

0091

**BOX:**

25

**FOLDER:**

302

**DESCRIPTION:**

McCarthy, John

**DATE:**

11/10/80



302

0092

**BOX:**

25

**FOLDER:**

302

**DESCRIPTION:**

McCarthy, Patrick

**DATE:**

11/10/80



302

0093

No 46 /

X Counsel,

Filed 10 day of Nov 1880

Pleas, *Amended*

Robbery—First Degree, and ~~Second Degree~~

THE PEOPLE

vs.

*John McCarthy*  
*Patrick McCarthy*

BENJ. K. PHELPS,

*Nov. 10. 1880.* District Attorney.

*(God Bless Poor P. L. Keen)*

*Each \$1.50 year,*

A True Bill.

*W. H. Keen*

*Richardson Jones*  
*Esq.*

0094

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

Police Court--First District.

*Edward Lyons*  
of No. *119 1/2 Washington* Street, being duly sworn, deposes  
and says, that on the *31<sup>st</sup>* day of *October* 18*80*  
at the *First* Ward of the City of New York, in the  
County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
ponent, by force and violence, without his consent and against his will, the following property viz:

*One silver Trade Dollar, being  
good and lawful money of the  
United States and being*

of the value of \_\_\_\_\_ 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 force and violence as aforesaid, by

*John M. Carthy and Patrick M. Carthy,  
both now here, from the fact that about  
the hour of 12 1/2 o'clock on the morning of  
said day deponent stood in his own door-  
way at premises 119 1/2 Washington Street in  
said City. That said money was then contained  
in the right side pocket of the coat then  
worn upon the person of deponent as a portion  
of deponents bodily clothing. That said defendants  
then and there approached deponent and the  
said Patrick seized throat of deponent and held  
deponent while the said John forcibly took  
said money out of said pocket, and said defendants  
then went away with said money in their possession  
Edward Lyons*

Sworn to, before me, this

of

*October 27<sup>th</sup> 1880*

at

day

Police Justice.

0095

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Patrick M. McCarthy* 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. *Patrick M. McCarthy*

Question. How old are you?

Answer. *Twenty-three years of age*

Question. Where were you born?

Answer. *New York*

Question. Where do you live?

Answer. *36 Washington Street*

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 of the charge*  
*Patrick M. McCarthy*

Taken before me this

day of *October*

188*8*

POLICE JUSTICE.

0096

Police Court--First District.

CITY AND COUNTY } ss.  
OF NEW YORK.

*John W. Carthy* 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. *John W. Carthy*

Question. How old are you?

Answer. *Thirty years of age*

Question. Where were you born?

Answer. *Ireland*

Question. Where do you live?

Answer. *38 Washington St.*

Question. What is your occupation?

Answer. *Cook*

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.  
John W. Carthy*

Taken before me this

*[Signature]*

day of *October* 18 *88*

Police Justice.

0097

COUNSEL FOR COMPLAINANT.

Name.....  
Address.....

COUNSEL FOR DEFENDANT.

Name.....  
Address.....

*N 46*  
Police Court--First District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

*Edward L. Ross*  
*119 W. Washington*  
*St. Paul, Minn.*  
*Patrick M. Leahy*  
*St. Paul, Minn.*



AFFIDAVIT—ROBBERY.

Dated *October 31* 18 *80*  
*Buff* Justice  
*Buff* Officer  
*M. J. M.* Clerk.

Witnesses *Edward L. Ross*  
*St. Paul, Minn. Police*

\$ *5.00* to master *each*  
at ..... Sessions  
Received at Dist. Atty's office  
*Inductured fund*

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, .....

0098

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

That *John McCarty and Patrick  
McCarty each*

late of the First Ward of the City of New York, in the County of New York aforesaid,  
on the *twiny first* day of *October* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County  
aforesaid, with force and arms, in and upon one *Edward Lyons*  
in the peace of the said People then and there being, feloniously did make an assault and

*One coin of the kind called a dollar  
of the value of one dollar*

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

*Edward Lyons*

from the person of said

*Edward Lyons*

and against

the will and by violence to the person of the said *Edward Lyons*  
then and there violently and feloniously did rob, 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

0099

**BOX:**

25

**FOLDER:**

302

**DESCRIPTION:**

McGinn, Daniel

**DATE:**

11/15/80



302

0100

22

Counsel,  
Filed 15 day of Nov, 1886  
Pleads

Larceny, and Receiving Stolen Goods.

THE PEOPLE

vs.

*2*  
Daniel McEvin

BENJ. K. PHELPS,  
District Attorney.

A TRUE BILL

*W. H. King*

Foreman.

*Nov. 1886*

*Thos. J. ...*

Pen one year.

0101

Form 112.

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

Police Court—First District.

Joel S. Davis

of No. 53 South

Street, being duly sworn, deposes

and says, that on the

7

day of November 1880

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried away from the possession of deponent, and from Brig John M<sup>c</sup> Dermott lying at pier 13 East River the following property, viz: one violin. one Banjo Two coats Two shirts. one pair of pantaloons in all

of the value of forty Dollars,  
the property of George J Homan and deponent and the property of said Homan was in care and charge of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Daniel M<sup>c</sup> Guinn (now here) from the fact that deponent was informed by Edward L Taylor an officer attached to the steamboat squad police, that he found said M<sup>c</sup> Guinn on South Street in said city with the aforesaid property in his possession. Deponent has seen said property and fully identifies the same as his property and the property of George J Homan which was in his care and charge and stolen as aforesaid

Joel S. Davis

Sworn to, before me, this 7 day of November 1880  
J. J. [Signature]  
Police Justice

0102

Form 112.

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

Police Court—First District.

Joel S. Davis

of No. 53 South

Street, being duly sworn, deposes

and says, that on the

7

day of

November

1880

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried away from the possession of deponent,

and from Brig John M. Dermott lying at pier 13 East River

the following property, viz: one violin, one Banjo, two coats, two shirts, one pair of pantaloons in all

of the value of

forty

Dollars,

the property of

George J. Homan and deponent and the property of said Homan was in care and charge of deponent

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

Daniel M. Ginn (now here) from the fact that deponent was informed by Edward C. Taylor an Officer attached to the steamboat squad police that he found said M. Ginn on South Street in said city with the aforesaid property in his possession

Deponent has <sup>since</sup> seen said property and fully identifies the same as his property and the property of George J. Homan which was in his care and charge and stolen as aforesaid

Joel S. Davis

Sworn to, before me, this

7th day of November 1880

day

John J. ...  
Police Justice

City and County }  
of New York } ss

Edward C. Taylor an Officer  
attached to the Steamboat Squad Police No 300  
Mulberry Street being duly sworn says  
that he has heard read the foregoing  
affidavit and the statement therein contained  
on information is true to deponents own knowledge  
proved to before me this  
8<sup>th</sup> day of November 1880

Edward C. Taylor

J. M. Parsons  
Police Justice

0104

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

Daniel M. Guin 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. Daniel M. Guin

Question. How old are you?

