us. When the
 package is weighed, the shipping
 or entry clerk compares the stub
 with the marks on the package,
 and a counter entry is made by
 the ~~receiving~~ ^{weighing} clerk on the stub, which
 is then delivered to the office of the
 west bound department, and the
 manifest is then ~~put~~ ^{reported} in the res-
 pective pocket or ^{these} pile, ~~being~~ ^{being} marked
 with the names of the principal
 cities and are also numbered. They
 are the ~~receptacles~~ ^{receptacles} for the mani-
 fests of all the freight consigned
 to the respective principal cities

or stations on the way thereto. At the loading of the package into a car, the tally clerk compares the marks of the package with the manifest. The record of the tally clerk is sent to the next bonded freight office, where the manifest is checked off. When packages ~~be~~ lie over from ^{one} day to another on the dock, a special report is made to me and an investigation immediately carried on. Packages found on the dock, without a manifest for them, are run into the hospital and held there for special investigation and not allowed to be removed except by an order ^{from} the agent in charge. If the package does not give us any clue of the shipper, it is opened to see whether the interior would give some evidence for identification, or we write to the agent of the place of destination, calling his attention to the fact that we hold the package, and requesting him to call on the respective parties and advise dis-

position. Such a package would not be delivered by us to anyone, unless we had a positive identification of the claimant.

Edward Grosse
Dep. Asst.

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs,

John J. McDonald

BRIEF OF FACTS.

For the District Attorney.

Dated *March 17* 1888.
Edward Grasse
Deputy Assistant.

Grand Jury Room.

PEOPLE,

vs.

Bruckman

Mina Bruckman
adjoined

Sec 452
Bad Crime Proceeding
Page 181
Dgwan

1483	2	Blk S. Vatat	40503	60 $\frac{3}{4}$				
			40482	56 $\frac{1}{2}$	117	1.45	170	01
871	1	Bro	9856	54 $\frac{3}{4}$	54	1.75	94	50
1483	1	Blue	40520		57	1.50	83	88
1254	1	Blk	5388		57	2.00	103	50
1254	1	Bro	10232		50	2.10	106	05
Inkd M/F Sept 14 S. W. Line Chicago Ills					559945			
#699	Duplicate							

From Mr. Hermann

0030

All claims for goods short or damaged must be made within ten days after receipt.
No allowance made after goods are sent.

476 Broadway,

New York Jan 3 1888

Messrs. H. Rosenblatt & Sons

Beloit Wis

Boys of H. Herman, Sternbach & Co.

Boston, 20 Chauncy St.

Chicago, 233 & 235 Monroe St.

Terms 7/60

Dry Goods Importers.

Direct Letters to Box 2626, N. Y.

1495510 dk drab Cord

538 37² 20175

Inkd.

(H) #65 H. Rosenblatt & Sons Beloit Wis.
Star Union Line C. M. & St. P. R.R.

76169

Duplicate

PENNA. R. R. CO.,



UNION LINE,

PENNA. LINES WEST OF PITTSBURG.

PIERS 4 and 5, and NEW PIERS 27 and 28, and FOOT of 35th STREET, NORTH RIVER, N. Y.,
and FOOT OF NORTH 4th STREET, WILLIAMSBURG.

FOR BILLS OF LADING, APPLY TO

GEO. T. SMITH, Agent,

435 Broadway.

W. J. BOGERT, Agent,

No. 1 Astor House.

R. F. FEIST, Agent,

76 Wall Street.

New York,

188

RECEIVED from

No.

Street,
in apparent good order (except as noted), the following packages (contents unknown), marked as in the margin, subject
to the conditions on back of this receipt.FULL NAME OF CONSIGNEE MUST BE GIVEN ON THIS RECEIPT.
MARKED.

Shipping Receipt

Charges, \$

Read the Conditions on the back of this Receipt.

GOODS FOR UNION LINE SHOULD BE SHIPPED BEFORE 4 O'CLOCK, P. M.

PENNA. R. R. CO.,



UNION LINE,

PENNA. LINES WEST OF PITTSBURG.

GEO. T. SMITH, Agent.

W. J. BOGERT, Agent.

R. F. FEIST, Agent.

New York,

188

RECEIVED of

No.

Street,

Full Name of Consignee must be given on this Duplicate.

MARKED.

DUPLICATE.

Duplicate

Charges, \$

Shippers are requested to fill up this Receipt and Duplicate.

The Bills of Lading of the Union Line contain the following as the conditions on which all Freight is received for transportation by the said Union Line, and the Steamboats, Railroad Companies and Forwarding Lines with which it connects:

IT BEING EXPRESSLY UNDERSTOOD AND AGREED, that in consideration of issuing this Through Bill of Lading, and guaranteeing a through rate, the Union Line reserves the right to forward said goods by any Railroad Line between point of shipment and destination.

IT IS FURTHER AGREED, that the said Union Line, and the Steamboats, Railroad Companies, and Forwarding Lines with which it connects, and which receive said property, shall not be liable for any loss or damage, however occurring enumerated below, viz.:—Leakage of Oils or any kind of Liquids, breakage of any kind of Glass, Earthen, or Queensware, the injury or breakage of Looking-Glasses, Glass Show Cases, Picture Frames, Carboys of Acid, or articles packed in Glass Sloves and Store Furniture, Castings, Hollow Ware, Machinery, Carriages, Furniture, Musical Instruments of any kind, packages of Eggs, or for rust of Iron and of Iron Articles, nor for injury to or by the hidden contents of packages, nor for loss in weight or otherwise of Grain and Coffee in bags, or Rice in tiers; for loss or damage to any article carried from the effects of heat or cold, by wet, dirt, fire, or loss of weight, or for condition of baling on Hay, Hemp, or Cotton; nor for loss of Nuts in bags, or of Lemons or Oranges in boxes, unless covered with canvas; nor for loss or damage of any kind on any article whose bulk requires it to be carried on open cars; nor for damage to perishable property of any kind, occasioned by delays from any cause, or by changes of weather; nor for loss or damage on any article of property whatever, by fire or other casualty while in transit or while in depots or places of transshipment, or at depots or landings at point of delivery; nor for loss or damage by fire, collision, or the dangers of navigation while on seas, rivers, lakes, or canals. They shall not be responsible for loss or injury to Pictures, Plated Ware, or Statuary, however occurring, unless received under special authority from the Eastern Manager of the Union Line, at a specified value, and at such an extra price for transportation as he may accept for the Line in compensation for the extra risk. The said Line will not knowingly transport on any terms Nitro-Glycerine, Gunpowder, Fireworks, Friction Matches, Gold or Silver Ware, Coin or Bullion, Jewels or Watches. All goods or property under this Bill of Lading will be subject, at its owner's cost, to necessary coopers or baling, and is to be transported to the depots of the Companies or landings of the Steamboats or Forwarding Lines at the point received to for delivery.

IT IS FURTHER AGREED, that unless this Bill of Lading, properly endorsed, be delivered to the Agent of the Union Line at destination, on or before the arrival thereof of the hereinabove described property, the said Line is authorized to deliver the said property to the consignee, or to the party to whose care it is, by this Bill of Lading, consigned; and after such delivery, the said Line shall be no longer responsible for or on account of this Bill of Lading, or for or on account of any assignment or transfer thereof.

