

0341

BOX:

103

FOLDER:

1102

DESCRIPTION:

Madden, James J.

DATE:

05/07/83



1102

The people have already used James J. Madden before the grand jury against the receivers. He is the principal witness upon which the people rely to convict the receivers of the property. The owner of the property is very anxious that Madden should be held as a witness. Under those circumstances I ask that Madden be discharged upon his own recognizance, and committed as a witness to the House of Detention.

July 2. 1883
Wm. J. Ryan
 Clerk

May 27
Wm. J. Ryan

Counsel,
 Filed
 Pleas

1883

THE PEOPLE

James J. Madden

Grand Larceny.

III. Civ. State [Filed] No. 2496. 563

John McKee
 District Attorney

Wm. J. Ryan
 Clerk

POOR QUALITY
 ORIGINAL

0342

0343

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 J. Madden

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

James J. Madden

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

The said James J. Madden

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the 30th day of September in the year of our Lord one thousand eight hundred and eighty-two, at the Ward, City and County aforesaid, with force and arms

Five Handkerchiefs, of the value of eight dollars each

of the goods, chattels and personal property of one Frederick W. Muser 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 W. Keon
District Attorney

0344

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

Police Court 2^d District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

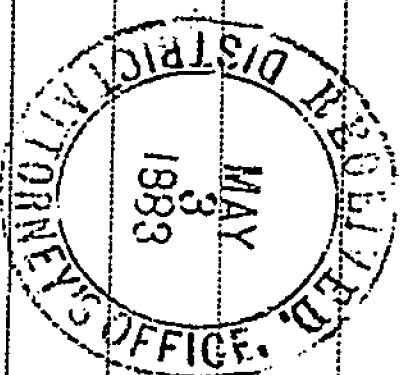
Richard Pinner
465 Broadway St.

1 James G. Madden
2 _____
3 _____
4 _____

Offence, Grand Larceny

Dated May 1 1883

Magistrate.
S. O. Richter
Officer.
Clerk.



Witnesses,
No. _____
Street, _____

No. _____
Street, _____

No. _____
to answer \$500.00
Street, _____

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

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

Dated May 1 1883 Hugh Furman Police Justice.

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

Dated _____ 1883 _____ Police Justice.

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

Dated _____ 1883 _____ Police Justice.

0345

Sec. 198-200

2d District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James J. Madden 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. James J. Madden

Question. How old are you?

Answer. 42 years

Question. Where were you born?

Answer. Ireland

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

Answer. No 38 - 15th St, Hoboken N.J.; 2 years

Question. What is your business or profession?

Answer. blacks

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

Answer. I am guilty

James J. Madden

Taken before me this

1st

day of

1883

Police Justice

0346

2d

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, ss

importer of No. 465 ^{Richard Musser, 40 years old, late} ^{owner} ^{business at} ^{Street, New York City}

being duly sworn, deposes and says, that on the 20 day of September 1882

at the ^{place} No 465 ^{Broome street,} 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, with intent to deprive of the}
the following property, viz: ^{the true owner thereof} ^{the} ^{chests} ^{each of the value eight dollars,}
^{in all of the value of Forty eight dollars}

Subscribed before me this

day of

1888
Police Justice.

the property of ^{Frederick W. Musser, Richard}

^{Musser and Otto Musser General Partners}

^{and William Ruden Special Partner in the firm}

^{of Musser Brothers and in deponent's charge 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 ^{James F. Madden, now}

here, from the fact that said Madden

admits and confesses that he took, stole

and carried away said property at said

time and place

[Signature]

0347

BOX:

103

FOLDER:

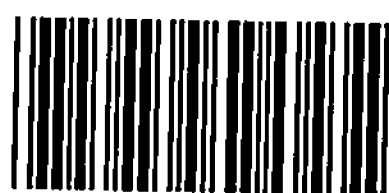
1102

DESCRIPTION:

Mahoney, Cornelius

DATE:

05/16/83



1102

POOR QUALITY
ORIGINAL

0348

59 Paul G. H. H.

Day of Trial, *4 July* 1883
Counsel, *J. D. H.*
Filed *16* day of *July*
Pleads *not guilty*

THE PEOPLE
vs.
Conclusive
Handwritten
BURLIN—Third Degree,
[522-498-506-528-532]

JOHN McKEON,
Dist. Atty.
Miss Macquid.

A True Bill.
C. McKing
Foreman.
John McKing

0349

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Cornelius Mahoney

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

Cornelius Mahoney

of the CRIME OF BURGLARY IN THE THIRD DEGREE,

committed as follows:

The said

Cornelius Mahoney

late of the *19th* Ward of the City of New York, in the County of New York, aforesaid, on the *sixth* day of *May* in the year of our Lord one thousand eight hundred and eighty *three* with force and arms, at the Ward, City and County aforesaid, the *shop* of

Jacob Epstein

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

Jacob Epstein

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

of the value of fifteen dollars, of the goods, chattels and personal property of one Henry Sawyer, and one nest of the value of two dollars

of the goods, chattels and personal property of *one John Sawyer* whose real name is, to the Grand Jury aforesaid unknown

so kept as aforesaid in the said *shop* 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 McLean

District Attorney

0350

CITY AND COUNTY }
OF NEW YORK, } ss.

George Reid
aged 40 years, occupation Police Officer of No.

1055-2 Avenue Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Jacob Eckstein
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 6th } George Reid
day of May 1883 }

[Signature]
Police Justice.

0351

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

No. 59 of 1883
Police Court No. 344
District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles E. Patton
1037. 6th Avenue
786 4th St.
Brooklyn
Offence, _____
1
2
3
4

Dated January 6th 1883

Magistrate

Officer

Clerk

Witnesses

No. 786 of 1883
Street

No. _____
Street

No. _____
Street

\$ 1000 to answer E. J.
Street

David

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 Charles E. Patton

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

Dated April 6th 1883

Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0352

Sec. 198-200

4 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Cornelius Mahoney 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. Cornelius Mahoney

Question. How old are you?

Answer. 16 years

Question. Where were you born?

Answer. New York

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

Answer. 968-10 Avenue

Question. What is your business or profession?

Answer. Bookbinder

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

Answer. I am not guilty of the
charge preferred against me

Cornelius Mahoney

Taken before me this

day of

at

1883

Police Justice.

0353

Police Court—4 District.

City and County }
of New York, } ss.:

Jacob Eckstein
of No. 1037 - Sixth Avenue ~~Street~~, aged 51 years,
occupation Taylor being duly sworn.

deposes and says, that the premises No 786 - 4th Avenue ~~Street~~,
in the City and County aforesaid, the said being a one story frame Building

and which was occupied by deponent as a Taylor Shop
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking
the door window and then entering
said premises

on the 6th day of May 1883 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

One Overcoat and one Vest
of the value of twenty Dollars

/ 20.00

the property of Henry Turner & son Spencer
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

Carroll's servants

for the reasons following, to wit: that he was informed by
Officer George Rice of the 19th Precinct
Police that he saw the defendant and
one other man unknown to him
lingering near said store 15 minutes
previous to the Burglary was committed
and when he heard the alarm given
by City bells he saw Rice and two
men running from said premises

0354

and when he followed and
then and then arrested the said
Carmichael's property and the other
house in company with said defendant
escaped.

Jacob Eckstein.

Present before me on 7 - 10 1883
this 6th of January 1883

[Signature] Police Justice

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Burglary

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No. Street.

0355

BOX:

103

FOLDER:

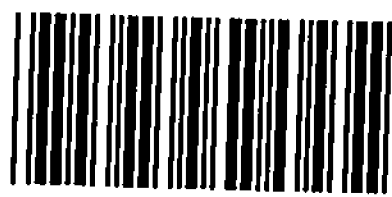
1102

DESCRIPTION:

Marks, Jacob

DATE:

05/03/83



1102

0356

BOX:

103

FOLDER:

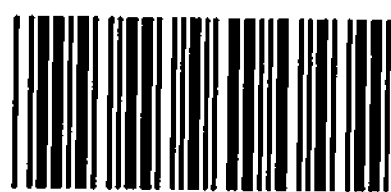
1102

DESCRIPTION:

Schneider, John

DATE:

05/03/83



1102

POOR QUALITY
ORIGINAL

0357

9th Sticker
Part I 1913

Counsel,
Filed 3 day of May 1883
Pleads *not* guilty

THE PEOPLE
vs.
Geo. Markham
John Schneider
11 3 1883

May 11/83
JOHN McKEON,
District Attorney
Chas. G. 2nd

A True Bill.

[Signature]
Foreman.
[Signature]
[Signature]

Sentence suspended

Grand Larceny, Second degree, and
Receiving Stolen Goods.
(See 528-531 and 550)

POOR QUALITY
ORIGINAL

0358

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Jacob Marks, and
John Schneider

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

Jacob Marks and John
Schneider

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

The said Jacob Marks and John

Schneider

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
25th day of April in the year of our Lord one thousand eight hundred and
eighty-three, at the Ward, City and County aforesaid, with force and arms
ten dozen spoons of silver of the
value of seven dollars each
dozen spoons

of the goods, chattels and personal property of one Henry A.
Summer 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.

0359

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

_____ *Jacob Marks* _____

_____ of the CRIME OF RECEIVING STOLEN GOODS,
committed as follows:

The said *Jacob Marks* _____

late of the First Ward of the City of New York, in the County of New York
aforesaid, on the *25th* day of *April* in the year of our Lord
one thousand eight hundred and eighty-*three*, at the Ward, City and County
aforesaid, with force and arms *ten dozen spoils*

of all the value of
seven dollars each dozen
spoils _____

of the goods, chattels and personal property of *Denny F. Turner*
by John Schneider and _____
by ~~some~~ certain persons to the Grand Jury aforesaid unknown, then lately before
feloniously stolen, taken and carried away from the said _____

_____ *Denny F. Turner* _____
unlawfully and unjustly, did feloniously receive and have; he the said _____

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

JOHN McKEON, District Attorney.

0360

H. O. Weill Successor to
WEILL & KRAEMER,
Successors to JULIUS KAYSER, ALSO, J. W. GREENE.
Importers and Dealers in

DRUGS, Patent Medicines, Manufacturers' Articles,	Household	Perfumery, Chemicals, Gums, Fine Colors, Frostings, &c.
--	------------------	--

GOLD, SILVER & METAL LEAF,

Colors, and all kinds of Lithographic Materials,
Office and Salesroom, ~~172 Mercer St.~~

~~172 Mercer St.~~ New York, Sept. 13. 1881

I undersigned certify herewith that Mr. John Schneider is known to me for the last two years and his conduct is irreproachable in honesty and behaviour.