Answer. 28 years

Question. Where were you born?

Answer. Ireland

Question. Where do you live?

Answer. 103 Washington Street

Question. What is your occupation?

Answer. Cook

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

Answer. I was under the influence  
of liquor and did not know  
what I was doing

D. M. Guin

When before me, this  
day of  
November 1890  
Police Justice

0105

COUNSEL FOR COMPLAINANT.

Name, .....  
Address, .....

COUNSEL FOR DEFENDANT.

Name, .....  
Address, .....

*50 Mulberry St*

*904 No 99*  
**Police Court—First District.**

THE PEOPLE, & C.,

ON THE COMPLAINT OF

*Joel S Davis*  
*57 Bank St*

*Daniel W. Lewis*

Affidavit—Larceny.



1 .....  
2 .....  
3 .....  
4 .....  
5 .....  
6 .....

Dated *5 November 1898*  
*Gotterson* Magistrate.

*Taylor* officer,  
*S.B.S.*

*Edward S Taylor*  
Witness  
*Stamant Squad 50 Mulberry St*

*Pickford*

*1000*  
to witness  
*General Season*

Received at Dist. Atty's office

BAILED  
No. 1  
Residence

No. 2  
Residence

No. 3  
Residence

No. 4  
Residence

No. 5  
Residence

No. 6  
Residence

No. 7  
Residence

No. 8  
Residence

No. 9  
Residence

No. 10  
Residence

No. 11  
Residence

No. 12  
Residence

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

That

*Daniel McBinn*

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

*One musical instrument of the kind called  
a violin of the value of twenty dollars  
One other musical instrument of the kind called  
a banjo of the value of five dollars  
Two coats of the value of three dollars each  
Two shirts of the value of one dollar each  
One pair of pantaloons of the value of seven dollars*

of the goods, chattels, and personal property of one *Joel S. Davis* 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.

0107

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

That the said

*Daniel McKim*

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 musical instrument of the kind called a violin of the value of twenty dollars  
One other musical instrument of the kind called a banjo of the value of five dollars  
Two coats of the value of three dollars each  
Two shirts of the value of one dollar each  
One pair of pantaloons of the value of seven dollars*

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

*Joel S. Davis*

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

*Joel S. Davis*

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

*Daniel McKim*

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.**

0108

**BOX:**

25

**FOLDER:**

302

**DESCRIPTION:**

McGloughlin, Robert

**DATE:**

11/05/80



302

0109

THE PEOPLE OF THE STATE OF NEW YORK

Indictment—Larceny—*State*

*7th*  
*Nov 17*

Counsel,

Filed *5* day of *Nov* 1872.

*Reeds*  
*Mr. Leach*

THE PEOPLE

vs.

*Robert W. Chapman*

*88*  
*Nov 17*

BENJ. K. PHILIPS,

District Attorney.

A TRUE BILL,

*Chapman*

*Nov 17 1872* Foreman

*Handwritten signature*

*Pen 6 months*

HEAR E. PHILIPS DISTRICT ATTORNEY

0110

FORM 112.

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

Police Court—Third District.

Thomas F. Brady

of No. 80 Bowery Street, being duly sworn, deposes

and says that on the 28<sup>th</sup> day of October 1880

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried away from the possession of deponent.

the following property viz.: 9 pairs of pantaloons at three dollars each all

of the value of twenty seven Dollars

the property of Francis J. Dunn and Patrick J. Dunn doing business at 80 Bowery under the title of Dunn Brothers in charge 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

Robert McLaughlin, John Jones, and Frank Harvey (washed)

for the reason that the accused came into the above named premises <sup>the Company</sup> under pretence of purchasing a coat. That deponent saw the said Robert drop from under his overcoat <sup>the</sup> nine pair of pants herein charged as stolen. That deponent caused the arrest of the accused

Therefore deponent charges the said Robert McLaughlin with the taking, stealing and carrying away the aforementioned property and that the said John Jones and Frank Harvey were accessories thereto.

Thomas F. Brady

Sworn to, before me this

day of

October

1880

John J. Morgan  
Notary Public

Notary Public

**Police Court—Third District.**

CITY AND COUNTY }  
OF NEW YORK. } ss.

\_\_\_\_\_ 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.*

*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 \_\_\_\_\_ 18

\_\_\_\_\_  
POLICE JUSTICE.

0112

COUNSEL FOR COMPLAINANT.

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

COUNSEL FOR DEFENDANT.

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

POLICE COURT—THIRD DISTRICT.

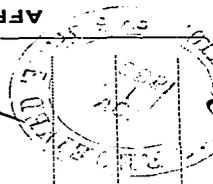
THE PEOPLE, & c.,

ON THE COMPLAINT OF

*Thomas F. Brady*  
*vs.*  
*Edouard J. D'Amico*

AFFIDAVIT—LARCENY.

1. *Robert M. Gagliardi*  
2. *John Jones*  
3. *Frank Harvey*



Dated *October 29* 19*50*

*Morgan* Magistrate.  
*Hyphet* Officer.  
*Mc* Clerk.

Witnesses  
*Edouard J. D'Amico*  
*80 Courcy*  
*2 & 3 Stuyvesant*  
*4-2 no evidence -*

*No. 1 Courtyer*

\$ *1000.* to answer  
at *General* Sessions  
Received at Dist. Attys Office,

*Buttford*

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 \_\_\_\_\_

0113

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

*Robert McLaughlin*

late of the First Ward of the City of New York, in the County of New York, afore-  
said, on the ~~twenty~~ *eight* day of ~~October~~ *October* in the year of our Lord one  
thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County  
aforesaid, with force and arms

*Nine pairs of pantaloons of the value  
of three dollars each pair*

of the goods, chattels and personal property of one

*Francis J. Dunn*

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.

0114

**BOX:**

25

**FOLDER:**

302

**DESCRIPTION:**

McGowan, William

**DATE:**

11/24/80



302

0115

Recd in the  
of Dan  
Dec 6-1887

Filed  
24 day of June  
1887  
Plonds  
Not Guilty

THE PEOPLE

vs.

Assault and Battery.

William McSweeney

B. K. PHELPS,

District Attorney.

Dec 6, 1887  
D. Sweeney

A TRUE BILL.

W. Kelly

For a statement of complaint  
out of the hands of the court  
to discharge of the charges on  
the same necessary and  
Dec 6, 1887 D. Sweeney  
A. B.

0116

COURT OF GENERAL SESSIONS OF THE PEACE,  
City and County of New York.