IT IS FURTHER AGREED, that the Union Line, and the Steamboats, Railroads, and Forwarding Lines with which it connects, shall not be held accountable for any damage or deficiency in packages after the same shall have been received for in good order by consignees or their Agents at or by the next carrier beyond the point to which this Bill of Lading contracts. Consignees are to pay freight at rate above mentioned, and charges upon the goods or merchandise in lots or parts of lots as they may be delivered to them, and upon the weight as ascertained by the Line's scales. The goods transported shall be subject to a lien, and may also be retained, for all arrearages of freight due on other goods by the same consignees or owners.

IT IS FURTHER STIPULATED AND AGREED, that in case of any loss, detriment, or damage done to or sustained by any of the property herein received for during such transportation, whereby any legal liability or responsibility shall or may be incurred, that company alone shall be held answerable therefor, in whose actual custody the same may be at the time of the happening of such loss, detriment, or damage, when the goods are forwarded by the route over which they were directed by consignee, and the carrier so liable shall have the full benefit of any insurance that may have been effected upon or on account of said goods. If destined beyond the point received to, the same may be entrusted or delivered in the cars of this Line, or otherwise, to any other Railroad or Transportation Company or Agent; and such Railroad, Transportation Company, or Agent so selected, shall be regarded exclusively as the AGENT of the owner or consignee, and shall be entitled to the benefit of the conditions and provisions of this and of such Bill of Lading as they may deliver therefor; and the Union Line shall not be, in any event, responsible for the negligence or non-performance of any such Company or Agent, nor shall such Company or Agent be liable for any loss or injury, except upon its or their respective routes, and while such merchandise is in their respective custody.

AND IT IS FURTHER AGREED, that the amount of the loss or damage so accruing, so far as it shall fall upon the carriers above described, shall be computed at the value or cost of said goods or property at the place and time of shipment under this Bill of Lading, except the value of the articles has been agreed upon with the shipper, or is determined by the classification upon which the rates are based.

IT IS FURTHER AGREED, that all weights furnished by shippers are subject to correction.

THIS CONTRACT is executed and accomplished, and the liability of the Companies as common carriers thereunder terminates on the arrival of the goods or property at the station or depot of delivery (and the Companies will be liable as warehousemen only thereafter), and unless removed by the consignee from the station or depot of delivery within 24 hours of their said arrival they may be removed and stored by the Companies at the owner's expense and risk.

NOTICE.—In accepting this Bill of Lading, the shipper or other agent of the owner of the property carried, expressly accepts and agrees to all its stipulations, exceptions and conditions.

QUOTATION FROM UNION LINE'S BILL OF LADING.

QUOTATION FROM UNION LINE'S BILL OF LADING.

0033

Police Court—

District.

Affidavit—Larceny.

City and County } ss.
of New York,

Abraham Herman
of No. 476 Broadway Street, aged 37 years,
occupation Merchant being duly sworn

deposes and says, that on the 3rd day of January 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, in the day time, the following property viz :

Two wooden cases containing
dry goods of the value of seven
hundred sixty one & 69/100 dollars
(\$761.69/100)

the property of Deponent and his copartners Henry
Herman and Charles Stembach, doing business
under the firm name of H. Herman Stembach & Co.
and in deponent care and custody.

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

for the following reasons to wit: that
deponent is informed by James W. Bennett
that on the above mentioned date he Bennett
gave the said deponent the aforesaid cases
containing said property to deliver to the
Pennsylvania Rail Road at Pier No 28
North River, and it was his duty to return to
him the said Bennett receipts from said
Rail Road for said property, which he failed
to do, and when he Bennett asked the deponent
for said receipts he the deponent told him
Bennett, that he had given said property to
one of Lordens men to deliver he Bennett
then went and saw all of Lordens men

Sworn to before me, this 3rd day of January 1888

Police Justice

each of them denied receiving said property from the said defendant and the said defendant then left and he Bennett did not see him or anywhere said property again.

Wherefore deponent charges the said defendant with feloniously taking, stealing and carrying away said property.

Sworn to before me
this 17th Day of July 1888

Abraham Herman

A. White
Police Justice

0035

CITY AND COUNTY }
OF NEW YORK, } ss.

James W. Bennett
aged *28* years, occupation *Truckman* of No. *38 Crosby St. Hermann Steinbach & Co*
Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Abraham Herman*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this *17th*
day of *January* 188*8* } *J. W. Bennett*
A. J. White
Police Justice.

0036

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK.

2 District Police Court.

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

Question. What is your name?

Answer.

John J. McDonald

Question. How old are you?

Answer.

25 years old

Question. Where were you born?

Answer.

New York City

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

Answer.

178, Chrystie St. 2 mos

Question. What is your business or profession?

Answer.

Truck Driver

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

Answer.

I am not guilty

John J. McDonald JR

Taken before me this

day of

1908

Police Justice.

General Sessions Court.

The People of the State
of New York,

Plaintiff

against

John J. McDonald

Defendant

Notice of Motion and
Affidavit-

MERZBACH & FRIEND,

Attorneys for Transit House
Defendant

25 CHAMBERS STREET,

NEW YORK CITY.

No. 1070 & memo. 7-20-11

To John R. Fellows Esq.
District Attorney

00039

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

The People of the State of New York }
- against - }
John J. McDonald

City and County of New York S.S.:

Frederick B. House

being duly sworn, deposes and says, that
he is one of the Attorney's for the above
named defendant.

That on the 23rd day of January, 1888,
an indictment, charging defendant with
the crime of larceny was filed in this
Court.

That more than one trial term of
this Court has passed since the filing
of said indictment, without the trial
thereof, although such trial has not
been postponed upon defendant's ap-
plication.

That said cause has, several times,
been upon the calendar of this Court
for trial and although the defend-
ant was ready and anxious for a
trial of said indictment, trial
thereof was postponed on motion

of the people.

Sworn to before me this

16th day of March, 1888.

Benjamin Hoffman.

Com of Deeds.

N. Y. Co.

Frederick B. House

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

The People of the State of New York,
- against -
John J. McDonald

Sir:

Please to take notice that upon the annexed affidavit of Frederick B. House, the undersigned, will move before the Hon. Henry A. Geldersleeve, Judge of above Court, at Part III thereof, to be held at the Court House, No. 32 Chambers Street, in the City of New York, on the 19th day of March, 1888, at 11 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, for an order dismissing the indictment herein, for want of prosecution.

Dated New York, March 16th 1888.

Yours &c
Frederick B. House,
Attys for Deft.
25 Chambers St.
N. Y. City.

To
John R. Fellows Esq.
District Attorney.

0042

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

John J. Mc Donald
The manager

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

John J. Mc Donald The manager

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

The said *John J. Mc Donald The*
manager.