H. O. Weill

0361

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

427
Police Court - 1st District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry S. Jones
254 Canal St.

1 Jacob Marks
2 John Schneider

Offence Fraud & larceny

3 _____
4 _____

Dated 26 April 1883

218 Smith Magistrate.

Pat. Kennedy Officer's
Post & English and others &c.

Witnesses
No. 1 to 4
Pat. Kennedy
Street _____

No. _____ Street _____
No. _____ Street _____
to answer \$ _____

to answer \$ _____

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

Dated 26 April 1883 John B. Smith Police Justice.

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

Dated _____ 1883 _____ Police Justice.

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

Dated _____ 1883 _____ Police Justice.

0362

Sec. 198-200.

182

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Jacob Marks

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

London Eng

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

Answer.

54 Orchard St. about 8 years

Question. What is your business or profession?

Answer.

Tailor

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 did not steal the property
Schneider gave it to me to sell

Jacob Marks

Taken before me this

21

day of

1887

Robert J. Smith
Police Justice.

0363

Sec. 198-200.

182

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Schneider 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 Schneider

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

New York city

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

Answer.

315 E 5 Street about nine years

Question. What is your business or profession?

Answer.

Shipping Clerk

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

Answer.

I am guilty. I gave the silk to Marko to sell. He was waiting outside for me and knew that I was to bring them out. I have given him goods to see that I have stayed on three occasions
John Schneider

Taken before me this

21st

day of

1883

John J. Smith
Police Justice.

0364

CITY AND COUNTY }
OF NEW YORK, } ss.

Patrick Kennedy
aged 38 years, occupation a policeman attached to the Sixth Precinct Police Station, being duly sworn deposes and

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

Sworn to before me, this

day of

26 } Patrick Kennedy
April 1888 }

Solomon R. Turner

Police Justice.

0365

Fish District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK, ss.
Commissioner of the
of No. 254 Canal

Henry J. Turner. 58 years
Street,

being duly sworn, deposes and says, that on the 25 day of April 1888
at the premises 254 Canal Street in 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 with intent to deprive the true owner of
the use and benefit thereof
the following property, viz:

Ten Boxes containing Ten Dozen Spools of Silk
of the value of Seventy 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 Jacob Marks and John Schneider
(both now here), from the fact that deponent
was informed by Officer Patrick Kinnally,
that he arrested said Marks on Canal Street
with the aforesaid property in his possession
and stated that he received the aforesaid property
from John Schneider (now here). deponent further
says that said Schneider acknowledged and
confessed to this deponent that he did take
steal and carry away the said property and

Sworn before me this

day of

Notary Public,

188

0366

gave the same to said marks in said premises
Wherefore deponent charges said defendants
with acting in concert with each other in
taking stealing and carrying away the
aforesaid property as aforesaid

Sworn to before me this 3

26 day of April 1883

Henry F. Turner

John D. Turner
Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

AFIDAVIT-Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

Disposition

POOR QUALITY
ORIGINAL

0367

General Records

The People

W.S.

Geoff Marks and
John Schneider

Applicants and
Affirmation

0368

Court of General Sessions

The People
vs.
Jacob Marks } Matthew

City and County of New York ss.

Solomon Gerber of No 133 Orchard Street
engaged as Broker in Real estate being duly
sworn says. I have known the prisoner
for the past ten years as an honest, steady
and hardworking young man. I have
never heard anything of him since his character
before this time.

Sworn to before me this } Solomon Gerber
9th day of May 1883 }
John H. Brennan
Notary Public 284

City & County of New York ss.

Julius Meyers of No 129 Clinton St
being duly sworn says. I am a German.
I have known the prisoner for the past 12
years to be an honest and industrious
young man.

Sworn to before me } Julius Meyers
this 9th day of May 1883 }
John H. Brennan
Notary Public 284
City of New York

0369

City & County of New York ss.

Simon Fleischer of said City being duly sworn says, I reside at 48 Orchard St. - I keep a barber shop - I have been the prisoner for the past three years as an honest and hardworking young man

Subscribed and sworn to before me this } Simon Fleischer
9th day of May 1883 }
John D. Greener }
Notary Public 284

City & County of New York ss.

Raac Marks being duly sworn says I am a manufacturer of Clothing at No 7 Bowry - I employ about 50 hands - The prisoner is my nephew - He has always been an honest and industrious young man - He has been the only support of aged parents - If he is discharged I will take him into my employment and see that he will never violate the law again,

Subscribed and sworn to before me this } J. Marks
9th day of May 1883 }
John D. Greener }
Notary Public 284

0370

Court of General Sessions.

The People vs }
 vs }
 Jacob Marks }

City and County of New York ss. Isaac Marks
 being duly sworn deposes and says - I am
 engaged in business at No 7 Bowery in
 the city of New York state as a wholesale
 manufacturer of clothing.

That I am personally acquainted with
 the abovesaid defendant and such acquaintance
 I have held for the last past fifteen (15)
 years.

That to deponent's best knowledge and
 belief the said defendant was never arrested
 before or charged with any crime.

That I ^{have} always known the said Jacob
 Marks to be a young man of irreproachable
 character for honesty, veracity and uprightness.

That deponent further says that if this
 Honorable Court will suspend judgment upon
 the said Marks for the offence ^{with which} he is charged
 with, that deponent will give him employment
 in his ^{said} place of business at No 7 Bowery in
 this city.

Sworn to before me
 May 30th 1883.

Joseph Steiner
 Notary Public City and County of New York

J. Marks

0371

Joseph
W.

Jacob Marks

affidavit of
A. Rosenthal

0372

People: }
 vs. }
 Jacob Marks }

City & County of New York, Aaron
 Rosenthal of said City being duly sworn
 deposes and says, I am a Clothing Manufacturer
 and do business at No 7 Bowery I reside
 at 233 East Broadway, I have known
 the defendant Jacob Marks for the past
 12 years and have always known him
 to be an honest upright and hard working
 young man and know that he has never
 been in any trouble before.

Sworn to before me }
 this 9th day of May 1883 } A Rosenthal
 Philip Benjamin }
 Notary Public }
 N. Y. Co }

0373

Proper
No

Joseph Marks,

Affidavit of
Moses Michaelbach

0374

People ^{vs} }
Jacob Marks }

City & County of New York,

Moses Mehrbach being duly sworn
deposes and says I reside at
433 Grand Street in said City
I am Loan Broker have known
the family of the defendant Jacob
Marks for the past ten or years
and have always known them to be
very respectable hardworking and
honest people and that I have
never heard anything wrong against
the ^{said} Jacob Marks previous to this charge
on the contrary he was always spoken
of as an honest hardworking young
man and the said Jacob Marks
was the only support of his parents.

Sworn to before me
this 9th day of May 1883 }

Philip Benjamin }
Notary Public, Moses Mehrbach.
N.Y. Co

0375

Court of General Sessions.

The People vs }
Jacob Marks }

City and County of New York. Jacob Marks of said city and County being duly sworn deposes and says: That I am the abovesaid defendant herein, Deponent further says that this is the first offense that he was ever charged with in the course of his entire life.

Sworn to before me this }
day of May 1883 }

POOR QUALITY
ORIGINAL

0376

General Session

Notes

Mr. Wheeler

Off. Secy. Mr. Wheeler
Off. Secy. Mr. Wheeler

POOR QUALITY
ORIGINAL

0377

Court of General Sessions

The People }
vs
John Schneider }

City and County of New York ss-
Gottlieb Schellhorn being duly sworn
deposes and says That I am acquainted
the abovesaid defendant and have
been acquainted with him for the
past 15 years and to deponents best
knowledge and belief he has said
John Schneider has always borne
a good character for honesty and
veracity.

Sworn to before }
me May 5th 1883 } Gott Schellhorn
John Hoyer
Commissioner of Seals
W. J. Connelley

0378

Point of General Sessions.

The People vs.

John Schneider

City and County of New York for Julius Schaeffer being duly sworn deposes and says, That I am a Barber and do business at No 2 Park Place in the ^{said} city. That I have been acquainted with the said John Schneider and have been ^{had such} acquainted with him for the past three years.

That the defendant John Schneider has roomed next door to me on the same floor where I board and reside at No. 315 East Fifth Street in this city that it has always been my custom to leave the door entering ^{my} said room open, giving the said John Schneider access at all and any times of the day and night.

That I am possessed of jewelry and other valuables and the said Schneider never attempted nor did he ever take any of my property and I ~~think~~ consider him to be a person of honesty and veracity.

Sworn to before me
July 3rd 1883
John H. H. H.

Julius Schaeffer

0379

Court of General Sessions

The People }

^{vs}
John Schneider }

City and County of New York - Karoline
Vaughan being duly sworn says, That I am
acquainted with John Schneider the
abovenamed defendant and have been
acquainted with him for the past six
years, and to the best of my knowledge
and belief he is a person of good moral
character for honesty and veracity.
Sworn to before me }

May 5th 1883 } Amvillius Vaughn

Thos. Hoyer

Commissioner of seeds
N.Y.C.

0380

Court of General Sessions

The People
- vs -
John Schneider }

City & County of New York: Charles
Vehring being duly sworn deposes and
says, that I reside at 203 E. 110th Street
and do business as a pocket book maker
at No. 475 Broadway.

That I have been personally acquainted
with the defendant John Schneider and
such acquaintance I have held for the
last past five years, that to the best
of my knowledge and belief the defendant
was never arrested before, that he is a
person of good moral character and
honesty and ambitious to work.

Sworn to before me this
9th day of May 1883 } Chas. Vehring

Jacob Meyer
Com. & of Depts
NY City

0381

Court of General Sessions.

The People vs
John Schneider

City and County of New Yorks. Katharina Bergmeyer
bring duly sworn deposes and says. That I
reside at 413 East Fifth Street in this
city. That I am acquainted with the
abovenamed defendant and have had
such acquaintance for 10 years last
past; that his character for honesty
and uprightness is the best; that to deponents
best knowledge and belief ^{it is} the first offense
with which the said John Schneider was
ever charged with.

Sworn to before me this }

9th day of May 1883

Jacob Meyer

Comr. of Depts

My City

Katharina Bergmeyer

0382

Court of General Sessions

The People ^{vs} }
John Schneider. }

City and County of New York: John Schneider of
said City being duly sworn deposes and says
I am the ~~sub~~ defendant abovesaid and
I further state that I was never before
arrested in my life charged with any
crime or offense with the exception under
which I am now indicted.