District Attorney's Office,

New York, Dec 1 1880

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

David Hickey  
against  
Wm McGowan

For Amos Hickey

The defendant having been indicted by a Grand Jury of this Court,  
on the 24 day of November 1880, for the offense  
of Amos Hickey upon a charge preferred  
by me against him, and having since fully compensated me for all  
injury and damage which I sustained thereby,

I do therefore hereby acknowledge to the Court that I have received  
full and complete satisfaction for the injuries and damages so sustained  
by me, and request that no further proceedings be had on said indictment,  
and that the defendant be discharged therefrom.

David Hickey  
Complainant.

City and County of } ss.  
New York.

David Hickey, the said complainant,  
being duly sworn, says, that the foregoing instrument by him subscribed  
is true of his own knowledge.

Sworn to before me, this 11<sup>th</sup> day of Dec 1880. David Hickey  
Complainant.

Chas. Ellarood  
Notary Public  
N.Y.C.

0117

AFFIDAVIT—FELONIOUS ASSAULT. &c.

Second District Police Court.

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

*David Hickey* of No. *218*  
*West 17<sup>th</sup>* Street, being duly sworn, deposes and says  
that on the *20<sup>th</sup>* day of *November* in the year  
18*80*, at the City of New York, he was violently and feloniously assaulted and beaten by

*William Mc Gowan (my boy)*  
*who after deponent had been*  
*assaulted and knocked down*  
*did jump on deponent's person*  
*and kicked deponent about*  
*the body*

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

Wherefore this deponent prays that the said assailant may be apprehended, and dealt with according to law.

Sworn to before me this *21<sup>st</sup>* day  
of *November* 18*80* by *David Hickey*  
*[Signature]* Police Justice.

0118

Police Court—Second District.

CITY AND COUNTY OF NEW YORK } ss.  
*William Mc Gowen*

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

QUESTION.—What is your name?

ANSWER.—*William Mc Gowen*

QUESTION.—How old are you?

ANSWER.—*21 Years.*

QUESTION.—Where were you born?

ANSWER.—*U. S.*

QUESTION.—Where do you live?

ANSWER.—*26th St.*

QUESTION.—What is your occupation?

ANSWER.—*Songshoremans*

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

ANSWER.—*I am no guilty*

*William Mc Gowen*

*William Mc Gowen*  
Taken before me, this  
day of

Police Justice.

0119

No 209 940

POLICE COURT—Second District.

OFFENCE—Religious Assault and Battery

THE PEOPLE, &c.,

ON THE COMPLAINT OF

David Kelly  
218 or 17 1/2 St

vs.  
William deGruen

Dated Nov 21 1880

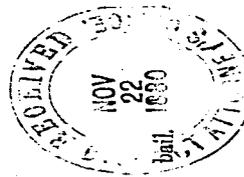
Smith Magistrate.

Knox Officer.

H. A. See Clerk

Witnesses,

*Cum*



Committed in default of \$1000 bail.

Bailed by

No.

Street.

0120

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

*William M. Gowan*

late of the First Ward of the City of New York, in the County of New York, aforesaid  
on the *twentieth* day of *November* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County  
aforesaid, in and upon the body of *David Hickey*  
in the peace of the said people then and there being, with force and arms unlawfully  
did make an assault and *kill* the said *David Hickey*  
did then and there unlawfully beat, wound, and ill-treat, to the great damage of the  
said *David Hickey* and against the peace of the  
People of the State of New York and their dignity.

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

0121

**BOX:**

25

**FOLDER:**

302

**DESCRIPTION:**

McKee, John

**DATE:**

11/23/80



302

0122

No. 172  
Filed 23 day of Apr. 1888  
Pleas *Asquith*

*Assault and Battery.*

THE PEOPLE

vs.

*John McKee*  
*vs. The People*

B. K. PHELPS,  
District Attorney.

A True Bill.

*W. H. Kelly*

Foreman.

*W. H. Kelly*

City Prison  
60 days.

0 1 2 3

Form 11.

Police Court--Second District.

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

*Oscar Leiffert*

of No. *98* *3<sup>rd</sup>* Avenue Street

that on the *13* day of *November*  
in the year *1880*, at the City of New York, in the County of New York,

he was violently ASSAULTED and BEATEN by

*John McRee*

*(none here) who wilfully seized  
deponent by the hair and struck  
deponent in the face with his  
fist - that said assault was*

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.

*Oscar Leiffert*

Sworn to before me, this

*13* November 1880

day

*[Signature]*  
Police Justice.

0 124

*172*  
Demands a Jury Trial  
at General Sessions

Form 11.

Police Court--Second District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Oscar Seiffer*  
*98 3rd Ave*

vs.

*Johnnie Kee*

AFFIDAVIT A. & B.

Dated *Novem 13* 1880

*Wandell* JUSTICE.

*Reigel* OFFICER.

WITNESS:



Notify Complamant at  
Germania Bank -  
Cor. Bond and Bowery

*Lenny*

*570 Bond St. 9. 5*

0 125

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

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

That

*John McKee*

late of the First Ward of the City of New York, in the County of New York, aforesaid  
on the *thirteenth* day of *November* in the year of our Lord  
one thousand eight hundred and ~~eighty~~ *eighty* at the Ward, City and County  
aforesaid, in and upon the body of *Oscar Seiffert*  
in the peace of the said people then and there being, with force and arms unlawfully  
did make an assault and *hit* the said *Oscar Seiffert*  
did then and there unlawfully beat, wound, and ill-treat, to the great damage of the  
said *Oscar Seiffert* and against the peace of the  
People of the State of New York and their dignity.

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

0126

**BOX:**

25

**FOLDER:**

302

**DESCRIPTION:**

McNamara, Michael

**DATE:**

11/30/80



302

0 127

No 253.

Filed 30 day of Nov 1880

Pleads Not Guilty.

THE PEOPLE

vs.  
Go. Richmond

Michael McTamara

Felious Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*OK King*

Dec 7. 1880. Foreman.

*Pleaded Not Guilty*

15 days C.P.

*See Memo. in 6th volume*

0128

**The Society of the New York Hospital,**  
**HOUSE of RELIEF, 160 Chambers St.**  
**New York, \_\_\_\_\_ 18**

In witness whereof  
This 1st day of  
The Seal of the  
is hereby attested  
my hand this 14th day of  
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.  
from the State  
of New York, at the  
City of New York  
this 14th day of  
1880

0129

New York Hospital,

West Fifteenth Street,

New York, *No 15<sup>th</sup>* 1880

David Sullivan, 35 years of age,  
is an inmate of this institution  
suffering from stab wound of chest.  
His condition is favorable of recovery.  
D. D. Leonard,  
Head Surgeon.

0130

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

*Michael Rowan*

of *the 4th Precinct Police* Street,

being duly sworn, deposes and says that on the *14* day of *November*  
18*90*, at the City of New York, in the County of New York

*Deponent is informed by Daniel Sullivan that Michael Mc Namara (now here) did feloniously assault & beat him said Sullivan by cutting and lacerating him in the breast with a knife, said Daniel Sullivan is now confined in the Chamber Street Hospital from the effect of such injuries received and unable to appear in court.*

*Deponent prays that said Michael Mc Namara may be held for further examination and to await the recovery of said injuries*

*Michael Rowan*

Sworn to this  
before me

*14 day of November 1890*

*Michael J. [Signature]*  
Police Justice.