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

one hundred and seven yards
of cloth of the value of one dollar and fifty
cents each yard, fifty other yards
of cloth of the value of one dollar and seventy
cents each yard, fifty seven other yards
of cloth of the value of one dollar and
fifty cents each yard, fifty one other yards
of cloth of the value of two dollars each
yard, fifty other yards of the value
of two dollars and ten cents each yard, five
yards of cloth of the value of
thirty seven cents each yard, and two packing
cases of the value of five dollars each,

of the goods, chattels and personal property of one *Abraham Sherman,*

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

John R. X. ...
District Attorney

0043

BOX:

293

FOLDER:

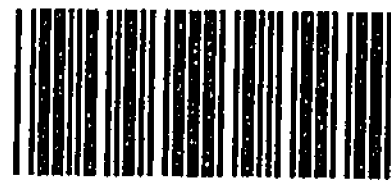
2787

DESCRIPTION:

McGrath, Daniel

DATE:

01/25/88



2787

322

Witnesses:

W. C. Hume
Alfred Bourke
John William Schmidt

Counsel,

Filed 20th day of Jan

1888

Pleads

Indignity (26)

THE PEOPLE

vs.

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

Daniel Mc Grath
Part 1 Sub 6 112

JOHN R. FELLOWS,
RANDOLPH R. MARTINE,

District Attorney.

A True Bill.

del. J. J. J.
Comrade J. J. J.
Foreman.
J. J. J.
J. J. J.

City & County of
New York, ss.

William Rourke of the 14 Precinct
Police being duly sworn says that
William F. Hennessy is a
necessary and material witness
for the prosecution. Deponent says
that said Hennessy did not
appear on January 18, 1887 as
ordered and believes that
he will not prosecute and
asks that he give surety for
his appearance to testify.

William Rourke
Sworn to before me
this 19 day of Jan'y 1888
Sam'l C. M'Carthy Police Justice

City & County of
New York) ss

William F. Hennessey ^{ap. 418 E 78th St} aged 15 years
occupation office boy being duly
sworn deposes and says that on
the 17 day of January 1888 6 P.M.
at the City of New York in the County
of New York deponent was sitting
down in a Second Avenue Elevated
Railroad Car on First Avenue
between First ^{4th} 8th Street in said
City when Daniel Mc Grath (now
here) asked deponent to go ^{4th}
ask a young lady to come and
take his said deponent's seat.

That deponent replied to
said defendant of the young
lady came up he would
give his seat willingly to her.

Deponent says that said defen-
dant said to him you won't
go and he said deponent
replied 'No Sir' That said defen-
dant replied to deponent that he
would make him and deponent

replied you cannot make me.

Said defendant then and there put his hand in his conceal pocket and pulled out a newspaper and opened the same and took a pistol therefrom and pointed and aimed the same at defendant's face. Defendant says that he jumped up and caught hold of the pistol and attempted to wrench it from his hand.

Defendant says while he had hold of said pistol two young men came to his assistance and they pushed said defendant down in a seat and took said pistol from said defendant's hand and one of said men held him until the train arrived at the Elevated Station 8th Street and First Avenue and took him said defendant off the train to the Elevated Station and took him therefrom to the street and there detained until Officer Williams

Schmidt came along and detained
 him until officer Bunkle came
 up with another officer and
 took said defendants to the
 Station House. Dependent says
 that said Elevated Railroad
 car contained about 45 men
 and four women at the time
 of the aforesaid act and that they
 jumped up and ran away and
 the men and women screamed
 in a loud manner.

Wherefore dependent charges said
 defendant with the wilfully and
 maliciously pointing aiming the
 pistol now here shown at him
 with the felonious intent to take
 his life or to do him grievous
 bodily harm and without any
 justification on the part of the
 said assailant.

Wherefore ~~prays~~ this dependent
 prays that the said assailant may be
 bound to answer for the above assault etc.
 dealt with according to law W. H. Hennessey

Summ'd before me this
 14 day of January 1888

Sam'l Chittell Police Justice

City & County of
New York

William Schmidt aged 32 years
occupation Police Officer being
duty on on says that on the 17
day of January 1888 6.10 P.M.
he was informed by a citizen
that a man was at the Elevated
Station 1st Avenue ^{and} 8th Street had
pointed a ~~revolver~~^{pistol} at a boy.

Deponent says that he went
on to said place and found
Daniel McGrath (now here) and
while he was investigating the
case a man whose name is
unknown handed the pistol now
here shown to him and said
that was the pistol the defendant
had in his possession and
deponent gave the same to
officer Rowke who had the
defendant in custody.

William Schmidt

Signed to before me 1/17/88
19 day of January 1888
James C. McCall Police Justice

City & County of
New York

William Rourke aged 31 years
Occupation Police officer being
duly sworn says that William
F. Hennessy came in the 14th
Precinct Station House and
stated that a man at the Elevated
Station 1st Avenue & 8th Street had
pointed a pistol at him and
he was detained there. Dependent
says that he was ordered to
go to said place with Hennessy
by the Sergt. in command and
on going to said place said
Hennessy pointed out Daniel
McGrath (now here) as the man
that pointed the pistol and
dependent took him in
Custody and said thereafter
officer Schmidt handed the
pistol to dependent and stated
that the pistol was handed
to him by a man and was
the one that was taken from

0051
said defendant and said Henry
him and these identified the
pistol as the one that said
McGrath pointed at him

Brought before me

William Rourke

This 19 day of Jan'y 1888

Sanibel Police Justice

0052
said defendant and said Henry
him and there identified the
pistol as the one that said
McGrath pointed at him

Brought before me

William Rourke

This 19 day of Jan'y 1888

San'teally Police Justice

0053

Sec. 198-200

3

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

Daniel McGrath 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 to 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. Daniel McGrath.

Question. How old are you?

Answer. 38 years

Question. Where were you born?

Answer, Ireland

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

Answer. Yonkers. 6 months

Question. What is your business or profession?

Answer, Inspector of masonry on the Bequeduct

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 got up I am not guilty
I was on the Elevated Road in
a car, and at Canal St, I got
up and gave a lady a seat,
the Pistol was in my pocket,
with the handle exposed to view,
A man asked me to let him
see it; I then took it out of
my pocket and showed the
Pistol to him, and that is the
only way in which my action
can be construed to infer, im-
ply or mean an intent to aim
or point said Pistol at him. I
bought the Pistol that day to
protect myself at work. The
Pistol was done up in paper Daniel McGrath

Taken before me this

day of

January 1888

Police Justice.

131 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William F. Hemmisy
(W.F.) Bauld
Daniel McGraw

BAILEY,
 No. 1, by *Bartholomew T. Cadogan*
 Residence *19 Grand* Street,
 No. 2, by _____ Street,
 Residence _____ Street,
 No. 3, by _____ Street,
 Residence _____ Street,
 No. 4, by _____ Street,
 Residence _____ Street.

Dated January 19 1888
Daniel O Kelly Magistrate.
Bewick Officer.
Precinct. 14

Witnesses
William Runkle
William Schmidt Street.
1411. Green St. E. C. C.
Complainant
William E. Anderson
334 Produce Market Street.
1511. to answer
Bailed

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

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.

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

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.*

Dated Jan 21/9 1888
Samuel J. Smith
 Police Justice.

Dated January 19 1888

Samuel J. Smith
Police Justice.

committed, and that there is sufficient cause to believe the within named defendant -

1888	8	rate.	floor.	instruct.	10	street.	street.
------	---	-------	--------	-----------	----	---------	---------

& C.,
OF
MILWAUKEE,
WIS.
MAR 1897
PAID
BY
CASH

RECEIVED
BANK
'23
1898
G.