Sworn to before me this }
11th day of May 1883 }

0383

BOX:

103

FOLDER:

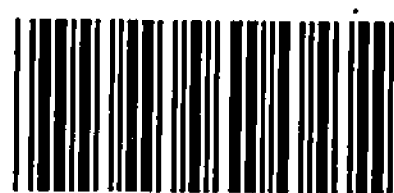
1102

DESCRIPTION:

Marlow, William

DATE:

05/03/83



1102

POOR QUALITY
ORIGINAL

0384

445 *DeBarnes*

Filed 3 day of May 1883

Plends *Not guilty May 7-*

THE PEOPLE

vs.

B

Williammarlow

RECEIVING STOLEN GOODS

JOHN McKEON,

District Attorney.

22 May 15, 1883

Bill discharged

A True Bill.

W. J. McKeon

Foreman.

For May 15/83

0385

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 Marlow

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

William Marlow

of the crime of RECEIVING STOLEN GOODS,
committed as follows :

The said *William Marlow*
late of the First Ward of the City of New York, in the County of New York aforesaid, on
the ~~twenty second~~ day of *April* in the year of our Lord one thousand
eight hundred and eighty ~~three~~ at the City and County aforesaid, with force and arms.

*thirty six dozen pencils, of the value
of ten cents each dozen, ten dozen
pencilholders, of the value of
twenty five cents each dozen, and
thirty two gross of pens, of the
value of thirty cents each gross*

of the goods, chattels and personal property of *Dennis C. Ryan
by John Myers and by certain other*
~~persons~~ persons to the Jurors aforesaid unknown, then lately before
feloniously stolen, taken and carried away from the said

Dennis C. Ryan
unlawfully and unjustly, did feloniously receive and have, he the said

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

JOHN McKEON, District Attorney.

0386

After conversing with
the informant and
engaging with the
character of the de-
-fendant, I am satisfied
that the defendant
should be discharged
on his own recognizance
as above the facts

H. H. H. H.

Ex. Q. 2 ady

0387

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

William MacLure.

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assent that my reasons for so doing are not controlled by any advantage to myself.

Henry Ryan

0300

W¹⁵ 353
Police Court Street District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Henry & Maria
120 7th St
William Marlone
Receiving
Stolen goods

2
3
4
Offence

Dated April 24/83 1883

Swind Magistrate.

Henry's 794 5th Officer.

5 Precinct.

Witnesses John Heywood 4

No. 611 1st St Street.

611 Park Ave Hotel

No. Street.

No. Street.

\$ to answer

Charles

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 William

Marlone

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

Dated April 24 1883

Solomon B. Smith Police Justice.

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

Dated April 24 1883

Solomon B. Smith Police Justice.

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

Dated 1883

Police Justice.

0389

Sec. 198—200.

Duss District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

William Marlone 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. William Marlone

Question. How old are you?

Answer. 56 yrs

Question. Where were you born?

Answer. England

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

Answer. 82 Mott St. 7 yrs

Question. What is your business or profession?

Answer. Coal & wood dealer

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 if it was not
myself that I bought it of but a large
firm about eighteen years
Wm Marlone

Taken before me this

day of

188

John B. Smith
Police Justice.

0390

CITY AND COUNTY }
OF NEW YORK, } ss.

John Myers

aged 12 years, occupation messenger of No.

61 Park Ave Hoboken Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Henry C Ryan

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

Sworn to before me, this 24

day of Apr 1883

John Myers

Solomon D. Smith

Police Justice.

0391

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

POLICE COURT, East DISTRICT.

Henry Ryan
of No. 120 West Broadway, Street, being duly sworn, deposes and
says that on the 22nd day of April 1883
at the City of New York, in the County of New York, William

Marlowe (now his) did unlawfully
willfully and knowingly receive from
John Myers a quantity of stationery
and he well knowing at the time of
receiving said stationery that the same
had been stolen for the following reasons
to wit. Deponent is informed by said
Myers that he took to said Marlowe
a quantity of stationery consisting of
pens pen holders and lead pencils
and for which said Marlowe paid
him the sum of one dollar and twenty
cents the said stationery being the proceeds
of a burglary in which said Myers was
concerned. That said Marlowe told
said Myers to bring more of the same
kind of stuff but to be careful and
not let any one drop on him.
Wherefore deponent charges said
Marlowe with receiving said property
he well knowing at the time the same
to have been stolen

Sworn to before me
this 24th of April 1883
Solomon Hunt
Police Justice

0392

BOX:

103

FOLDER:

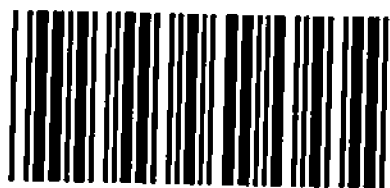
1102

DESCRIPTION:

Marriott, James H.

DATE:

05/10/83



1102

POOR QUALITY
ORIGINAL

0393

New trial granted.
(See opinion.)
M.D.

May 29, 1883

July 73

Under the ruling made
in this case by Judge
Kiddell, sitting as in
the court of common
pleas upon the trial of
the defendant, the
of the owner of the diamonds
alleged to have been stolen
is indispensable to prove
the Capriole, and as
I am advised by his counsel
that he will not come as
to attend another trial, &
he cannot be compelled to
do so, I propose to call in
the witness, to the effect that
the testimony of the witness
concerning the previous techni-
cal proof of guilt, con-
sidering the fact that the
be added.
July 73
W. J. R. M.
App. Ex. 21

Counsel,
Filed 10 day of May 1883
Pleads July 11

THE PEOPLE

P.

James O. Marmont

JOHN McKEON,
District Attorney

A True Bill.

Foreman

Part 2, July 2, 1883

James O. Marmont
July 2, 1883

Grand Larceny, Receiving Stolen Goods,
degree, and
Sec. 528-530-550-549

0394

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 D. Marriott

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

James D. Marriott

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

The said James D. Marriott

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

two earrings of the value of five hundred dollars each, one bracelet of the value of five hundred dollars, one finger ring of the value of one hundred dollars, fourteen pieces of a bracelet of the value of fifty dollars each piece, two earrings of the value of seven hundred and fifty dollars each, one piece of a necklace of the value of five hundred dollars, two studs of the value of fifty dollars each, two bracelets of the value of four hundred dollars each, two pins of the value of fifty dollars each, one hundred diamonds of the value of five hundred dollars each, and one pair of scales of the value of fifty dollars

of the goods, chattels and personal property of one

Frank

Drumer 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.

0395

And the Grand Jury aforesaid, by this indictment, further accuse the said _____
James H. Marriott

_____ of the CRIME OF RECEIVING STOLEN GOODS,
committed as follows:

The said James H. Marriott

late of the First Ward of the City of New York, in the County of New York
aforesaid, on the fifth day of May in the year of our Lord
one thousand eight hundred and eighty three, at the Ward, City and County
aforesaid, with force and arms ~~two earnings~~ of the value

of five hundred dollars each, two other
earnings of the value of seven hundred
and fifty dollars each, one bracelet of the
value of five hundred dollars, two other
bracelets of the value of four hundred
dollars each, one finger ring of the value
of one hundred dollars, fourteen pieces
of a bracelet of the value of fifty dollars
each piece, one piece of a necklace of the
value of five hundred dollars, two studs
of the value of fifty dollars each, two
pins of the value of fifty dollars each,
one hundred diamonds of the value of five
hundred dollars each, and one pair of scales
of the value of fifty dollars.

of the goods, chattels and personal property of Frank Kramer

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

Kramer

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

James H. Marriott

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

JOHN McKEON, District Attorney.

0396

Received N. Y. July 14. 1863
from Clerk Court of Sessions
a deputation of the diamonds
mentioned in within
case which was forwarded
to Dist. Ct. by me
Salomon Adler
in part.
115 Broadway

BAILED.

No. 1, by

Residence

No. 2, by

Residence

Residence

No. 4, by

Residence

Police Court

District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Rudolf Stuland
355 10th St.
or

James H. Marriott

Offence Grand Larceny
in bringing stolen property into State

Dated May 6 1883

Magistrate

George M. Blount

Officer at several last office

Witnesses

No. 29 Phoebe

No. 247 W. 10th St.

No. 247 W. 10th St.

No. 247 W. 10th St.

No. 247 W. 10th St.

No. 247 W. 10th St.

No. 247 W. 10th St.

No. 247 W. 10th St.

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

James H. Marriott

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.

he legally discharged
May 6 1883

Dated _____ 1883 _____ Police Justice.

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

Dated _____ 1883 _____ Police Justice.

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

Dated _____ 1883 _____ Police Justice.

0397

Sec. 198-200

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

James H. Marriott

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

Question. What is your name?

Answer.

James H. Marriott

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

London

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

Answer.

219 West 22 Street and about three years.

Question. What is your business or profession?

Answer.

Clerk

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

Answer.

I am guilty of the charge

J. H. Marriott

Taken before me this

day of

May

1883

John A. Spencer

Police Justice.

0398

- One Pair diamond ear rings;
- One ~~chain~~ bracelet set with diamonds;
- One finger ring;
- Twelve broken pieces of bracelet, each piece (except one) with small diamonds;
- One large diamond;
- One pair large diamond earrings;
- Twenty four diamonds (loose stones)
- One piece of necklace (~~twenty four~~ fifty four (54) stones and 1 setting without stone)
- One pair small studs;
- 2 bracelets,
- One gold pin;
- One pair (diamond chips)
- One pair of scales for weighing diamonds.

The above list is the property.
mentioned in the complaint
as one set of jewelry

0399

2 District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }
OF NEW YORK. } ss

of No.

565 Mott Avenue

Street.

Rudolf Dulong
age 32 years, a Lawyer

being duly sworn, deposes and says, that on the

day of March 1883

at the

City of Paris France

City of New York.

in the County of New York,

of Deponent

the following property, to-wit:

Franz Kramer and brought into
the City of New York with the intent to deprive the
true and lawful owner thereof of the following viz:

One set of Diamonds and
one pair of Diamond earrings in all
of the value of seventy five thousand
dollars

the property of

Franz Kramer

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 H. Marriott

(now here), from the fact that
said Marriott has acknowledged
and confessed to deponent in the
presence of a witness that he
did take steal and carry away
said property from the possession
of said Franz Kramer and that he
brought the same into the City of New
York and the further fact that

POLICE JUSTICE

1883

0400

111

a portion of said property
was found in the possession
sworn to before me }
this 6 day of May 1883 } *Rudolf Dulon.*

Shyler Gardner Police Justice

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFRIDA VIT—Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

General Sessions, N. D.