0131

POLICE OFFICE, THIRD DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Michael Nawan

vs.

Michael E. Nawan

Affidavit - August 29  
of Michael David Sullivan

Dated Mar 14 1890

Morgan JUSTICE  
Nawan OFFICER.

WITNESSES:

Committed for further  
Examination to Court  
Doubt of prisoner

0132

Police Court—Third District.

CITY AND COUNTY OF NEW YORK.

Michael W. Hanna 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 W. Hanna

Question.—How old are you?

Answer.—

30 years.

Question.—Where were you born?

Answer.—

Ireland.

Question.—Where do you live?

Answer.—

18 Monroe St.

Question.—What is your occupation?

Answer.—

Waiter.

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

Answer.—My brother-in-law and I came

into the house together late at night. It was on a Saturday night—Nov. 13, 1880—We had had some work together and we separated—he going to his room—and I going to mine—A short time after the complainant came to my room and we quarreled and he struck me and tore my shirt. I called an officer to arrest my brother-in-law—he refused to do so—and then my brother-in-law returned to his room and I suppose quiet was restored. A short time after—he again came into my room—struck me on the right eye—scratched me on my shirt and would

Michael W. Hanna

in Court

1880

0133

murder me - and I then struck  
him in my own self defence

Michael H. Samara

Taken before me this  
23<sup>rd</sup> day of November  
1888.

R. J. Harrington  
Peace Justice

0134

Form 15.  
Police Court—Third District.  
STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK,

*Daniel Sullivan*  
of No. *18 Monroe* Street  
being duly sworn, deposes and says, that  
on *Sunday* the *14<sup>th</sup>* day of *November*  
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 McManara (now dead)*  
*who then and there*  
*with a knife held*  
*in his hand stabbed*  
*deponent in the chest*

(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 *23<sup>rd</sup>* day  
of *November* 18*80*.

*Daniel Sullivan*  
*A. T. Morgan*  
Police Justice.

0135

Mr. Johnson of Seneca, Maine  
says that Jeff was in his employ  
that he is a faithful honest man &  
that he is a peaceable man  
He has worked for him 4 or 5 years.

Form 15  
No 253  
Police Court—Third District.

THE PEOPLE, etc.  
ON THE COMPLAINT OF  
David C. Sullivan  
vs  
J. S. Morrill  
Docket Number 23 1890

Morgan Magistrate.  
Rowan Officer.  
The Precinct

\$500.00 Amos.



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

*Michael Mc Tamara*

late of the City of New York, in the County of New York, aforesaid, on the  
*fourteenth* day of *November* 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 *Daniel Sullivan*  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *Daniel Sullivan*  
with a certain *knife*  
which the said

*Michael Mc Tamara*

in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, willfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *Daniel Sullivan*  
then and there, feloniously and willfully 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 Mc Tamara*  
with force and arms, in and upon the body of the said *Daniel Sullivan*  
then and there being, willfully and feloniously did make an  
assault and *him* the said *Daniel Sullivan*  
with a certain *knife* which the said

*Michael Mc Tamara*

in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, willfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there willfully and feloniously  
do bodily harm unto *him* the said *Daniel Sullivan*  
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 Mc Tamara*

with force and arms, in and upon the body of *Daniel Sullivan*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *Daniel Sullivan*  
with a certain *knife*  
which the said

*Michael Mc Tamara* in *his*

right  
hand then and there had and held, willfully 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 *Daniel Sullivan* with intent *him* the

0137

said *Daniel Sullivan* then and there feloniously and willfully 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 McEtamara* with force and arms, in and upon the body of the said *Daniel Sullivan* then and there being, willfully and feloniously, did make another assault and *Lim* the said *Daniel Sullivan* with a certain *knife* which the said *Michael McEtamara* 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 maim *him* the said *Daniel Sullivan* 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.

*In 2053*

Filed 30 day of *Jan* 1880

Plends *Art. 2nd*

THE PEOPLE

*Michael McEtamara*  
*vs.*  
*Daniel Sullivan*  
F.  
Felonious Assault and Battery.

BENJ. K. PHELPS,  
District Attorney.

A True Bill

*[Signature]*

*John J. [Signature]*  
Foreman

*[Signature]*  
*[Signature]*  
*[Signature]*

*15 days C.P.*  
*McEtamara vs Sullivan*

0138

**BOX:**

25

**FOLDER:**

302

**DESCRIPTION:**

McNulty, Henry

**DATE:**

11/09/80



302

0139

Police Court—Fourth District.  
STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss.

of No. 321 East 68<sup>th</sup> Street, Patrick Brady  
on Sunday the 24<sup>th</sup> being duly sworn, deposes and says, that  
in the year 1890 at the City of New York, in the County of New York,  
day of October

and feloniously he was violently ASSAULTED and ~~BEATEN~~ by Henry McStutty  
(now here) who pointed a pistol  
at deponent said pistol being loaded  
with ball cartridge. That deponent  
was in a liquor store at No 1086 First  
Avenue when said McStutty came  
in said store and commenced quarrelling  
with one Andrew Fenian who was in  
company with deponent. That said  
McStutty then drew a pistol and  
pointed the same at deponent and  
said Fenian who with deponent retreated  
to a corner of said store. That Charles  
Daly the bartender at said store  
seized hold of the pistol in the hand  
of said McStutty when said pistol  
was discharged wounding said Daly  
in the hand. That said assault  
was made

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

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

Sworn before me, this 25<sup>th</sup> day  
of October 1890

R. H. Brisley  
Police Justice.

Patrick Brady

There were three of us together  
& the pistol was pointed towards  
the door where we were standing  
but I am not willing to swear  
that it was pointed at me. It  
was about 10 in the evening. I lived in a  
liquor store. We were enjoying ourselves  
there was no ill will between us

When he first came in the store he struck Finnan, I know of no reason why he should attempt to shoot me  
 Redieel, McNulty as soon as he came in struck Finnan with his ~~fork~~ then we went out & told the officer about it & we came in again in about a half an hour - McNulty and a man named <sup>Mc</sup>Gibney came in the store again Keeffe wanted to talk to McNulty & McNulty said Keeffe <sup>was</sup> no friend of McNulty Keeffe took off his coat to fight & McNulty struck Keeffe or struck at him, then McNulty Finnan took a fire shovel & McNulty came after him when Finnan struck McNulty, then McNulty pulled out his Revolver & pointed at me - ~~McGibney~~ Finnan and another man named I think Maroney, then we ~~went~~ <sup>went</sup> out - & I told the officer & ~~where~~ <sup>where</sup> the officer arrested him inside the Liquor Store, at this time - when he pointed the pistol - no one was in conflict with McNulty. I don't know whether or not the pistol was cocked - McNulty had his pistol ~~out~~ <sup>out</sup> when we first in the place & again ~~when~~ <sup>when</sup> we entered the second time

Sworn to before me this  
 25. day of October 1880  
 R. H. Brady Police Justice

Patrick Brady

Police Court - Fourth District.