E PER
 IN THE CO
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28
 29
 30
 31
 32
 33
 34
 35
 36
 37
 38
 39
 40
 41
 42
 43
 44
 45
 46
 47
 48
 49
 50
 51
 52
 53
 54
 55
 56
 57
 58
 59
 60
 61
 62
 63
 64
 65
 66
 67
 68
 69
 70
 71
 72
 73
 74
 75
 76
 77
 78
 79
 80
 81
 82
 83
 84
 85
 86
 87
 88
 89
 90
 91
 92
 93
 94
 95
 96
 97
 98
 99
 100
 101
 102
 103
 104
 105
 106
 107
 108
 109
 110
 111
 112
 113
 114
 115
 116
 117
 118
 119
 120
 121
 122
 123
 124
 125
 126
 127
 128
 129
 130
 131
 132
 133
 134
 135
 136
 137
 138
 139
 140
 141
 142
 143
 144
 145
 146
 147
 148
 149
 150
 151
 152
 153
 154
 155
 156
 157
 158
 159
 160
 161
 162
 163
 164
 165
 166
 167
 168
 169
 170
 171
 172
 173
 174
 175
 176
 177
 178
 179
 180
 181
 182
 183
 184
 185
 186
 187
 188
 189
 190
 191
 192
 193
 194
 195
 196
 197
 198
 199
 200
 201
 202
 203
 204
 205
 206
 207
 208
 209
 210
 211
 212
 213
 214
 215
 216
 217
 218
 219
 220
 221
 222
 223
 224
 225
 226
 227
 228
 229
 230
 231
 232
 233
 234
 235
 236
 237
 238
 239
 240
 241
 242
 243
 244
 245
 246
 247
 248
 249
 250
 251
 252
 253
 254
 255
 256
 257
 258
 259
 260
 261
 262
 263
 264
 265
 266
 267
 268
 269
 270
 271
 272
 273
 274
 275
 276
 277
 278
 279
 280
 281
 282
 283
 284
 285
 286
 287
 288
 289
 290
 291
 292
 293
 294
 295
 296
 297
 298
 299
 300
 301
 302
 303
 304
 305
 306
 307
 308
 309
 310
 311
 312
 313
 314
 315
 316
 317
 318
 319
 320
 321
 322
 323
 324
 325
 326
 327
 328
 329
 330
 331
 332
 333
 334
 335
 336
 337
 338
 339
 340
 341
 342
 343
 344
 345
 346
 347
 348
 349
 350
 351
 352
 353
 354
 355
 356
 357
 358
 359
 360
 361
 362
 363
 364
 365
 366
 367
 368
 369
 370
 371
 372
 373
 374
 375
 376
 377
 378
 379
 380
 381
 382
 383
 384
 385
 386
 387
 388
 389
 390
 391
 392
 393
 394
 395
 396
 397
 398
 399
 400
 401
 402
 403
 404
 405
 406
 407
 408
 409
 410
 411
 412
 413
 414
 415
 416
 417
 418
 419
 420
 421
 422
 423
 424
 425
 426
 427
 428
 429
 430
 431
 432
 433
 434
 435
 436
 437
 438
 439
 440
 441
 442
 443
 444
 445
 446
 447
 448
 449
 450
 451
 452
 453
 454
 455
 456
 457
 458
 459
 460
 461
 462
 463
 464
 465
 466
 467
 468
 469
 470
 471
 472
 473
 474
 475
 476
 477
 478
 479
 480
 481
 482
 483
 484
 485
 486
 487
 488
 489
 490
 491
 492
 493
 494
 495
 496
 497
 498
 499
 500
 501
 502
 503
 504
 505
 506
 507
 508
 509
 510
 511
 512
 513
 514
 515
 516
 517
 518
 519
 520
 521
 522
 523
 524
 525
 526
 527
 528
 529
 530
 531

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

de 900

Linear Scan

BAILEY	No. 1, by	Residence
	No. 2, by	Residence
	No. 3, by	Residence
	No. 4, by	Residence

POLICE COURT— .3 DISTRICT.
CITY AND COUNTY }
OF NEW YORK, } ss.

RECOGNIZANCE TO TESTIFY.

BE IT REMEMBERED, That on
the 19 day of January in the year of our Lord 188 8
William E Anduson
of No. 334 Produce Exchange Street, in the City of New York,
and William F Hennessy
of No. 418 E 78 Street, in the said City,
personally came before the undersigned, one of the Police Justices in and for the City of New York, and
acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say: the said

Anduson
the sum of one Hundred Dollars,
and the said Hennessy
the sum of one Hundred Dollars,
separately, of good and lawful money of the State of New York, to be levied and made of their respective
goods and chattels, lands and tenements, to the use of said People, if default shall be made in the con-
dition following, viz:

The Condition of this Recognizance is such, That if the person first above recognized shall personally
appear at the next COURT OF General SESSIONS of the Peace, to be holden in and
for the City and County of New York, and then and there Testify and give such evidence, in behalf of
the People of the State of New York, as he may know concerning an Offence or felony
said to have been lately committed in the City of New York aforesaid by

Daniel M. Grath

And do not depart thence without leave of the Court, then this Recognizance to be void, otherwise to
remain in full force and virtue.

Taken and acknowledged before me, the }
day and year first above written. }

William F. Hennessy
Wm Anduson

Dan J. O'Brien Police Justice.

0056

CITY AND COUNTY } ss.
OF NEW YORK, }

William E Anderson

the within-named Bail, being duly sworn, says that he is a House holder in Brooklyn City, and is worth Two Hundred Dollars,

over and above the amount of all his debts and liabilities; and that his property consists of

Household furniture situated at 300 Baskett
Street in the City of Brooklyn State
of New York of the value of Ten
Hundred dollars

Wm E Anderson

Sworn before me this

19
8

day of August
Wm E Anderson
Police Justice.

Sessions.

New York

THE PEOPLE, &c.

Recognition to Testify.

William J. Danwoy

Magistrate

188

day of

Filed

0057

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

David McGeehan

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

David McGeehan

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

The said *David*

late of the City of New York, in the County of New York aforesaid, on the
nineteenth day of *January*, in the year of our Lord
one thousand eight hundred and eighty-*eight*, with force of arms, at the City and
County aforesaid, in and upon the body of one *William X. Hemmery*
in the peace of the said People then and there being, feloniously did make an assault
and to, at and against *him* the said *William*. —
a certain *pistol* then and there loaded and charged with gunpowder and one
leaden bullet, which the said *David*. —
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, *the same*,
with intent *and* *him* the said *William*. —
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

David McGeehan

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

The said *David*

late of the City and County aforesaid, afterwards, to wit: on the day and in the
year aforesaid, at the City and County aforesaid, with force and arms, in and
upon the body of one *William X. Hemmery*
in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make an assault, and to, at and against *him* the said
William. —
a certain *pistol* then and there charged and loaded with gunpowder
and one leaden bullet, which the said *David*. —
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 shoot off and discharge, *the same*,
against the form of the statute
in such case made and provided, and against the peace of the People of the State
of New York and their dignity.