THE PEOPLE,

vs.

James H. Marriott

Copy

Notice of Motion for discharge
of Prisoner.

HOWE & HUMMEL,
Of Counsel, &c.
87 & 89 Centre Street
N. Y. City.



0402

Court of General Sessions of the Peace,

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE

against

James H. Marriott

For

Larceny

To Hon.

John M. Keon

District Attorney of the City and County of New York:

SIR—

Please take notice, that a motion will be made for the discharge of the above named prisoner *James H. Marriott*, (who is now imprisoned in the New York City Prison, on a charge of *Larceny* having been committed to said City Prison, by Justice *Hugh Gardner* on the *6th* day of *May* 18*83*) before the Honorable *Frederick Smyth* one of the Justices of said Court of General Sessions, at the opening of said Court of General Sessions, on the *29th* day of *June* 18*83*, on the ground that more than two terms of said Court of General Sessions have elapsed since the committal of the said *James H. Marriott*, and that he has not been brought to trial for the offense for which he is so committed and detained.

DATED, this

28th

day of

June

18*83*

Yours, respectfully,

HOWE & HUMMEL,

Of Counsel for said Marriott,

0403

Supreme Court, New York.

THE PEOPLE

against

Joseph H. Marriott

For

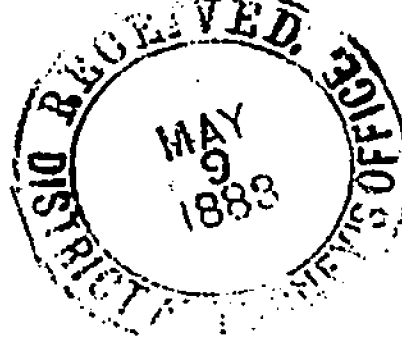
NOTICE TO DISTRICT ATTORNEY.

HOWE & HUMMEL.

Of Counsel, etc.,

87 & 89 CENTRE STREET,

New York City.



0404

To Hon.

John C. Keon

District Attorney of the City and County of New York.

THE PEOPLE

against

Joseph H. Marriott

For

Felony.

Sir—Please take notice that the above named prisoner, committed to the *City*
Prison for *Felony* will be brought before the
Supreme Court of the State of New York, at *Special Term* thereof in the New Court-
house, in the City of New York, on the *10* day of *May* 1883 at *10* o'clock in the
fore noon of said day, on a writ of *Habeas Corpus* allowed herein, when a motion will then and
there be made for the discharge of the said *Joseph H. Marriott*
on the ground that he is illegally committed and detained. Also, take notice that a writ of certiorari herein
is returnable at the same time and place.

Dated this *9* day of *May* 1883.

Yours respectfully,

HOWE & HUMMEL,

Of Counsel for

Said
Marriott

0405

Supreme Court, New York.

IN re THE IMPRISONMENT OF

Joseph V. Marriott

Writ of Certiorari.

I HEREBY ALLOW THE WITHIN WRIT.

Dated this *9* day of *May* 18*83*

C. Donohue

Justice of the Supreme Court,
holding Special Term thereof.

HOWE & HUMMEL,

Attorneys for Relator.

0406

The People of the State of New York,

TO

Justices of the City of New York, and to JOHN SPARKS, Esquire, Clerk of our Court of General Sessions of the Peace, holden in and for the City and County of New York, and to

John McKew District Attorney

GREETING:

We Command you, That you certify fully and at large to

CERTIORARI
TO CERTIFY CAUSE OF
DETENTION.

our Supreme Court of the State of New York, at a *Special*

Term thereof, to be holden at the New County Court House, in Chambers Street, in the said City of New York, on the *10* day of *May* 18*83*, at *10* o'clock in the forenoon, the day and cause of the imprisonment of

Joseph H. Marshall
by you detained; as is said, by whatsoever name the said

shall be called or charged; and have you then this writ.

Witness, Honorable NOAH DAVIS, presiding Justice of our Supreme Court of the First Judicial Department, at the City Hall, in said City of New York, the *9* day of *May* 18*83*

By THE COURT.

WILLIAM F. HOWE
and
ABRAHAM H. HUMMEL.

Attorneys for Relator.

Patrick Keenan
Clerk.

Court of General Sessions.

The People, vs,

vs.

James H. Marriott.

Copy

Stipulation of

Defendant.

0407

0408

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

-----x

The People of the State of New-York :

- against - :

James H. Marriott. :

-----x

The defendant herein stipulates and consents on the record that the following facts shall be taken as proved by the People on the trial hereof, namely: That on or about the 7' day of March, in the year 1883, he was intrusted with the possession of the several articles of jewelry and precious stones described in the indictment herein by Franz Kramer, a jeweler residing at the City of Paris, in the Republic of France, who was then and there the owner thereof, in order that the same might be exhibited to Mr. Astor, a gentleman then sojourning in said City, with a view to effecting a sale thereof to him; that having thus acquired possession of said property the defendant afterwards left the said City of Paris, taking the said property along with him, without the knowledge or consent of the said Franz Kramer, and without in any manner communicating with him in respect thereto up to the day of his arrest in the City of New-York.
Dated New-York, May 19', 1883.

William F. Howe,
A. H. Hummel,
Attorneys for said defendant.

0409

Court of General Sessions.

The People, vs.
James H. Marriott.

Stipulation of
Defendant.

04 10

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

-----X
The People of the State of New-York

- against -

James H. Marriott.
-----X

The defendant herein stipulates and consents on the record that the following facts shall be taken as proved by the People on the trial hereof, namely: That on or about the 7 day of March in the year 1883, he was intrusted with the possession of the several articles of jewelry and precious stones described in the indictment herein by Franz Kramer, a jeweler residing at the City of Paris, in the Republic of France, who was then and there the owner thereof, in order that the same might be exhibited to Mr. Astor, a gentleman then sojourning in said City, with a view to effecting a sale thereof to him; that ^{having been delivered} ~~having been delivered~~ ~~possession of said property~~ the defendant, afterwards left the said City of Paris, taking the said property along with him, without the knowledge or consent of the said Franz Kramer, and without in any manner communicating with him in respect thereto up to the day of his arrest in the City of New-York.
Dated New-York, May 19th, 1883.

William D. Morris
Attorneys for said
defendant.

0411

People

vs

Marriott

Memorandum of

Witness

04 12

People
vs
Marriott

Rudolf Guelon

Was present when Bernhard arrested
deft.

Bernhard showed deft. diagram of
jewels in question and also deft.
photograph. Witness heard deft.
admit that he was Marriott and
had stolen the jewels.)

Witness heard Bernhard urge deft. to
say where jewels were. Deft. wanted
Bernhard to promise him that he
would not be arrested if he deliver-
ed up jewels. Bernhard told deft.
he would have to see witness (Gue-
lon) about that. Deft. thereupon
addressed witness.

Deft. told witness that he would deliver
up the three large diamonds if
witness would give his word of
honor that deft. would be set free
at once.

0413

Witness told deft. that he could not give his word of honor to that effect.

Deft. repeatedly urged witness to promise him that deft. would be set free but witness refused to do so. Witness said that he had buried the three large diamonds. He did not then disclose where any of the jewels were.

Witness thereupon directed officer Blouck to take the deft. and Marie Peseny to the station house in Church Street. They were taken there and witness charged them (deft. and Marie) with the crime. Marie in the presence of deft. handed witness two diamonds set as earrings stating that they were a part of the jewels taken from Kramer.

At this station house Marie told witness and Bernhard, but not in deft's. presence that the three large diamonds were in a muff and other diamonds in a pin cushion in their room in 22nd Street.

Deft. and Marie were then taken to

0414

the 29th. Precinct station house
(by direction of the caption in
the Church Street station house,
Blonck belonging to the 29th.
Precinct.)

At the 29th. Precinct station house
witness again charged both
prisoners with the crime of
bringing stolen property into the
state, giving particulars. Deft.
at once stepped forward and said
to Sergeant Westervelt "I
plead guilty)"

Witness heard deft. ask Mr. Salomon
to promise that he be set free
and that he would thereupon
say where the jewels were.
Mr. Salomon replied that he
could not do so as he, deft., was
in the hands of the law.

Subsequently witness went with
Bernhard, Blonck and Mr. Salomon
to deft's room in 22nd Street
where the diamonds which ^{have} ~~had~~
been recovered were found.
They were found at the places
designated by Mr. Salomon who
stated that those places were
designated to him by deft.

0415

The three large diamonds were found in the muff and twenty four loose ones in a pin cushion which coincided with information received as above from Marie Pearson.

On following day May 6, deft. was taken before Police Justice Gardner where witness made charge to which deft. pleaded guilty. Deft. was thereupon committed.

Sergeant Westervelt.

At 29th Precinct station horse deft. ~~acknowledged~~ in presence of Mr. Salmons where diamonds stolen by deft. could be found in his room in 27 and St. Street Block there who returned with diamonds.

At promise to release deft. was made by witness in by anyone in witness' presence.

Frederick Bernhard.

Arrested deft.

Showed him diagram of services his photograph

0416

Deft. admitted that he was Marnett
and that he had stolen jewels
of which witness showed him
diagram

Witness asked deft. to state
where jewels were. Deft.
said he would deliver up the
three large jewels if witness
would promise not to arrest
him etc.

Witness thereupon referred deft.
to Mr. Dulong.

Witness made no promise that
deft. should be set free

Was present in Church St. station
house

Marie Pessey told witness in Church
St. station house where diamonds
were in muff and pin cushion

Witness was present in 29th.

Precinct Station house.

Witness was present where dia-
monds were found in 22nd
Street.

Witness ^{was} present when deft. plead-
ed guilty before Justice Gardner

Officer Blouck

Was present when Deft. was arrested

0417

By Bernhard.

Subsequently witness arrested
deft. at Mr. Dulong's request
Present in Church Street station
house

Present in 29th. Precinct station
house

Present when diamonds were
found in 22nd Street

Jacobs.

As to value of diamonds.

04 18

BOX:

103

FOLDER:

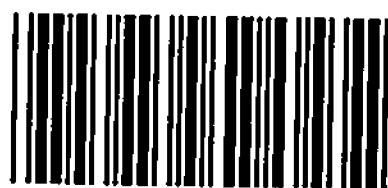
1102

DESCRIPTION:

Martin, Alice

DATE:

05/10/83



1102

POOR QUALITY
ORIGINAL

0419

W. P. McKeon
(II)

Day of Trial,

Counsel,

Filed

Day of

1883

Pleads

W. P. McKeon

THE PEOPLE

vs.