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF  
 Patrick Brady

Shirley McNulty

Dated October 20 1880

Ruby Magistrate

Amphell Officer

Witness  
 Charles July 1088-1 Ave  
 Andrew Finnan 234 East 59th  
 Thomas Patterson 149 East 50th

0141

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

ss.

Police Court—Fourth District.

*Andrew Finnan*

of No. *239 East 59<sup>th</sup>* Street, being duly sworn, deposes and says,  
that on the *24<sup>th</sup>* day of *October* 18*80*

at the City of New York, in the County of New York, *he was in*  
*the liquor store No 1086 - 1<sup>st</sup> Avenue*  
*that Henry McStutty and John McLibney*  
*came into said liquor store and had*  
*a drink McStutty then took hold of*  
*deponents coat and struck deponent*  
*on the side of the head and said to deponent*  
*"get out of here you son of a bitch"*  
*as deponent was backing out toward*  
*the store door McStutty took a pistol*  
*from his pocket and pointed it at*  
*deponents breast, deponent then went*  
*out of said store. That about three*

*Sworn to before me, this*  
*day*  
187

Justice

0142

quarters of an hour afterwards, deponent returned to said store and shortly afterwards Mr. Kelly and Mr. Gibney came into said store. Mr. Kelly had a plate Mr. Gibney had a stone cutter mallet. Mr. Kelly pointed the pistol at deponent and followed deponent toward the front of the store. Kelly took hold of Mr. Kelly and the pistol was discharged.

Police Court—Fourth District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

AFFIDAVIT

Subscribed and sworn to before me  
this 25<sup>th</sup> day of October, 1880

Dated

Witness

Disposition

J. Andrew Pinnon  
R. S. P. Kelly  
Police Justice

0143

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

Police Court—Fourth District.

*Charles Daly*

of No. *1088 First Avenue*, being duly sworn, deposes and says,  
that on the *24<sup>th</sup>* day of *October* 18*80*  
at the City of New York, in the County of New York,

*Henry McSperry the prisoner now in  
Coubt was in the liquor store at No 1086  
First Avenue where deponent is employed  
as bartender. That said McSperry was  
quarrelling with several other men who  
were in said store and drew from  
his pocket a pistol and pointed  
the same toward the other men, deponent  
jumped from behind the counter and  
caught hold of said pistol which was  
then discharged. the ball lodging in deponents hand*  
*Charles Daly*

Sworn to before me, this *25<sup>th</sup>* day  
*W. H. [Signature]*  
Police Justice  
18*80*

0144

X The discharge of the pistol was an accident.

Police Court—Fourth District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

vs.

AFFIDAVIT

Date.....187

Magistrate.

Officer.

Witness,

Disposition

0145

FOURTH DISTRICT POLICE COURT.

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

of No.

348 East 62<sup>nd</sup>

street,

that on the

24<sup>th</sup>

day of

Henry McTully  
being duly sworn, deposes and says,

October

1880

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

He was arrested charged with  
felonious assault on Patrick Brady  
that John McGibney and deponent  
went into a liquor store 1086-1 Avenue  
to have a drink. I was insulted  
by some person who was behind  
my back I turned to answer the  
insult and there was a regular  
rattle of bottles and stone shovel  
poker and other things. I saw  
Dynam pick up a stone shovel.  
I then pulled out my revolver  
and Charles Daly came from  
behind the counter and grabbed  
the revolver and in the scuffle  
between him and me he trying to  
take it off from me. He snatched  
it. I did not point the revolver  
at any one and did not intend  
to shoot anyone. It was some-  
where around nine o'clock at night

Done to before me this  
25<sup>th</sup> day of October 1880

H. McTully

R. W. Prichy  
Police Justice

0146

**Police Court, Fourth District.**

CITY AND COUNTY } ss.  
OF NEW YORK,

*Henry McAtty* 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. *Henry McAtty*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live?

Answer. *348 East 62<sup>d</sup> Street*

Question. What is your occupation?

Answer. *Chair Maker*

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

Answer. *I did not mean to shoot anybody it was an accident.*

*Henry McAtty*

Taken before me this

25<sup>th</sup>

day of October 1892

*R. M. Smith*  
Police Justice.

0147

No 39  
Police Court South District.

THE PEOPLE, &  
ON THE COMPLAINT OF

Patrick Brady  
321 E 63

Sunny McTigue

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

Dated

Oct 25 1880

Barney

Magistrate.

Campbell

Officer.

28

Clerk.

Witnesses

Charles Daly 1088-1 Ave

Andrew Fenian 234 E 59 St

Thomas Patterson 149 E. 50 St

1000 Broadway

Comm

Oct 25 2 10 PM '80

Received in District Att'y's Office,

1872 In Natty arrested for Pickering Pockets  
 off Campbell 3 Months Penitentiary

Feb 1<sup>st</sup> 1879 For Paid Larceny Wash

Oct 26<sup>th</sup> 1880 Felonious Assault

James Smith	Complained
Paul Brady	Witness
James Patterson	"
John James	"
Wm. Shubler	Pres. of Police

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

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

That *Henry McNeulty*

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

on the *Twenty fourth* day of *October* 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 *Patrick Brady*  
in the peace of the said People then and there being, feloniously did make an assault  
and to, at and against *him* the said *Patrick Brady*  
a certain *pistol* then and there loaded and charged with gunpowder and one  
leaden bullet, which the said *Henry McNeulty*  
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 *Patrick Brady*  
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 *Henry McNeulty*

with force and arms, in and upon the body of the said *Patrick Brady*  
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 *Patrick Brady*  
a certain *pistol* then and there loaded and charged with gunpowder and one  
leaden bullet, which the said *Henry McNeulty*  
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 *Patrick Brady*  
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

Henry M. Mully  
with force and arms, in and upon the body of the said Patrick Brady  
then and there being, wilfully and feloniously did make an  
assault and to, at and against him the said Patrick Brady  
a certain pistol then and there loaded and  
charged with gunpowder and one leaden bullet, which pistol the said

Henry M. Mully  
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

Patrick Brady  
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

Henry M. Mully  
with force and arms, in and upon the body of the said Patrick Brady  
then and there being, wilfully and feloniously, did make an  
assault and to, at and against him the said Patrick Brady  
a certain pistol then and there loaded and  
charged with gunpowder and one leaden bullet, which pistol the said

Henry M. Mully  
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

Patrick Brady  
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.