JOHN R. FELLOWS.

~~RANDOLPH D. MARTINE,~~

District Attorney.

0058

BOX:

293

FOLDER:

2787

DESCRIPTION:

McGovern, Michael

DATE:

01/05/88



2787

0059

Witnesses:

P. Carley
Officer Smith

* 28 -

Ch. & Co. a

Counsel,

Filed 5 day of Jan 1888

Pleads

Ch. & Co. a

THE PEOPLE

vs.

Michael McGovern

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

JOHN R. FELLOWS.

Wm. J. Kelly
District Attorney.

A True Bill.

Samuel W. J.
Foreman.

Wm. J. Kelly
S. J. Two

0060

Police Court—2 District.

City and County { ss.:
of New York,

of No. 455 West 46th St Street, aged 24 years,
occupation Driver of Cart being duly sworn
deposes and says, that on the 23rd day of December 1887 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Michael
McGovern, now here, who did
violently and maliciously cut
and remove the two middle
fingers of deponent's left hand
with the blade of a knife
which knife he, Michael, then
held in his hands, — thereby
severely injuring deponent

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

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

Sworn to before me, this 24th day
of December 1887

Wm Patterson Police Justice.

His
Patrick J. Carley
maker

0061

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

Michael M. Govern

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

Question. What is your name?

Answer. *Michael M. Govern*

Question. How old are you?

Answer. *23 years 9 yrs*

Question. Where were you born?

Answer. *New York*

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

Answer. *620 West 37th St. 6 years.*

Question. What is your business or profession?

Answer. *Deck Hand*

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

Answer. *I am not guilty. What
I did was in self defence.*

Michael M. Govern

Taken before me this

day of December 1887

John M. Hutchinson

Police Justice.

2900

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.

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

Dated Dec. 24 188 Police Justice.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Police Court-- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Patrick Doyle
45 West 46 St
Michael McGowan

Dated December 24 188
Magistrate.
Gins
Precinct.

Witnesses
No. Street.
No. Street.
No. Street.
1000. to answer
And

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

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

indrad metiguen

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

indrad metiguen

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

The said *indrad*.

late of the City and County of New York, on the *Twenty Third* day of *December*, in the year of our Lord one thousand eight hundred and eighty *seven*, with force and arms, at the City and County aforesaid, in and upon one

Calista Lady

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

with a certain *knife* which *was* the said

indrad

in *his* right hand then and there had and held, the same being then and there a

weapon likely to produce grievous bodily harm, *him*,

the said *Calista* then and there feloniously

did wilfully and wrongfully strike, beat, *stab*, bruise and wound,

against the form of the statute in such case made and provided, and against the peace

of the People of the State of New York and their dignity.

SECOND COUNT:

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

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

The said *Michael McGovern*

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

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault: and the said *Michael*

with a certain *knife* the said *Patricia*
which *he* the said *Michael*

in *his* right hand then and there had and held, in and upon the *left hand* of *him* the said *Patricia*

then and there feloniously did wilfully and wrongfully strike, beat, *stab, cut,* bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *Patricia*
to the great damage of the said *Patricia*

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

JOHN R. FELLOWS.

~~RANDOLPH B. MARTINE,~~

District Attorney.

0065

BOX:

293

FOLDER:

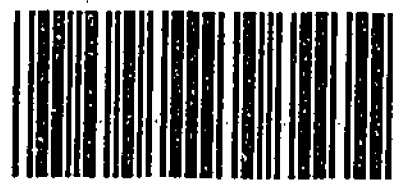
2787

DESCRIPTION:

McGrath, Thomas

DATE:

01/18/88



2787

0066

BOX:

293

FOLDER:

2787

DESCRIPTION:

Burrell, Thomas

DATE:

01/18/88



2787

Edw. J. Thomas

I got back here, having
 been this day acquitted
 and the evidence against
 Burrill being weaker
 than that against Mc
 Gath. I am of opinion
 the indictment against
 that Burrill ~~is~~
 dismissed and a bail
 he discharged.

Feb 6 1888

John R. ...

216.
 W.S. McPheeters
 per No. 1.
 Counsel,
 Filed 18 day of January 1887
 Pleads *McPheeters* 191

THE PEOPLE

vs.

Thomas McGrath

11

Thomas L. Burdell

**JOHN R. FELLOWS,
RANDOLPH B. MARTINE,**

District Attorney.

2. Part III January 25/88.
E. S. M. Attorney.

W2 Bail for rent

A True Bill. *2* *March 1888*

Not yet acquired.

Foreman,

Re 3

Pr July 6. 1888

July 2. 1888
Indiscreet as to how
increased time should

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

1157

0068

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss

Thomas McGrath

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

Question. What is your name?

Answer.

Thomas McGrath

Question. How old are you?

Answer.

30 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

2287r 32d St

3 mos

Question. What is your business or profession?

Answer.

Hack Driver

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

Answer.

I am not guilty

Thomas

his

X McGrath
mark

Taken before me this

day of

1888

Police Justice.

00069

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Thomas L. Burrell

Question. How old are you?

Answer. 41 years

Question. Where were you born?

Answer. Scotland

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

Answer. 8 Ave & 59th St 10 years

Question. What is your business or profession?

Answer. Shoemaker

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

Answer.

I am not guilty

Thomas L. Burrell

Taken before me this
day of Jan 1888.
James J. McQuinn
Police Justice.

0070

There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1888
Police Justice.

I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
Police Justice.

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars, and be committed to the Warden and Keeper of
the City Prison of the City of New York, until he give such bail.
Dated 1888
Police Justice.

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars, and be committed to the Warden and Keeper of
the City Prison of the City of New York, until he give such bail.
Dated 1888
Police Justice.

17- 28 District.
Police Court-- 2

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Andrew J. Thomas
vs.
Thomas McEratte
Thomas L. Burchell
8
4
Dated 1888
Offence Felony
Magistrate.
Witnesses Officer Clark
No. 20th Precinct
Street.
No. Officer Kelly
Street.
No. 20th Precinct
Street.
No. 500
to answer
Bailed

BAILED
No. 1 by John Fraser
Residence 316 W 37
Street.
No. 2, by
Residence
Street.
No. 3, by
Residence
Street.
No. 4, by
Residence
Street.

Police Court— 2 District.

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

of Andrew J. Thomas Sergt.
of the 20th Precinct Police Street,

being duly sworn, deposes and says, that
on the 3 day of January
in the year 1888, at the City of New York, in the County of New York,

while in the discharge of his duty
he was violently ASSAULTED and BEATEN by Thomas McGrath & Thomas L
Burrell (now here) that said McGrath caught
hold of deponent and struck him on the head
with his fist and threw him down and while
down said Burrell kicked deponent on the
head

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 the above assault, &c., and be dealt with according to law.