B

Alice Martin

[Sec 322 385]
Keeping a Bawdy House.

JOHN McKEON,

District Attorney.

A True Bill.

W. P. McKeon

Foreman.

Oct 11/83

W. P. McKeon

Assignment produced

0420

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Alice Martin

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

Alice Martin

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL FAME, committed as follows:

The said *Alice Martin*

late of the ~~15th~~ Ward of the City of New York, in the County of New York aforesaid, on the ~~27th~~ day of *April* in the year of our Lord one thousand eight hundred and eighty-~~three~~ and on divers other days and times as well before as afterwards, to the day of the taking this inquisition, at the Ward, City and County aforesaid, a certain common house of ill fame, unlawfully and wickedly did keep and maintain; and in the said house divers evil-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said *Alice Martin*

_____ on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offences as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of, and against good morals and good manners, 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 *Alice Martin*

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said *Alice Martin*

late of the ~~15th~~ Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the ~~27th~~ day of *April* in the year of our Lord one thousand eight hundred and eighty-~~three~~ and on divers other days and times between the said

0421

day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did maintain a certain common, ill-governed house, and in ~~her~~ said house, for ~~her~~ own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and willfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and willfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common annoyance of the said citizens, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.—And the Grand Jury aforesaid, by this indictment, further accuse the said ~~Alice Martin~~

of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said ~~Alice Martin~~

late of the ~~15th~~ Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the ~~27th~~ day of ~~April~~ in the year of our Lord one thousand eight hundred and eighty ~~four~~ and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in ~~her~~ said house and place of public resort, for ~~her~~ own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women, in ~~her~~ said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully, did permit, and yet continues to permit, by which the peace, comfort and decency of the neighborhood around and about the said house were, and yet are, habitually disturbed, 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 McKEON,

District Attorney.

0422

Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Brennely
vs.

Alice Martin

J. J. Moore &c.

WARRANT—Keeping Disorderly House, &c.

Dated _____ 188

_____ Magistrate

_____ Officer.

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

John J. Brown Officer.

Dated _____ 188

This Warrant may be executed on Sunday or at
night.

Hugh Gardner Police Justice.

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

Dated _____ 188

Police Justice.

The within named

0423

Sec. 151.

Police Court—2 District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the *Police*
Justices for the *City* of New York, by *Michael Crowley*
of *the 15th Precinct*, that on the *27* day of *April*
188*3*, at the City of New York, in the County of New York, *Alice Martin*
did keep and maintain at the premises known as Number *210 No 1st*
Street, in said City, a *Disorderly House*
and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation
to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there
unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking,
dancing, fighting, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency
of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the
statute in such case made and provided.

THESE ARE, THEREFORE, in the name of the People of the State of New York, to Command you, the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the body of the said,

Alice Martin
and all vile, disorderly and improper persons found upon the premises occupied by said *Alice*
Martin and forthwith bring them before me, at the *2* DISTRICT POLICE
COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police
Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this *28* day of *April*, 188*3*

Hugh Gurner POLICE JUSTICE.

0424

No. 2 Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael Knolly

vs.

Alice Martin

Dated April 28 1883

Gardner Justice.

Officer.

Precinct.

WITNESSES :

AFFIDAVIT—Keeping Disorderly House, &c.

0425

Sec. 322, Penal Code.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

the Michael Crowley
of No. the 10 Police Precinct, said City, being duly sworn says,
that at the premises known as Number 210, Mosley Street,
in the City and County of New York, on the 27 day of April 1883, and on divers
other days and times, between that day and the day of making this complaint

Alice Martin
did unlawfully keep and maintain and yet continue to keep and maintain a Disorderly
House and did then, and on the said other days and times, there unlawfully procure
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil
name and fame there to be and remain ~~within~~ dancing, fighting, disturbing the peace, whoring and misbehaving
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and
there passing is habitually disturbed, in violation of the statute in such case made and provided

Deponent therefore prays, that the said Alice Martin
and all vile, disorderly and improper persons found upon the premises, occupied by said

may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 28 day
of April 1883
Hugh J. [Signature] Police Justice.

Michael Crowley

Dated 188 *Police Justice.*

0427

Sec. 198-200

District Police Court.

CITY AND COUNTY
OF NEW YORK, ss.

Alice Martin

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

Question. What is your name?

Answer. *Alice Martin*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *Virginia*

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

Answer. *210 Wooster St and about six years*

Question. What is your business or profession?

Answer. *Let furnished rooms*

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

Answer. *I don't know anything about
keeping a disorderly house
I simply let furnished rooms*

Alice^{her} Martin
mark

Taken before me this

day of

188

August 1883
Police Justice.

0428

BOX:

103

FOLDER:

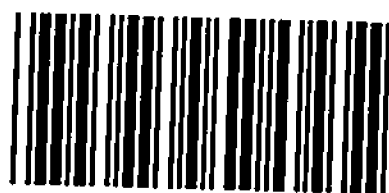
1102

DESCRIPTION:

Martin, James J.

DATE:

05/15/83



1102

POOR QUALITY
ORIGINAL

0429

Day of Trial, 26 + 27
Counsel, May 1883
Filed 15 day of
Pleads, July 16

THE PEOPLE

vs.

P

James J. Martin

Homicide of the Degree of Murder,
First Degree.

[Section 183 - Criminal Code]

JOHN McKEON,

District Attorney.

A True Bill.

J. H. McKeon

June 13/83.

Foreman.

Plead all over 1 day.

Tried and

the

18 days 6 months

at 1/2

20 days

Appl for pardon
answered June 30/85

R. B. M.

POOR QUALITY
ORIGINAL

0430

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 J. Martin

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

James J. Martin

of the crime of murder in the first degree,
committed as follows:

The said *James J. Martin*
late of the *First* Ward of the City of New York, in the County
of New York, aforesaid, on the *twenty second* day of *April*
in the year of our Lord one thousand eight hundred and eighty-*three*
at the Ward, City and County aforesaid, with force and arms, in and upon one
Peter Rater
in the peace of the People of the State of New York, then and there being, wilfully,
feloniously, and with a deliberate and premeditated design to effect the death of *him*
the said *Peter Rater* did make an assault, and the said
James J. Martin a certain *pistol* then and
there charged and loaded with gunpowder and one leaden bullet, which said
pistol, the said *James J. Martin* in his right hand then and
there had and held, to, at, against, and upon the said *Peter Rater*
then and there feloniously, wilfully, and with a deliberate and premeditated design to
effect the death of the said *Peter Rater* did shoot off
and discharge, and the said *James J. Martin* with the
leaden bullet aforesaid, out of the *pistol* aforesaid, then and there, by
force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, the
said *Peter Rater* in and upon the *head* of the said
Peter Rater then and there feloniously, wilfully, and with a deliberate
and premeditated design to effect the death of *him* the said *Peter Rater*
did strike, penetrate, and wound, giving to *him* the said *Peter Rater*
then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth,
and shot out of the *pistol* aforesaid, by the said *James J. Martin*
in and upon the *head* of *him* the said
Peter Rater one mortal wound of the breadth of one inch,
and of the depth of six inches, of which said mortal wound *he* the
said *Peter Rater* ~~at the Ward, City and County~~
~~aforesaid, from the said~~ ~~day of~~
~~in the year aforesaid, until the~~ ~~day of~~
~~in the same year aforesaid, did languish, and languishing did live, and on which~~
~~day~~ ~~day of~~
~~in the year aforesaid, the said~~ ~~at the Ward,~~
~~City and County aforesaid, of the said mortal wound did die~~
~~then and there did die.~~

POOR QUALITY
ORIGINAL

0431

And so the Grand Jury aforesaid do say that the said James J. Martin
him, the said Peter Rater in the manner and form, and by
the means aforesaid, at the Ward, City, and County aforesaid, on the day aforesaid,
and in the year aforesaid, wilfully, feloniously, and with a deliberate and premeditated
design to effect the death of him, the said Peter Rater
did kill, and murder, 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 James J. Martin

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

The said James J. Martin
late of the First Ward of the City of New York in the County
of New York, aforesaid, afterwards, to wit: on the 22nd day of April
in the year of our Lord one thousand eight hundred and eighty-three
at the Ward, City and County aforesaid, with force and arms, in and upon one
Peter Rater
in the peace of the People of the State of New York, then and there being, wilfully,
feloniously, and of his malice aforethought, did make an assault, and ~~the~~ the said
James J. Martin a certain pistol
then and there charged and loaded with gunpowder and one leaden bullet, which said
pistol the said James J. Martin
in his right hand then and there had and held to, at, against, and upon the
said Peter Rater then and there feloniously, wilfully, and of
his malice aforethought, did shoot off and discharge, and the said
James J. Martin with the leaden bullet aforesaid, out of the pistol
aforesaid, then and there, by force of the gunpowder aforesaid, shot off, sent forth, and
discharged, as aforesaid, the said Peter Rater in and upon the
head of him the said Peter Rater
then and there feloniously, wilfully, and of his malice
aforethought, did strike, penetrate, and wound, giving to him the said Peter
Rater then and there, with the leaden bullet aforesaid, so as aforesaid
discharged, sent forth, and shot out of the pistol aforesaid, by the said
James J. Martin in and upon the head of him the said
Peter Rater one mortal wound of the breadth of one inch,
and of the depth of six inches, of which said mortal wound he the
said Peter Rater at the Ward, City, and County
aforesaid, from the said day of
then and there did die.
in the year aforesaid, until the day of

in the same year aforesaid, did languish, and languishing did live, and on which
day of
in the year aforesaid, the said at the Ward,
City and County aforesaid, of the said mortal wound did die.

0432

And so the Grand Jury aforesaid, do say that ~~he~~ the said _____
_____ *James J. Martin, Jr.* _____
the said _____ *Peter O'Neil* _____ in the manner and form, and by
the means aforesaid, at the Ward, City and County aforesaid, on the day aforesaid, and
in the year aforesaid, wilfully, feloniously, and of ~~his~~ _____ malice aforethought,
did kill, and murder, 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 McKEON, District Attorney.

POOR QUALITY
ORIGINAL

0433

These returned
for defense

Police Court

1st

District

414

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James D. Martin
213 East 76 St

James D. Martin

Offence Homicide

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

These Dr. Andrew
The Justice's Court

Dated May 10th 1883

Smith Magistrate.

James D. Martin

28th Precinct.