0151

**BOX:**

25

**FOLDER:**

302

**DESCRIPTION:**

McNulty, Michael

**DATE:**

11/16/80



302

0152

**BOX:**

25

**FOLDER:**

302

**DESCRIPTION:**

Gilmore, Edward

**DATE:**

11/16/80



302

0153

**BOX:**

25

**FOLDER:**

302

**DESCRIPTION:**

Fitzpatrick, John

**DATE:**

11/16/80



302

held in their  
own responsibility  
on the ground  
the success of  
Sampson's being  
shaky & unsteady  
for the reason that  
Consett was sunk  
at the time & under  
pecuniary & other the  
best way. he will be  
his account & denying  
the debt.

P.S.

92  
1880

Counsel, of Oliver  
Filed 16 day of Nov  
1880  
All Pleads, not Guilty

Robbery—First Degree, and Possession  
of Stolen Goods

THE PEOPLE  
vs.  
Michael McQuilly  
Edward Edmore  
John McPatrick

BENJ. K. PHELPS,  
District Attorney.

A TRUE BILL.  
*[Signature]*  
Lawyer

Part Pro AEC 2, 1880  
all 3 discharged by the  
Court on their bond & recognizance

0155

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

Police Court--First District.

of No. *63 New Blavery* Street, being duly sworn, deposes  
and says, that on the *10<sup>th</sup>* day of *October* 18 *80*  
at the *Fourth* Ward of the City of New York, in the

County of New York, was feloniously taken, stolen, and carried away, from the person of deponent, by force and violence, without his consent and against his will, the following property viz:

*One double Case gold watch and gold chain attached together*

of the value of *One hundred* 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 force and violence as aforesaid.

*Michael M. Kelly, Edward Gilmore and John Fitzpatrick, all now here, and another man unknown to this deponent for the reasons following, to wit:-- That at said time deponent was walking in Chatham Street and said property was then contained in the left side pocket of the coat then worn upon the person of deponent, and was fastened to said coat by said chain. That deponent was then and there attacked by four men who forcibly took and obtained deponent's*

deponent's property taken from him

deponent

And by means of force and violence  
robbed deponent of the property  
aforesaid. That deponent charges  
said defendants with the crime  
above set forth, from information  
derived from Thomas Black, here  
present whose affidavit is hereto  
attached.

Sworn to before me } John Leoker  
this 7<sup>th</sup> day of October 1880

J. M. Patterson, J. Peace Justice  
City and County of New York, N.Y.

Thomas Black, of 183 Chatham  
Street, being duly sworn deposes  
and says that about the hour of 10  
o'clock on the night of the 15<sup>th</sup> day  
of October 1880 deponent saw  
Michael M. Kelly, Edward Gilman  
and John Fitzpatrick, all new here,  
and another man unknown to  
deponent forcibly seize hold of  
the complainant in the foregoing  
affidavit and push him against  
a railing in front of 183 Chatham  
Street and hold and detain him  
there and immediately thereafter  
release him and run away, and  
deponent then saw the defendant  
Fitzpatrick with a watch and chain  
which he was putting hurriedly  
into his pantaloons pockets  
Thomas Black

Sworn to before me this  
7<sup>th</sup> day of October 1880  
J. M. Patterson, J. Peace Justice

City and County of New York, Ad.

John Gerken

vs. Michael McNulty et al

} Robbery

Thomas Black sworn and was examined - It was about 10 o'clock on the night in question. It was dark at that time. I will not swear without a doubt that the three defendants now here are the men who robbed the complainant. They look like the men.

By the Court - I was half drunk the morning I was in Court. I am unable to identify Fitzpatrick here present. I cannot point out the men who had the watch and chain. I cannot swear the prisoners here present are the same men who were in Court when I testified before. I know Mr Gerken the complainant



City and County of New York, N.Y.

Gilbert Carr, an officer of the  
44<sup>th</sup> Precinct Police, being duly  
sworn say - I arrested the three  
defendants in this case on the  
information of the witness Black.

Black described the men to  
me who robbed Gordon, and  
told me that he was informed  
that one of the men was called  
Fitzj Reynolds but that he did  
not know him. I arrested  
the men on his description.

He identified the three prisoners  
now here in the Tombs Police  
Court when brought out to  
the clerk to be examined.

I know Fitzpatrick, here present  
by the name of Fitzj Reynolds.

I have seen the other two  
prisoners but I do not know  
them.

Sworn to before me this }  
5<sup>th</sup> day of November 1880

Gilbert Carr

J. M. Dawson

Police Justice

(over)

0160

Court moved to dismiss the  
complaint - motion denied

~~Witness Blake ordered to find  
trial on #500. To testify and  
defendants need to answer the  
answer on #1000. such~~

0161

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY } ss.  
OF NEW YORK.

*Michael McNulty* 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. *Michael M McNulty*

Question. How old are you?

Answer. *Fifty-five years of age*

Question. Where were you born?

Answer. *Ireland*

Question. Where do you live?

Answer. *Jersey City*

Question. What is your occupation?

Answer. *Laborer*

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

Answer. *I am not guilty of the charge. I was not there at the time*

*Michael McNulty*  
*sworn*

*J. M. Patterson*  
Taken before me this *17<sup>th</sup>* day of *October* *1880*  
POLICE JUSTICE.

0162

POLICE COURT—FIRST DISTRICT.

CITY AND COUNTY }  
OF NEW YORK. } ss

*Edward Gilmore* 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. *Edward Gilmore*

Question. How old are you?

Answer. *Thirty-four years of age*

Question. Where were you born?

Answer. *New York City*

Question. Where do you live?

Answer. *No. 16 Roosevelt St.*

Question. What is your occupation?

Answer. *Bar tender & laborer*

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

Answer. *I am not guilty of the charge.*

*Edward Gilmore*

Taken before me, this  
*J. M. Patterson*  
day of *October* 188*0*  
POLICE JUSTICE.

0163

Police Court--First District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*John Fitzpatrick* 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. *John Fitzpatrick*

Question. How old are you?

Answer. *Thirty years of age*

Question. Where were you born?

Answer. *New York City*

Question. Where do you live?

Answer. *No. 69 James St.*

Question. What is your occupation?

Answer. *Long Shore man*

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 John Fitzpatrick*

Taken before me this *17<sup>th</sup>* day of *October* 18*80*  
*James J. [Signature]*  
Police Justice.

0164

*Waged to No. 360 3 P.M.*

98  
Police Court—First District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF  
AFFIDAVIT—ROBBERY.

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

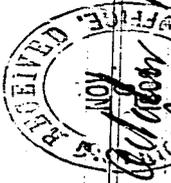
No. 5, by

Residence,

No. 6, by

Residence,

1 *John Gordon*  
*63 New York*  
2 *Michael McNulty*  
3 *Edward Gilman*  
4 *John Fitzpatrick*



Dated

1880

Judge

Officer

Clerk

*Carroll*  
*Carroll*  
*Carroll*

Witness:

*Thomas Black*  
*83 Chatham St.*

\$1000.

at *Gen. Sec.*

Received at Dist. Atty's office

\$1500. for

*Carroll*

*W. Oct. 29th 3 P.M.*

COUNSEL FOR COMPLAINANT.