Sworn to before me, this 3

day of Jan

1888

Andrew J. Thomas

P. J. McNeill Police Justice.

0072

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Thomas McTygath and
Thomas S. Russell

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

Thomas McTygath and Thomas S. Russell

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

The said *Thomas McTygath and*

Thomas S. Russell, both —

late of the City of New York, in the County of New York aforesaid, on the
Kind day of *January*, in the year
of our Lord one thousand eight hundred and eighty-eight, at the City and County
aforesaid, with force and arms feloniously made an assault in and upon one

Andrew J. Thomas, —

then and there being a *sergeant* of the Municipal Police of the City of
New York, and as such *sergeant* being then and there engaged in the lawful

apprehension of the said Thomas
McTygath, —

and the said *Thomas McTygath and Thomas S. Russell,*
him, the said *Andrew J. Thomas, —*

then and there feloniously did beat, strike, wound and otherwise illtreat, with intent
then and there and thereby to prevent and resist the lawful *apprehension*
of *the said Thomas McTygath,* as aforesaid,
against the form of the Statute in such case made and provided, and against the peace
of the People of the State of New York and their dignity.

JOHN R. FELLOWS.

RANDOLPH B. MARTINE,

District Attorney.

0073

BOX:

293

FOLDER:

2787

DESCRIPTION:

McKenna, James

DATE:

01/12/88



2787

Witnesses:

Mary Jones
H. H.

Counsel,

Filed 12 day of Jan'y 1888
Pleads, *Guilty* (13)

THE PEOPLE

vs.

Grand Larceny, *1st* Degree.
(From the Person.)
[Sections 528, 529, 530, 531 Penal Code].

James McHenry

JOHN R. FELLOWS,

~~R. H. FELLOWS~~ ATTORNEY,

District Attorney.

A True Bill.

Samuel L. Brown

F. J. Feb 2, 1888 Foreman.

Pleads G. L. 2nd dy
Feb 12 P. P. 1888

0075

Police Court—

2^d District.

Affidavit—Larceny.

City and County } ss.
of New York,

of No. 242 West 23rd Street, aged 16 years,

occupation Domestic being duly sworn,

deposes and says, that on the 24th day of December 1887 at the City of New

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

One pocket book containing good and lawful money of the United States of the parson and value of Two ⁷⁴/₁₀₀ Dollars
(~~\$2.74~~)

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 James McKenna alias Thomas

Farrell (now here) with the intent to deprive the true owner of said property, from the following facts to wit: that on or about the hour of 9.30 P.M. of the aforesaid day, deponent was ~~alone~~ walking Eighth Avenue in said City and the said property was in the right hand pocket of an ulster or coat then and there worn upon the ~~person~~ person of deponent and said defendant came up to and along side of deponent and inserted his, defendant's, hand in said pocket of deponent's coat and took therefrom and from the person of deponent the said property, and then attempted to run away

Subscribed and sworn to before me, this 1887 day of December

So and then deponent seized hold of
 said defendant and held him until
 a man unknown to deponent
 caught hold of said defendant and
~~held him until said defendant was released by Officer George Smith~~
~~of the Police Department the said property~~
 deponent therefore charged
 said James McHenry alias
 Thomas Farrell with having
 taken, stolen and carried away from
 the possession and from the person
 of deponent the said property
 and asks that he may be dealt
 with as the law may direct.

Sworn to before me this
 25 day of December 1887

J. M. Patterson Harry Jones
 Police Justice

0077

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James McKenna being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is h *5* right to
make a statement in relation to the charge against h *5* that the statement is designed to
enable h *5* to see fit to answer the charge and explain the facts alleged against h *5*
that he is at liberty to waive making a statement, and that h *5* waiver cannot be used
against h *5* on the trial.

Question. What is your name?

Answer. *James McKenna*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *N^o 258 West 32^d Street about 4 years*

Question. What is your business or profession?

Answer. *Tim - worker*

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

Answer. *I am not guilty*
James McKenna

Thos. Farmer

Taken before me this

day of *December* 188*7*

James McKenna

Police Justice.

8700

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.

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

Dated Dec 25 188 Police Justice.

the City Prison of the City of New York, until he give such bail. Handed Dollars, and be committed to the Warden and Keeper of

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

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Mary Jane

James McKenna

alias

Thomas Turner

D. M. Patton

Smith

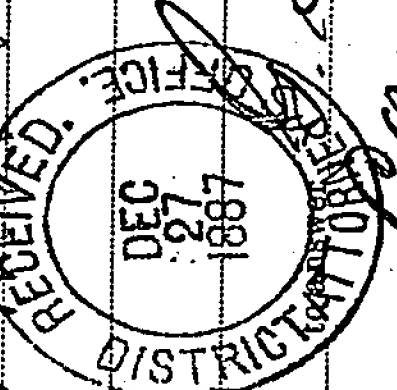
Witnesses

16 Police Precinct

Verdelle R. Quantrell

No. 142 West 27 Street.

No. 15th Street.



BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

People
vs.
James M^cKenma.

Statement
of
Facts.

Statement of Facts.

At about 9 1/2 P.M. on December 24th, 1887, Mary Jones, the complainant ~~was~~ and Estelle Swadwell were walking along 8th Ave. The complainant had her pocket book with \$2 ⁷³/₁₀₀ in it in the right hand pocket of her ulster. She felt someone touch this pocket, looked up, and saw defendant with her pocket book in his hand. The statements of the officer and the complainant after this point differ somewhat. The complainant says she seized defendant and held him until the officer came up and arrested him. The officer says that the defendant was running away and slipped and fell and he seized him. The defendant escaped from the officer on the way to the station house ~~and~~ but was pursued and recaptured.

Indictment.

Indictment.

One count, Grand Larceny 1st Degree, stealing money from the person of another in the night time.

Witnesses.

Witnesses

As to commission of the crime and
generally in the case -

Mary Jones, (Complainant)

242 West 23^d Street,

Estelle Duantelle

242 West 23^d Street,

As to the arrest, attempt to escape, and
admission of defendant,

Officer George Smith,

16th Precinct.

would not, that all are wanted for
the pocket book. Other took defendant to
the station house. On the way to the station
house defendant said true you can
let me go, all are wanted to the
pocket book. I looked around
after this and the first defendant stopped
out of his coat and ran away. I
chased him and caught him and
he then struggled with me and I lead
to ~~the~~ house him to weather him.

Many forces, 242, 23^d Street,
On the Charleston Ave (Dec. 24th, 1887) about
9¹⁵ P.M. I was walking along & saw
with white dress. She was on my
left side. She a ~~few~~ truck on the
right hand pocket of my belt and
wearing square shoes about two
feet from me and ahead of me
with my pocket book in ~~hand~~
I grabbed him and held him and
said to him give me back my
pocket book. He said nothing but
struggled to get away. The Officer
saw the cause of this and came
him. At the station house Officer

7-17-88

Many
forces

would not, that all she wanted was the pocket book. I then took defendant to the station house. On the way to the station house defendant said to me "you can let me go, all she wants is the pocket book." I looked around after this and the ~~for~~ defendant slipped out of his coat and ran away. I chased him and caught him and he then struggled with me and I had to ~~beat~~ pound him to master him.

7-17-88

Mary Jones,
Jones.

Mary Jones,
242 West 23^d Street.