These
213 E. 76th St

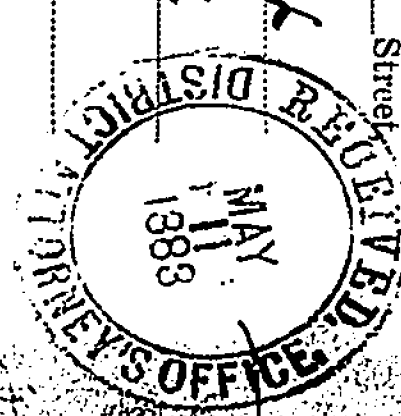
Leah D. Martin

217 E 76th St

Dr. Andrew

These

Witnesses
Samuel D. Martin
422 East 76th St
James D. Martin
1311 Third Ave
St. Vincent, Jordan
28th Precinct
James D. Martin
28th Precinct
Michael Shields
28th Precinct
Natie Martin
217 East 76th St
Ann D. Martin
217 East 76th St
Nedbert Martin
74th St & 3rd Ave



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

James D. Martin

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.

to be legally discharged
Date May 10th 1883 Salom B. Smith Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0434

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

1st District Police Court.

James D. Martin 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. James D. Martin

Question. How old are you?

Answer. 19 Years

Question. Where were you born?

Answer. New York City

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

Answer. 217 East 74th St 10 Years

Question. What is your business or profession?

Answer. Shut cutter at 329 E 53rd Street

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. By advice of my counsel I
reserve whatever statement I have
to make until my trial

James D. Martin

Taken before me this

day of May

1888

Salvatore Smith Police Justice.

0435

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, { ss.

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

Question—What is your name?

Answer—

Question—How old are you?

Answer—

Question—Where were you born?

Answer—

Question—Where do you live?

Answer—

Question—What is your occupation?

Answer—

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

James J. Martin by advice of Counsel refuses to answer any of the above questions or to make any statement.

Taken before me, this 25 day of April 1883
Ferdinand Levy CORONER.

POOR QUALITY
ORIGINAL

0436

MEMORANDUM.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
24 Years.	Months	Days.	Canada	Presbyterian Hosp.	

76 - 3rd Ave
ad - 344 22
344 11

Shots. Pistol shot
wound of brain

May 18th
2 P.M.

Vol 244 1883
HOMICIDE.

AN INQUISTION

On the VIEW of the BODY of

Peter Kattel

whereby it is found that he came to
his Death by the hands of James
J. Martin by means
shot wound thru
thru spine 22.1113
at cor 75-11 & 8-
Am.

Charged taken on the 25th day
of April 1883

before

Tennant Henry Coroner.

Commenced office 25

Deceased

Discharged

Date of death office 22

0437

Peter Raker

Autopsy about 12 hours after death. Rigor mortis
was marked. Body was nourished. Ecchymoses
of left upper eye lid. Incised wound immedi-
ately under left eye brow. $2\frac{1}{2}$ inches above
the external angle of left eye was the aper-
ture of entrance, ball passed through both
frontal lobes of the brain, and was found
in opposite (right) temporal muscle. Large
both over right side of brain.
Extravasation of blood over right 2nd inter-
-costal space; also transverse fracture of
Sternum between 2nd & 3rd ribs.

Kidneys congested. Organs normal.

0438

Coroner's Office.

TESTIMONY.

Philip C. Dinkley M.D. being sworn says on April 23rd 1883 at the Presbyterian Hospital made an Autopsy on the body of Peter Ratis and found Rigor Mortis well marked. Body well unmarshaled. ecchymosis of left upper eye lid. incised wound quarter of an inch in length immediately left eye brow. Also found a pistol shot wound of the skull in left temple two and a half inches above the outer angle of left eye. The bullet passed through both frontal lobes of the brain and lodged under the scalp having passed through the right temporal bone. about 2 and a half inches above the ~~right~~ outer angle of the right eye.

I found also an extravasation of blood over the sternum about the junction of the cartilages of the 2nd and 3rd ribs. The sternum itself was fractured transversely between the 2nd and 3rd ribs.

The Kidneys were congested. The stomach inflamed other organs were normal. From said autopsy I find death due to shock from Pistol Shot Wound of the Brain.

P C Dinkley M.D.

Taken before me

this 23 day of

April 1883

Edmund Levy

CORONER.

0439

Coroner's Office.

TESTIMONY.

I H. A. Mauderill M.D. House Surgeon
to the Presbyterian Hospital being duly sworn
do hereby testify: That Peter Rakes was
brought to this hospital by ambulance on
April 22nd 1883 at 3 O'clock A.M. from
76th St and 3rd Ave. with a history of having
been shot in the head.

When admitted he was in a comatose
condition. Respirations 28 shallow, and stertorous
in character. Pupils markedly dilated, but equal.
No paralysis could be made out. Smell
of alcohol on breath. Small wound over
the left eye. About, over the anterior inferior
angle of left parietal ^{bond}, a small tumor was
found. on pressure a small ^{amount} of substance
exuded which resembled brain matter. About the
center of this haematoma was a small opening cor-
responding to the supposed aperture of entrance
of the bullet. no aperture of exit could be
discovered.

Patient remained in this condition until 3:40 A.M.
of same date when he died.

Causes of Death.

Penetrating Pistol Shot wound of Head: Fracture
of Skull: Cerebral Haemorrhage: Cerebral
Compression: Shock.

H. A. Mauderill M.D.
House Surgeon

Taken before me.

this 2nd day of April 1883

Ferdinand Levy CORONER.

0440

Coroner's Office.

TESTIMONY.

John Gunner Captain of the 12th Precinct Police being sworn says: yesterday morning about 3 o'clock I was notified from the Station House that a man named Peter Reel had been shot in 75th St near the corner of 3rd Avenue. I began an investigation immediately, and learned that the shooting had been done by James J. Martin and Francis J. Martin of 217 E 74th Street. They were subsequently arrested and James J. Martin acknowledged that he had done the shooting, and that his brother Francis, was in his company at the time, and that at the time that he done the shooting, he believed that his life was in danger from Peter Reel, and discharged his pistol in self defence.

John Gunner
Captain

Sworn to before me this
10th day of May 1883

Solon B. Smith
Police Justice

Taken before me

this 23 day of April 1883

Ferdinand Levy CORONER.

0441

Coroner's Office.

TESTIMONY.

✓ Ann Gilligan being sworn says
I reside at 217 E 74th St. The pri-
oners are my nephews. Between
5 & 6 am April 22nd '83, Miss
Katie Martin gave me the revolver
and said Aunt Ann for God's
sake throw this pistol away.
The revolver shown me looks very
much to me like the one that was
given to me. Annie Gilligan
Sworn to before me this
10th day of May 1883
Salan B. Smith
Police Justice

Taken before me

this 25th day of April 1883

Ferdinand Levy

CORONER.

0442

Coroner's Office.

TESTIMONY.

Kate Martin being sworn says:
I live at 217 E 74th St. The
prisoners are my brothers.
+ reside in the same house.
The officers came in about 5 am
April 22nd 83, and arrested my bro-
thers, and after they left I told
my aunt Ann Gilligan to take
the pistol that I had taken from
James and put it away. She
my Aunt when she returned after
disposing of it. She told me that
she had thrown it into the water
close by. My brother has been
carrying revolvers for the last
two years to the best of my know-
ledge.

Kate Martin

Sworn to before me this 18th
day of May 1883

Solomon B. Smith

Police Justice

Taken before me

this 25 day of April 1883
Ferdinand Levy

CORONER.

0443

Coroner's Office.

TESTIMONY.

Michael Shields being sworn
says: I am patrolman of
28 Dist. I have heard the
testimony of ~~James~~ ^{Roundman} Nally
read and corroborate the
same as far as I am mention-
ed in every particular.

Michael Shields

Capt John Gannon of 28th Dist.
being sworn says: I corroborate
the testimony of ~~James~~ ^{Roundman} Nally
as to my investigation of the
case and further would add
that the hat produced ~~was~~ ^{was} consid-
ered by James J. Morlin
as the hat he lost on the
morning of April 22nd 83
in 75th St & 3rd Ave, in the pres-
ence of ~~Off~~ Roundman Nally

John Gannon
Capt

Sworn to before me this

10th day of May 1883

Solon B. Smith Police Justice
Taken before me

this 25 day of ~~June~~ ^{June} 1883

Ferdinand Levy CORONER.

Sworn to before me this
10th day of May 1883
Solon B. Smith
Police Justice

0444

Coroner's Office.

TESTIMONY.

Capt Gunner then said to James that is your pistol James then broke down, commenced crying and said, I shot that man in self defence. He then made the following statement wh. he signed.

James J. Martin said in addition at the Station house this is what I get by keeping bad company & not taking my mother's advice

James F. Mally
Sworn to before me this 10th
day of May 1883
Solon B. Smith
Police Justice

Taken before me

this 25 day of April 1884
Ferdinand Levy CORONER.

0445

CORRECTION

0446

Police Department of the City of New York,

Precinct No.

New York, April 22 1883

About 2³⁰ A.M. April 22 1883 I was in Davis' Saloon no 1311. 3rd Ave. while leaving said place with my brother Frank J. Martin having been cut on the right wrist; the Deceased Peter Petrell. came out, having something in his hand, coming towards me and believing my life to be in danger I drew this Pistol now shown me by Captain John Gummer and fired at random. In doing so. I did it in Self-Defence

James J. Martin

2-17 East 74th St

0447

2

Coroner's Office.

TESTIMONY.

for myself. At 2.40 a.m. & April 22. The Martin Bros went out & said you dare not come out addressing those who were in the saloon. They went out the side door on 75th St. About 2 minutes after they went out a shot came ~~the~~ ^{through} the glass door and entered a panel of the floor. I went to the door and bolted it. I could not find the keys. ~~Ratel went to the cellar door stairs which lead up stairs and to the cellar.~~ Ratel went out side ^{door} after the shot. I then heard two pistol shots in rapid succession. At Tracy & Ratel's brother in law then went out side, going through the hall door. I know nothing further about the case, did not see Ratel since. When the Martin Bros. came into my store they were apparently sober.

Thomas Coffey

Sworn to before me this
10th day of May 1883

John B. Smith

Police Justice

Taken before me

this 25 day of April 1883

Herdmant Levy

CORONER.

0448

2

Coroner's Office.

TESTIMONY.

for myself. At 2.40 a.m. & April 22. The Martin Bros went out & said you dare not come out, addressing those who were in the saloon. They went out the side door on 75th St. About 2 minutes after they went out a shot came ^{through} the glass door and entered a panel of the floor. I went to the door and bolted it. I could not find the keys. Kate went to the ~~saloon door~~ stairs which ~~lead~~ ^{lead} to the ~~saloon~~ ^{door} Kate went outside after the shot, I then heard two pistol shots in rapid succession. At Tracy & Kate's brother in law then went outside, going through the hall door. I know nothing further about the case, did not see Kate since. When the Martin Bros. came into my store they were apparently sober.