Name

Address

COUNSEL FOR DEFENDANT.

Name

Address

0165

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 *Michael McHuey, Edward Edmore,*  
*and John Fitzpatrick* esqs

late of the First Ward of the City of New York, in the County of New York aforesaid,  
on the *fifteenth* day of *October* in the year of our Lord  
one thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County  
aforesaid, with force and arms, in and upon one *John Berken*  
in the peace of the said People then and there being, feloniously did make an assault and

*One watch of the value of eighty dollars*  
*One chain of the value of twenty dollars*

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

*John Berken*

from the person of said *John Berken* and against  
the will and by violence to the person of the said *John Berken*  
then and there violently and feloniously did rob, 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. H. Phelps*  
District Attorney

0166

**BOX:**

25

**FOLDER:**

302

**DESCRIPTION:**

Mead, Jennie

**DATE:**

11/09/80



302

0167

**BOX:**

25

**FOLDER:**

302

**DESCRIPTION:**

Knapp, Annie

**DATE:**

11/09/80



302

0168

032

Counsel,  
Filed 9 day of Nov 1870.  
Pleas Mrs Buckley

Indictment <sup>vs</sup> Larceny  
THE PEOPLE  
19. charged Ann vs. P  
Jennie Mead  
24. charged Ann vs. P  
Annie Krapf

BENJ. K. PHELPS,  
District Attorney.  
Part Ann Nov 10. 1870  
Both plead PL  
A True Bill  
O. H. Rice  
Foreman.

Indictment found  
30 days C.P.  
PL

0169

POLICE COURT FIFTH DISTRICT.

CITY AND COUNTY OF NEW YORK, ss.

*Jennie Mead* being duly examined before the undersigned, according to law, on the annexed charge and being informed that she was at liberty to answer or not, all or any questions put to her, states as follows, viz:

Question. What is your name?

Answer. *Jennie Mead.*

Question. How old are you?

Answer. *Within glass of age.*

Question. Where were you born?

Answer. *Canaan, State of Connecticut.*

Question. Where do you live?

Answer. *Huban House, East 24<sup>th</sup> Street.*

Question. What is your occupation?

Answer. *House Servant.*

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

Answer. *Am guilty.*

*Jennie X Mead*  
*Maid*

Taken before me this *28<sup>th</sup>* day of *October* 18*80*

*John W. Mann* Police Justice.

0170

POLICE COURT - FIFTH DISTRICT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Annie Knapp* 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 <sup>her</sup> ~~him~~, states as follows, viz:

Question. What is your name?

Answer.

*Annie Knapp.*

Question. How old are you?

Answer.

*Twenty four years of age*

Question. Where were you born?

Answer.

*Greenwich. State of Connecticut.*

Question. Where do you live?

Answer.

*Shenhan House. East 21<sup>st</sup> Street*

Question. What is your occupation?

Answer.

*House servant*

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

Answer.

*I am guilty*

*Annie Knapp*  
*X*  
*maist*

Taken before me this

*28<sup>th</sup>*

day of

*October* 18*80*

*Stuart. Oliver*

Police Justice.

0171

District Police Court

Affidavit—Larceny.

CITY AND COUNTY OF NEW YORK

of No. 1719 Third Avenue Street,

being duly sworn, deposes and says, that on the 20th day of October 1880

at the 17th Ward City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, and from the said premises,

the following property, viz:

Gold and lawful money of the issue of the United States government consisting of Ten notes or bills of the value and denomination of Ten dollars, each; One note or bill of the value and denomination of One dollar; Four pieces of silver coin of the denomination and value of One dollar, each; Ten worsted and cotton Dresses of the value of Seven dollars, each; One light drab cloth Sacque of the value of Three dollars; One brown Over suit of the value of One dollar; Ten white Countesspapers of the value of Ten dollars, each. Said property being in all of the value of Twenty six dollars

the property of Deponent and deponent's husband, John Howe and deponent's sister, Mary Wilson, and in deponent's care and charge

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

Jennie Mead and Annie Keapp. (both now free) from the fact that said Jennie and said Annie both acknowledged and confessed to deponent, in open court, that they did take, steal and carry away the aforesaid property from said premises and pawned a portion of said property at the pawn shop of S. Holzman No. 1993 Third Avenue, in violation against the form of the statute in such case made and provided. Margret Howe

Sworn before me this 20th day of October 1880  
Wm. M. Wilson  
Police Justice

0172

574  
District Police Court

THE PEOPLE, & Co.,  
ON THE COMPLAINT OF

Margaret Lane  
1719 1/2 Broadway  
Anne Mead  
Ethel Knapp

DATE: October 25<sup>th</sup> 1900

A. J. Munn  
MAGISTRATE

OFFICE  
JAN 23

WITNESSES:  
John A. Zell  
20<sup>th</sup> Broadway

10 OCT 28 1900  
PROTESTANT

DISTRIBUTION  
x 500 each  
committed

D. S. Latham & Wilson

Spies, Myra, 900 1/2 Avenue  
Embassy by his wife  
of ...

0173

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

*Jennie Mead and Annie Knapp*  
*each*

late of the First Ward of the City of New York, in the County of New York, afore-  
said, on the *twentieth* day of *October* in the year of our Lord one  
thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County  
aforesaid, with force and arms

*Two* skirts of the value of *two* dollars each  
*Two* overskirts of the value of *two* dollars each  
*Two* vests of the value of *three* dollars each  
*One* sash of the value of *three* dollars  
*One* other overshirt of the value of *one* dollar  
*Two* counterpanes of the value of *two* dollars each

*Two* Promissory Note \$ for the payment of money, the same being then and there  
due and unsatisfied, and of the kind known as *United States Treasury Note* of the  
denomination of *two* dollar \$ and of the value of *two* dollar \$ each

*Two* Promissory Note \$ for the payment of money, the same being then and there  
due and unsatisfied, and of the kind known as *Bank Note* of the denomination of  
*two* dollars and of the value of *two* dollars each

*One* Promissory Note for the payment of money, the same being then and there  
due and unsatisfied, and of the kind known as *a* United States Treasury Note of the  
denomination of *one* dollar and of the value of *one* dollar.

*One* Promissory Note for the payment of money, the same being then and there  
due and unsatisfied, and of the kind known as *a* Bank Note of the denomination of  
*one* dollar and of the value of *one* dollar.

*Four* coins of the kind called dollars  
of the value of *one* dollar each

of the goods, chattels and personal property of one

*Margaret Rowe*

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.