On Christmas Eve (Dec. 24th, 1887) about 9 $\frac{1}{2}$ P.M. I was walking along 8th Ave with Estelle Seautelle. She was on my left side. I felt a ~~hard~~ touch on the right hand pocket of my ulster and turning I saw a man about two feet from me and ahead of me with my pocket book in his hand. I grabbed him and held him and said to him give me back my pocket book. He said nothing but struggled to get away. The Officer Smith came up there and arrested him. At the station house Officer

7-17-88

Mary Jones.

would not, that all she wanted was the pocket book. I then took defendant to the station house. On the way to the station house defendant said to me "you can let me go, all she wants is the pocket book." I looked around after this and the ~~for~~ defendant slipped out of his coat and ran away. I chased him and caught him and he then struggled with me and I had to ~~clab~~ pound him to master him.

Mary Jones,

242 West 23^d Street.

On th Christmas eve (Dec. 24th, 1887) about 9 $\frac{1}{2}$ P.M. I was walking along 8th Ave with Estelle Seautelle. She was on my left side. I felt a ~~hand~~ touch on the right hand pocket of my ulster and turning I saw a man about two feet from me and ahead of me with my pocket book in his hand. I grabbed him and held him and said to him give me back my pocket book. He said nothing but struggled to get away. ~~the~~ Officer Smith came up then and arrested him. At the station house officer

1-28-88.

Smith showed me the pocket
book, and there was $\$2 \frac{72}{100}$ in
money in the pocket book when I
lost it.

1-28-88.

Estelle Inauetelle.

242 West 23rd Street.

Did not appear but can corroborate
~~with~~ Mary Jones.

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs.

James McKeena

*Grand Jurors 1st Degree
drawn from the person.*

BRIEF OF FACTS.

For the District Attorney.

Dated January 30th 1888.

Wm. Frederickson

Deputy Assistant.

00005

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Mc Hanna

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

James Mc Hanna

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

The said James Mc Hanna,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the ~~thirtieth~~ day of ~~December~~, in the year of our Lord one thousand eight hundred and eighty ~~seven~~, in the ~~month~~ time of the said day, at the Ward, City and County aforesaid, with force and arms,

~~one~~ promissory note 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 and value of ~~two~~ dollars; ~~one~~ promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of ~~two~~ dollars; ~~one~~ United States Silver Certificate of the denomination and value of ~~two~~ dollars; ~~one~~ United States Gold Certificate of the denomination and value of ~~two~~ dollars

~~two~~ 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 and value of ~~one~~ dollar each; ~~two~~ promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of the denomination and value of ~~one~~ dollar each; ~~two~~ United States Silver Certificates of the denomination and value of ~~one~~ dollar each; ~~two~~ United States Gold Certificates of the denomination and value of ~~one~~ dollar each;

and divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of ~~two~~ dollars and seventy ~~two~~ cents.

of the goods, chattels and personal property of one ~~many Jones~~, on the person of the said ~~many Jones~~, then and there being found, from the person of the said ~~many Jones~~, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John D. Williams
Attorney

0087

BOX:

293

FOLDER:

2787

DESCRIPTION:

McMahon, Philip

DATE:

01/10/88



2787

Witnesses:

John D. Moore
Ben. Murphy

2101

Counsel,
Filed *10* day of *July* 188*8*
Pleads, *Not guilty* (11)

THE PEOPLE
vs.
Philip Mc Mahon
(2 Cases)

JOHN R. FELLOWS,
RANDELL B. MARINE,

District Attorney.

7th July 10. 1888.
Indictment against 16
A True Bill.

1888
Defendant herein was
discharged by Judge
the day the jury in the
case having failed to
agree after 3 hours deliberation.

H. P. Macdonald
D.A.N.

Indictment composed
by
Attorney General

July 26th
G.S.D.
July 23rd
9.50
Foreman.

Grand Larceny, 1st Degree.
(From the Person.)
[Sections 828, 830, 834 Penal Code].

00089

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Philip M^c Mahon

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

— Philip M^c Mahon —

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

The said *Philip M^c Mahon*

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

JOHN R. FELLOWS.

~~RANDOLPH D. MARTINE,~~

District Attorney.

Witnesses:

John Henry
Officer Murphy

Feb 10 1888. The defendant herein
was this day tried, on an
indictment for attempted
murder and the jury having
failed to agree after deliberation
thereon was discharged by
Judge H. Lawrence.

The indictment
shows an offense growing
out of the same transaction
and I recommend that
it be dismissed for the
reason that I do not think
a conviction could be
secured. H. P. Chapman
District

8102

Counsel,
Filed 10 day of Jan'y 1888
Pleads, *Not Guilty*

THE PEOPLE
vs.
Philip McMahon
(2 cases)

ASSAULT IN THE THIRD DEGREE.
(Section 219, Penal Code)

JOHN R. FELLOWS,
RAN ~~JOHN R. FELLOWS~~ DISTRICT ATTORNEY

Pr July 1888
Indictment dismissed &
def. discharged
A True Bill.

Diamond

Foreman
Jan 26 to Jan 28
1888

0091

Lab officer to
make off suit.

Petrol station

0092

Good case on
the attempted larceny.
Complainant an
unwilling witness.

0093

Police Court—1st District.

CITY AND COUNTY
OF NEW YORK,

John Feeney
of No. 310 East 25th Street, aged 40 years,
occupation Waiter,
on the 2nd day of December 1888 at the City of New York,
in the County of New York,

he was violently ASSAULTED and BEATEN by Philip McMahon (nowhere)
who struck deposit several blows
on the face with his clenched hands

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 the above assault, &c., and be dealt with according to law.

Sworn to before me, this

day of

188

John Feeney

Police Justice.

0044

Sec. 198-200.

H. 27 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Philip McMahon

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

New York

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

Answer.

205 East 28th Street. 3 months

Question. What is your business or profession?

Answer.

Crossman

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

Answer.

I am not guilty.

Philip McMahon

Taken before me this

19th

day of November 1887

Police Justice.

24
Police Court-- 11th 2054 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Henry
1319 E. 25th St.
Rudolph McManis

Offence *Beauchamp*

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated *December 13th* 1887

H. Murray Magistrate.

Alex. Murphy Officer.

2/1st Precinct.

Witnesses

No.

Street.

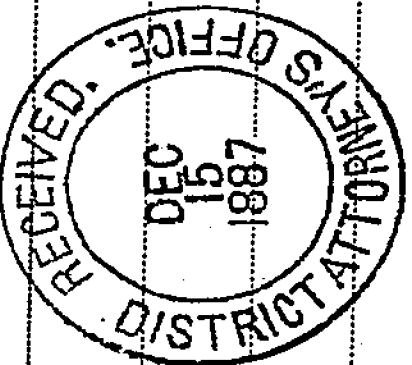
No.

Street.

No.

Street.

\$ *225* to answer



(Carm)

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

John Henry guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

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

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

Dated *December 13* 1887

Wm. H. McManis Police Justice.

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 1887

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 1887

Police Justice.

5600

0096

Police Court—4th District.

attempted
Affidavit—Larceny.