Thomas Coffey

Sworn to before me this
10th day of May 1883

Salom B. Smith

Police Justice

Taken before me

this 25 day of April 1883

Verdeman Levy

CORONER.

0449

Coroner's Office.

TESTIMONY.

Thomas Cuff, being sworn says:
I reside at 213 E. 76th St.
I am in business at corner of 78th
St & 3rd Ave. I am a saloon
keeper. I am in partnership with
James Dorio under the name
of "Dorio & Cuff." I know the
prisoners.

On Sunday morning April 22nd
1880, the prisoners were in
my saloon. They came in with
James Tracy. They came in
about 10 minutes after 12. They
remained about 2 hrs. Peter
Ketil came in with his brother
in law at about 12.40 am, and
some other gentlemen. Ketil &
his brother in law entered in to a
conversation with the Martin
Bros, about Paddy Nevgent
as a clog dancer & accom-
pianist. They had a few
drinks and did not seem to me
to be excited. I do not know
who took Nevgent to work. The
conversation lasted quite a while.
There was no one behind the bar.

Taken before me

this 25 day of April 1883

Ferdinand Levy

CORONER.

0450

Coroner's Office.

TESTIMONY.

Samuel Cator being sworn says:
I reside at 422 E 76th St. I ^{am} employ-
ed at Webster's livery stable
116 & 118 E 75th St. I knew Peter
Katie. I did not know the
Martin Bros. April 22 at 1
am I went into Davis & Leaff's
Saloon. I was accompanied by
Peter Katie Joseph Meisner
& Mike Coleman. I met
the Martin Bros & James Tracy
in the Saloon. ^{my friends} We went to the
bar and had drinks (beer.)
Joseph Meisner & Mike Coleman
then went out. ~~Then~~ One of these
young men said to my brother
in law and I that he had
been taught Clog dancing
& Accordion playing ^{by Paddy Newgent} & that
he could beat him. My brother
in law the deceased said No.
I have heard Pat Newgent play
the Accordion ~~playing~~ & I never
saw any one who could beat
him. Tracy said let us
have a drink, we all went
to the bar and drank, then

Taken before me

this 21st day of April 1883
Ferdinand Levy CORONER.

0451

Coroner's Office.

TESTIMONY.

The Martin Bros went out. None
 of the parties were what I call
 drunk. The deceased Peter
 Katal had been my brother-in-
 law about 11 ~~years~~ months. We had
 only about 2 drinks. The Martin
 Bros. left the saloon between
 2 & 3 A.M. April 22nd '83, as
 they were going out they made
 some remarks which I did not
 understand. After they went
 out the side door leading to the
 street a shot was fired through
 the window. I was standing
 about 4 ft. from the bar with
 a glass in my hand. My brother-
 in-law then went to the side door
 Coff pulled him back. He then
 went to the back door and
 went out through the hall which
 leads into the tenement house.
 About 2 minutes after Katal
 went out we heard two
 shots. - Tracy & I then went
 out and the first went to
 the corner of 75th St & 40th
 first persons I saw were

Taken before me

this 25th day of April 1883

Ferdinand Levy CORONER.

0452

Coroner's Office.

TESTIMONY.

a policeman & night watchman, my brother-in-law was lying in the gutter in about 2 ft. from gutter in front of school house adjoining Davis & Caff's Saloon. I put my hand under him and asked him to speak to me, he could not but was breathing. One of the police officers then went & telegraphed for Ambulance, and at about 2.30 the deceased was taken to the Presbyterian Hospital.

James C. C. M.
Sworn to before me this
10th day of May 1883
Solon B. Smith
Police Justice

Taken before me

this 25th day of April 1883

Ferdinand Levy CORONER.

0453

6

Coroner's Office.

TESTIMONY.

James Tracy being sworn says
 I reside at 1311 3rd Ave
 being I am by occupation
 a Tiler. I have known the
 Martin Bros about 3 years.
 At 7^{1/4} PM April 21st as I came
 from my supper the Italian
 who keeps the stand at corner
 of 75th St & 3rd Ave said Frank
 Martin desired to see you.
 The Martin Bros met me at the
 corner & we then walked down
 to 68th St & 3rd Ave and had
 drinks. We then went to 44th
 St & 3rd Ave and had another
 drink. We crossed over at
 46th St & 3rd Ave to the opposite
 side and walked up to 62
 nd St we then met three others
 and had four rounds of beer.
 We remained in this saloon
 about 3/4 of an hour. At 10 PM
 we Martin Bros & I went to
 75th St & 1st Ave met some
 friends of the Martins in the
 saloon and I drank about
 3 rounds. I do not know

Taken before me

this 25 day of June 1893
 Ferdinand [Signature] CORONER.

0454

Coroner's Office.

TESTIMONY.

how much the Martins had when we came out of this place I was pretty well under the weather & I think the Martins were in the same fix. - We then went to Davis' corner of 75th & 3rd Ave. we got there abt about 12 o'clock. I live in the house above the Saloon.

I suppose I invited them they had been there with me before. Mr Caff was behind the bar. I called for a drink for the party (3 Beers). The Martins wanted another drink. I told them to wait.

In about half an hour Mr Hutton & Katic & two other gentlemen came in and had drinks. There was a discussion entered into a conversation about Patsey Newget as a Clog dancer & accordion player. I was a defender of Newget's qualities as a dancer & player.

Some one said something about slapping or knocking out, either

Taken before me

this 25

day of

April

1885

Ferdinand Levy

CORONER.

0455

8.

Coroner's Office.

TESTIMONY.

Mr Katon or Katal. this remark occurred during the discussion. I do not know the cause. We were in the saloon about 2 hours and had about 3 rounds of beer. The Martin brothers left the saloon a little after 3 a.m. and on they went out. ~~They~~ ^{one of them} said to Mr Katal & Katon come outside and we will settle this thing. Shortly after they went out a shot was fired which went through my coat. Katal then wanted to go out but prevented him. He then went out the hall door. After Katal went out I heard two shots. Katon & I went outside went to the corner of 75th St & 3rd Ave. I did not see any officers. I then left Katon walked down 3rd Ave. to 74th St. and down 74th St towards 2nd Ave. there I met the Martin. * James Martin said he lost his hat. I told him I would go after it. When I got to 75th St I saw an ambulance and was arrested.

* I said to the Martin
you came near shooting
me.

Taken before me
this 25 day of April 1885
Jacob Treuey
Sworn to before me this 10th day
of May 1885
Salon B. Smith
Police Justice
Ferdinand Levy CORONER.

0456

9

Coroner's Office.

TESTIMONY.

William Jordan being sworn says: I am patrolman of 28 Dist. While on post on Lexington between 77 & 78 St. between 2:30⁺ am. April 22. I heard 2 shots fired I turned back, I heard a rap and ran down 76th St to 3rd Ave & down 3rd Ave to 75th St & 3rd Ave. I then met the night watchman who said, two fellows fired two shots one ran towards 2nd Ave & the other towards 2nd Ave. The watchman ran after the one who ran towards Lexington Ave. as he ^{the watchman} ran he fell & hurt his knee. I found this man near 75th St on 3rd Ave. While standing at the corner of 75th St & 3rd Ave. Mr. Katon came to me and said his brother-in-law was shot. I went with him to place where Kate was lying near the gutter opposite the school adjoining Davis & Caffo Saloon. I then

* which I have produced

Taken before me

this 25 day of April 1883

Ferdinand Levy CORONER.

0457

10

Coroner's Office.

TESTIMONY.

Went to Engine house & telegraphed for ambulance. I kept Katon in charge & took him to Station House. I assisted in putting Ketch in ambulance and was there when he was taken away to Presbyterian Hosp. Officers Ordeal & I then took Katon, Cuff & Tracy to Station House.

When I came to Ketch he was unconscious as he was unable to speak to me

✓ William Jordan

Sworn to before me this
10th day of May 1883

Solomon Smith
Police Justice

Taken before me

this 25 day of April 1883

Ferdinand Lovey CORONER.

0458

Coroner's Office.

TESTIMONY.

James F. Kelly being sworn says
 I am ^{Headman} ~~patrolman~~ of 28 Prec.
 At 2.30 A.M. April 22nd '88
 Capt. Gammes ordered me
 an Officer Shields to proceed
 to Presbyterian Hospital &
 find out the condition of
 the man that was shot and
 from there to proceed ~~and~~
~~to~~ arrest the Mortimer Bros
 Officers Shields and my-
 self then proceeded in civil
 dress at 3.50 from the
 Station House when we
 arrived at the Hospital
~~and~~ found that Kate was
 dead. We then went to
 Tracey's House, above Door
 Store to tell Mrs Tracey & her
~~Tracy's sister~~ that her son
 was under arrest. That there
 was a shooting match down
 stairs, but it was not serious.
 The Mortimers were also arrested
 and I would like to tell
 their mother, if I knew the
 address. She Mrs Tracey

Taken before me

this 25th day of April 1888

Ferdinand Levy CORONER.

0459

12

Coroner's Office.

TESTIMONY.

gave me their address. I went to the house, was admitted went up stairs arrested the boys made them go into the kitchen, ~~and~~ We then proceeded to search their room. ^{officer} I took a coat down and said whose coat is this? Frank said: it is mine. in the outside pocket of the coat I found this small revolver which I now produce, (7 shots with one cartridge blank) Frank said, on being shown the pistol you are very fly but you have not the right man. We then took the prisoners to 28th Precinct Station House. ~~And~~ took them up separately to be examined by the Captain. I took Frank up first. Capt. asked Frank if he shot that man, he said no sir. Did your brother shoot him no sir. Before asking these questions he swore him. The Captain said to him: Is your

Taken before me

this 21 day of April 1888

Ferdinand Levy CORONER.

0460

1-3

Coroner's Office.

TESTIMONY.

know that man is dead?
 He smiled and said no.
 The big duffer got what
 he deserved. I then took
 him down & took James
 J. Martin up. The Captain
 corrected him and told him to
 make a statement. He began
 to cry & refused to make a
 statement. I then took him
 down stairs and he was
 taken to 19th Precinct Station
 House. ~~With~~ In a ~~drawer~~
 in the Martin boy's ~~room~~ ^{office} ~~room~~ ^{they} found
 in ~~the~~ ^{drawer} this box of cartri-
 ges 32 Caliber which did not
 fit the small revolver which was
 found in Frank's pocket. The
 Captain finding that these
 cartridges were for a long
 revolver, ~~ordered~~ ^{ordered} us to make
 a thorough search for the
 other ^{missing} revolver. We first went
 to the place of the shooting
 and not finding a revolver
 we went to the residence of
 the Martins told their Mother

Taken before me

this 28 day of June 1883

Ferdinand Levy CORONER.