0174

**BOX:**

25

**FOLDER:**

302

**DESCRIPTION:**

Moore, Charles

**DATE:**

11/16/80



302

0175

No 126

*Sumner*

Day of Trial

Counsel,

Filed 16 day of Nov

1880

Pleas *In Guilty*

THE PEOPLE

vs.

*Charles Moore*

BURGLARY—Third Degree, and  
Receiving Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

A True Bill found  
*W. H. King*

Foreman

*W. H. King*

*David A. Spaul.*

0176

Police Court—Second District.

City and County  
of New York.

vs: August Gambardo  
of No. 101 Prince Street, being duly sworn,

deposes and says that the premises No. 101 Prince Street, Ward, in the City and County aforesaid, the said being a store and which was occupied by deponent as a place for the sale of signs were **BURGLARIOUSLY** entered by means of breaking open a window at the rear of the said premises

on the 11th day of Nov 1880

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

One Revolver of the value of seven dollars and five Bills and Bills of the value of fifteen dollars and three property, all of the value of thirty dollars

\$ 30 00

the property of August Gambardo 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 Charles Moore (now known)

for the reasons following, to wit:

That one or more brass checks (then shown) and which deponent identifies as a part of the property so taken, stolen & carried away, was found in the possession of said Moore, in the presence of deponent

August Gambardo

Subscribed and sworn to before me on Nov 1880  
J. W. [Signature]

0177

Police Court—Second District.

CITY AND COUNTY OF NEW YORK, ss.

*Charles Moore*

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

QUESTION.—What is your name ?

ANSWER.—

*Charles Moore*

QUESTION.—How old are you ?

ANSWER.—

*19 years*

QUESTION.—Where were you born ?

ANSWER.—

*Ireland*

QUESTION.—Where do you live ?

ANSWER.—

*110, Stone St.*

QUESTION.—What is your occupation ?

ANSWER.—

*Drumming*

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

ANSWER.—

*I am not guilty*

*Charles Moore*  
*Mar 1888*

Witness before me, this

*[Signature]*  
day of *Feb* 1888  
Police Justice.

0178

903

Police Court—Second District.

OFFENSE: BURGLARY AND LARCENY.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

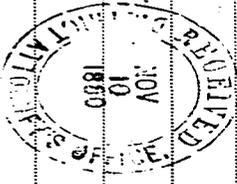
Michael Hancock  
107 Prince St.

vs.  
Char Moore

Dated Nov 9 1880

Hancock Magistrate.

Butler Officer.  
Clerk.



Witness: \_\_\_\_\_

Committed in default of \$ 500 Bail.

Bailed by \_\_\_\_\_  
No. \_\_\_\_\_ Street.

Com

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

*Charles Moore*

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

*Augusto Sambato*

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

*Augusto Sambato*

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

*One pistol of the value of seven dollars*  
*Five balls of the kind called Billiard Balls*  
*of the value of three dollars each*  
*Eight checks of the value of one dollar*  
*each*

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

*Augusto Sambato*

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

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

*Charles Moore*

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 pistol of the value of seven dollars  
Five Balls of the kind called Billiard  
balls of the value of three dollars each  
Eight checks of the value of one dollar each*

of the goods, chattels and personal property of

*Augusto Samburo*

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

*Augusto Samburo*

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

*Charles Moore*

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 pro  
vided, and against the peace of the People of the State of New York, and their dignity.

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

0181

**BOX:**

25

**FOLDER:**

302

**DESCRIPTION:**

Morgan, James

**DATE:**

11/16/80



302

Frankford No. 96  
P. 12

Filed 16 day of Nov 1880

Pleas set & ready

THE PEOPLE

vs.

James A. Morgan,

Defendant.

Carroll W. H. ...

OR,

Asaith and Battery - Defendants.

BENJ. K. PHILLIPS,

District Attorney,

A TRUE BILL  
*[Signature]*

Foreman.

Read True, Nov. 14, 1880

True & acquitted.

Frankford

0183

AFFIDAVIT—FELONIOUS ASSAULT, &c.

Second District Police Court.

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

*William Hector*  
342. W 37<sup>th</sup> Street of No. *Danforth*

Street, being duly sworn, deposes and says  
that on the *5th* day of *November* in the year  
18*80* at the City of New York, he was violently and feloniously assaulted and beaten by

*James Morgan (now here) as deponent*  
*is informed and believes by Dennis Rafferty*  
*who saw said Morgan discharge at*  
*deponent a pistol loaded with powder*  
*and ball, the ball of said pistol striking the*  
*arm of deponent and passing through it.*

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

Wherefore this deponent prays that the said assailant may be apprehended, and dealt  
with according to law.

Sworn to before me this *6* day of *Nov* 18*80* } *William Hector*  
*[Signature]* Police Justice.

Dennis Rafferty of 342 West 39th Street being duly sworn deposes and says, that on the night of Nov 5th 1880 he was present in a saloon at 475 9th Avenue when James Morgan (now dead) discharged a loaded pistol at William Hector, the said pistol being loaded with powder and ball and that the ball from said pistol took effect in the arm of said Hector, that the said shooting was without any provocation or cause on the part of said Hector.

Dennis Rafferty

Sworn to before me  
the 6th day of Nov 1880  
J. J. [Signature]

Poley Justice

Police Court—Second 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 is at liberty to refuse to answer any question that may be put to him, states as follows, viz:

QUESTION.—What is your name?

ANSWER.—*James Morgan*

QUESTION.—How old are you?

ANSWER.—*23 years*

QUESTION.—Where were you born?

ANSWER.—*U. S.*

QUESTION.—Where do you live?

ANSWER.—*Declines to answer.*

QUESTION.—What is your occupation?

ANSWER.—*Stone Cutter*

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

ANSWER.—*I did not shoot him had no pistol and was not in the place at the time.*

*James Morgan*

Taken before me this

*John W. [Signature]*  
Police Justice

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 Morgan*

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

on the *fifth* day of *November* 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 *William Hoctor*  
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 Hoctor*  
a certain *pistol* then and there loaded and charged with gunpowder and one  
lead bullet, 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 then and there shoot off and discharge,  
with intent *him* the said *William Hoctor*  
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

*James Morgan*  
with force and arms, in and upon the body of the said *William Hoctor*  
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 *William Hoctor*  
a certain *pistol* then and there loaded and charged with gunpowder and one  
lead bullet, 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 then and there attempt to discharge,  
with intent *him* the said *William Hoctor*.

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

*James Morgan*  
with force and arms, in and upon the body of the said *William Hoctor*  
then and there being, wilfully and feloniously did make an assault and to, at and against *him* the said *William Hoctor*  
a certain *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which *pistol* the said

in *his* *James Morgan* 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

*William Hoctor*  
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

*James Morgan*  
with force and arms, in and upon the body of the said *William Hoctor*  
then and there being, wilfully and feloniously, did make an assault and to, at and against *him* the said *William Hoctor*  
a certain *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which *pistol* the said

in *his* *James Morgan* 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

*William Hoctor*  
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.