City and County } ss.
of New York }

of No. 310 East 25th

occupation Waiter

John Feeley

Street, aged 40 years,

being duly sworn

deposes and says, that on the 12th day of December 1887 at the City of New York, in the County of New York, attempted to was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property viz:

Good and lawful moneys to the amount and value of fifty cents

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said attempted to property was feloniously taken, stolen, and carried away by Philip McMahon (nowhere)

from the fact that while deponent was sitting in a Water Closet at premises No. 521 Second Avenue which is occupied by James Lawlor as a liquor store, when the defendant came in said Closet deponent caught him in the act of attempting to take steal and carry away from the left hand pocket of his vest three worn by deponent on his person said money. When defendant saw that he was detected he ran out of the Closet. Deponent asks that said defendant be held to answer and dealt with according to law, John Feeley

Sworn to before me, this 13th day of December 1887

Police Justice.

0047

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Philip McMahon*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *205 East 28th Street, 3 months*

Question. What is your business or profession?

Answer. *Expressman*

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

Answer. *I am not guilty.*

Philip McMahon

Taken before me this

13

188

Police Justice.

8600

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.

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

Dated 188 Police Justice.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

John Greaney
vs.
Paul McManus

Offence
Battered
from the person

Dated 188

December 13

Magistrate.

McManus

Officer.

McManus

Precinct.

Witnesses

Street.

No.

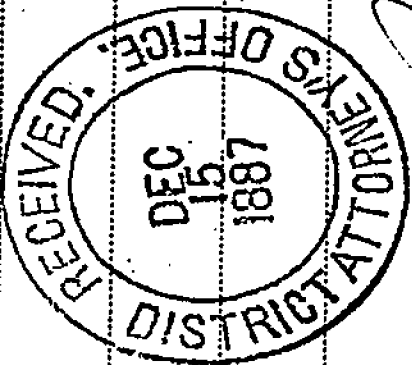
Street.

No.

Street.

No.

to answer



10001

Police Court

District

22/ 2053

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.

vs.

Phelps McMahon

BRIEF OF FACTS.

For the District Attorney.

Dated Jan. 16th 1888.

Andrew H. H. Dawson

Deputy Assistant.

The People

agist

Philip Mc Mahon

Alexander Murphy the
arresting officer in this case states
that when he arrested Defendant
he assaulted him & also assaulted Com-
plainant, but that he knows
nothing about the commission or
attempt at the commission of
the larceny charged. Witness adds
that he served John Feeney the compla-
inant herein with a subpoena to
appear & make his statement before
Deputy Assistant Dawsan of the
District Attorney's office & that
said Feeney that he did not intend
to obey. It has not done so. It
is further true that this witness
was informed that said Feeney
had received \$20 not to testify
in this case.

0101

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Mc Mahon

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

William Mc Mahon
of the Crime of GRAND LARCENY in the *first* degree, committed as follows:

The said

William Mc Mahon.

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
Twenty day of *December*, in the year of our Lord one thousand
eight hundred and eighty-seven, in the *night* time of the said day, at the Ward, City and
County aforesaid, with force and arms,

one silver coin of the kind
said called half dollars, of the value of
fifty cents, two silver coins of the kind
called quarter dollars, of the value of
twenty five cents each, six silver coins
of the kind called dimes, of the value of
ten cents each, twelve nickel coins of the
kind called five-cent-pieces, of the
value of five cents each, and twenty
coins of the kind called cents, of
the value of one cent each,

of the goods, chattels and personal property of one
on the person of the said

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

JOHN R. FELLOWS.

John R. Fellows
District Attorney.

0102

BOX:

293

FOLDER:

2787

DESCRIPTION:

McManus, Bernard

DATE:

01/18/88



2787

0103

BOX:

293

FOLDER:

2787

DESCRIPTION:

McManus, Bernard

DATE:

01/18/88



2787

0104

228

Witnesses:

Officer [Signature]

I consider the evidence herein
sufficient to sustain the
indictment and consequently
recommend to the Grand Jury
that the defendant be held for
trial.

Counsel,

Filed,

Pleads,

189

THE PEOPLE,

vs.

B

VIOLATION OF EXCISE LAW
(Keeping Open on Sunday,
Ill. Rev. Stat., 7th Edition, page 1889, Sec. 6)

Bernard McManus

JOHN R. FELLOWS,

RANDOLPH B. MARINE,

District Attorney.

Pleaded Guilty 23

A True Bill.

[Signature]

Foreman.

On mo. of [Signature] filed
dis. & call disc. R.M.

0105

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name.

Answer. *Edward McManus*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *337 East 97th Street About one year.*

Question. What is your business or profession?

Answer. *Bar tender*

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. I feel I demand a trial by Jury.*

E. W. McManus

Taken before me this

day of *August* 1888

Police Justice.

9010

Police Court-- District.

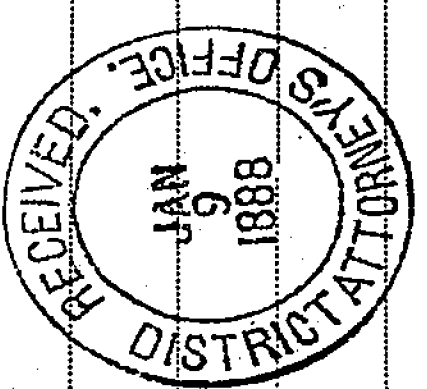
44

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Patrick Elyman
vs.
Bennett W. Mcmanus
2
3
4

Offence *Indictment*
Dated *January 8* 1888
Magistrate.
Bryan
Officer.
27th
Precinct.

Witnesses

No. Street.
No. Street.
No. Street.



No. Street.
to answer
Filed

BAILED, by *Edmund Noansky*
1842-22
No. 1, by
Residence
No. 2, by
Residence
No. 3, by
Residence
No. 4, by
Residence

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 *Bennett W. Mcmanus* guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *one* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.
Dated *Jan 8* 1888 Police Justice.
I have admitted the above named *Bennett W. Mcmanus* to bail to answer by the undertaking hereto annexed.
Dated *Jan 8* 1888 Police Justice.
There being no sufficient cause to believe the within named *Bennett W. Mcmanus* guilty of the offence within mentioned, I order he to be discharged.
Dated 1888 Police Justice.

0107

Excise Violation-Keeping Open on Sunday.

POLICE COURT- 5 DISTRICT.

City and County } ss.
of New York,

Patrick Glynn
of No. *the 27th Avenue Police* Street,
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the *7th* day
of *January* 188 *8*, in the City of New York, in the County of New York,
Bernard McManus (now here)

being then and there in lawful charge of the premises No. *1879-2nd Avenue*
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be
drunk upon the premises DID NOT KEEP SAID PLACE CLOSED contrary to and in violation of
the statute in such case made and provided.

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

Sworn to before me, this *8th* day }
of *January* 188 *8* } *Patrick Glynn*

John J. McManus Police Justice.

0108

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
Plaintiffs

against

Bernard McManus
Defendant.

The Grand Jury of the City and County of New York. by this indictment accuse the above named defendant of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said defendant late of the City of New York, in the County of New York, aforesaid, on the *seventh* day of *January* in the year of our Lord one thousand eight hundred and eighty-*eight*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of, and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did open, and cause and procure, and suffer and permit, to be open, and to remain open; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Fellows,
~~RANDOLPH B. MARTINE~~, District Attorney.