0461

14

Coroner's Office.

TESTIMONY.

& Sister that there must be another revolver belonging to James and we came to search for it. Miss Kate Martin said that she had given James' revolver to her Aunt who she said she thought had thrown the pistol into water closet. We did not find the aunt but we went to the water closet took up the flooring and with a rake endeavored to get it. Not being able to do so we went to the Station reported the case to Capt. Sumner who said that we had reason to believe the pistol was there but were unable to get it. The ~~same~~ immediately sent Officer Shields back to guard the place until I got there. I then went back found in the yard a box with which we secured the pistol from the water closet of the Martin Residence 217 E. 74. This revolver which is produced is ^{the} one I found in the water

Taken before me

this 28th day of

April 1889
 Ferdinand Levy CORONER.

0462

15

Coroner's Office.

TESTIMONY.

Clock. It is a 32 Calibre
 revolver. I then told Mrs.
 Martin that the man that was
 shot was dead. Captain I
 took the pistol to the Station
 house. Delivered it to Capt.
 Gummer. Captain Gummer
 then told me to bring up
 Frank Martin. Ith. I did.
 The Captain then showed this
 pistol to Frank Martin and
 asked him whose pistol
 is this? He said my brother's.
 The Captain then said
 will you make a state-
 ment now. He said it is
 hard to make a statement
 against your brother, the
 big duffer got no more than
 he deserved. He also said
 the man who shot him, his
 conscience who would make
 him tell. Capt. Gummer
 & I then went to 19th West
 St House. and had James
 Martin brought into a pri-
 vate room ~~in our presence~~

Taken before me

this 25 day of

June 1883

Ferdinand Levy

CORONER.

0463

Coroner's Office.

TESTIMONY.

Capt Gunner then said to James that is your pistol James then broke down, commenced crying and said, I shot that man in self defense. He then made the following statement wh. he signed

James J. Martin said in addition at the Station house this is what I get by keeping bad company & not taking my mother's advice
James F. Mally
Sworn to before me this 10th
day of May 1883
Solon B. Smith
Police Justice

Taken before me

this 25th day of April 1884
Ferdinand Levy CORONER.

0464

Coroner's Office.

TESTIMONY.

Kate Martin being sworn says:
I live at 217 E 74th St. The
prisoners are my brothers.
+ reside in the same house.
The officers came in about 5 AM
April 22nd 83, and arrested my bro-
thers, and after they left I told
my aunt Ann Gilligan to take
the pistol that I had taken from
James and put it away. She
my Aunt when she returned after
disposing of it. She told me that
she had thrown it into the water
close by. My brother have been
carrying revolvers for the last
two years to the best of my know-
ledge.

Kate Martin

Sworn to before me this 10th
day of May 1883

Solomon B. Smith

Police Justice

Taken before me

this 25 day of April 1883

Ferdinand Levy CORONER.

0465

Coroner's Office.

TESTIMONY.

Michael Shields being sworn says: I am patrolman of 28 Prec't. I have heard the testimony of ~~James~~ ^{Roundman} Nally read and corroborate the same as far as I am mentioned in every particular.

Michael Shields

Capt John Gunner of 28th Prec't. being sworn says: I corroborate the testimony of ~~James~~ ^{Roundman} Nally as to my investigation of the case and further would add that the hat produced was identified by James J. Martin as the hat he lost on the morning of April 22nd '83 in 75th St & 3rd Ave. in the presence of J. Roundman Nally

John Gunner
Capt

Sworn to before me this

10th day of May 1883

Solon B. Smith Police Justice

Taken before me

this 25 day of June 1883

Ferdinand Levy CORONER.

Sworn to before me this
10th day of May 1883
Solon B. Smith
Police Justice

0466

Coroner's Office.

TESTIMONY.

19
Ann Gilligan being sworn says
I reside at 217 E 74th St. The pri-
or on my nephew. Between
5 & 6 am April 22nd '83. Miss
Katie Martin gave me the revolver
and said Aunt Ann for God's
sake throw this pistol away.
The revolver shown me looks very
much to me like the one that was
given to me. I am guilty
Sworn to before me this
10th day of May 1883
Salon B. Surick
Police Justice

Taken before me

this 25th day of April 1883

Ferdinand Levy

CORONER.

0467

Town of Ossining and County
of Westchester N. Y.

James J. Martin being
duly sworn deposes and says:

That upon the 13th day of June 1883
he pleaded guilty of manslaughter in the
1st degree in the Court of General Sessions
of the City of New York and was thereupon
sentenced by Recorder Smyth to be
imprisoned in a state prison for the
term of 18 years and 6 months.

That the fight which resulted in
the death of Peter J. Retell arose in a
bar-room at 75th Street and 3^d Avenue
New-York city on the 22^d day of April
1883. Previous to the fight Retell and
myself with others were drinking together
and a quarrel arose about the merits of
a dancer.

While I and my brother Frank J. Martin
were coming out of the saloon we were
attacked by Retell and Thomas Caton.
Retell stabbed me in the forehead
with a knife when deponent fell
against the door of the saloon, and as
I was regaining my feet I saw Retell
coming towards me and fearing my life
would be taken and knowing that
Retell had stabbed me in order to save

0468

my life, as I firmly believed it to be in danger, I fired a shot, but whether it hit him, Retell or not I couldn't say.

Wm. H. Howe of the firm of Howe and Hummell represented me in Court and Mr. Howe entered the Plea of Guilty for me but without my knowledge and consent. That the only consultation I ever had with either of the firm was with Mr. Hummell at the examination before Police Justice Duffy when he assured me that the case would not amount to much.

That from the time of said examination up to the time of my sentence I never saw either Mr. Howe or Mr. Hummell, until the day Mr. Howe pleaded guilty for me in Court. I am positive that Mr. Howe or Mr. Hummell never consulted me on the matter of entering a plea of Guilty but Mr. Howe did it of his own accord and without my knowledge and consent and to my great surprise, That upon hearing my sentence knowing that there was no trial and that I hadn't pleaded guilty to the charge I fainted from the shock.

Sworn to before
me

0469

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

The petition of Catherine Martin residing at 217 East 74th Street New York city, respectfully sheweth that she is a widow for the past twelve years, and is now 57 years of age, that she has four children living. viz: Kate and Mary unmarried women of twenty six and twenty four years of age respectively. That Francis George Martin, a son is also unmarried and living with your petitioner. That her other son James J. Martin who is now in his twenty first year was convicted upon his own plea of guilty of the offence of manslaughter in the 1st Degree upon the 13th day of June 1883 in the Court of General Sessions of this city (New York) and was thereupon sentenced by the Hon. the Recorder Frederick Smythe to be imprisoned in a State prison for the term of eighteen years and six months.

That her said son James J. Martin was at the time of the commission of the offence, a stock clerk in the warehouse

0470

of H. Wallack, a shirt-manufacturer in 53^d St. in this city and was earning ten dollars per week, which he gave almost entirely to your petitioner.

That upon the evening of the fracas which resulted in the death of Peter for the killing of whom her said son was convicted, he had been induced to drink liquor with one Tracy and also by his brother both of whom were much older than your petitioner's son. That a dispute arose in a tavern at the corner of 45th St and 3^d Avenue in said city about the merits of a Clog dancer named Patrick Nugent, the facts relative to the occurrence will more fully appear in the affidavit of her said son.

Your Petitioner respectfully represents that the plea of guilty was entered by the Counsel retained to defend him without consultation with your petitioner or any of her son's friends, that his said Counsel never obtained from her son a statement of the case but hurriedly advised him to plead guilty of the crime he now suffers for. That your petitioner knows that her said son in the fracas was severely wounded, which fact was not presented

0471

to the Court as a defence or in mitigation of punishment.

Your Petitioner further shows that her son up to the time of his arrest had never been charged with any offence whatever and bore an excellent character and was the principal means of your petitioner's support. That his employer would at once take him into his employment if pardoned.

Your petitioner therefore prays for the pardon of James J. Martin or such mitigation of his sentence in view of his youth, previous good character as would seem to your Excellency just and proper in the premises.

And she will ever pray
New-York January 1885

0472

City and County of New York S.S.
Catherine Martin being duly
sworn says, That she has heard
read the foregoing petition subscribed
by her and knows the contents thereof
and that the same is true of her own
knowledge except as to these matters
therein stated on information and belief
and as to these matters she believes
it to be true
Sworn to before
me

0473

Having read the above petition
we also write in its prayer

0474

District Attorney's Office.

PEOPLE

Jas J. Martin ^{vs} 19
pleaded guilty

trans pt

18^{years} 6 mos

Alfred

0475

People

^{by}
Mentor

Recommendation of
Margaret as

1st Officer

LOD 3/20/83
June 2, 83

0476

District Attorney's Office.
City & County of
New York.

People
vs
James J. Martin

On Sunday Morning, ^{at 2:30} 22 of April Peter
Ratel a man of family, was almost instantly
killed by a pistol shot wound by James
J. Martin - speak of pistols being carried,
drunk, and complaint given.

The Martin had been strolling round
all the evening drinking, but did not
- to be drunk. at 2:30 in Davis
and Buff Saloon N 8 Cor 75 & 3 A
a trifling dispute arose about a Clog
Rancer P. Magent. no blows. In the
Saloon was Captain Buff Ratel & the Ms.
went out, immediately after and fired a
show man shot into the house - passing through Tracy's
sleeve. Ratel ^{had been previously} invited out by
the Martin to "settle it." went out

0477

2
District Attorney's Office.
City & County of
New York.

on tenement door - almost instantly
Ratib was shot 2 fired in quick succession.
Leaton and Tracy went out - Tracy
walked down 3 to 74 & 74 toward 2
met Jas Martin coming westward - without
a hat - at hat acknowledged to ^{be} J & M's
was found on the hem of flight. A man
was seen to fly toward 2 A after the
shooting and another westward. Ratib
was found dead ^{or dying} opposite S House.
Within an hour or so the brothers were
arrived at their mother's house. in
Leaton's pocket was a small revolver -
not disclosed. - Jas & M Sister Ratib
took a 32 Caliber pistol from his pocket
gave it to Ann Gilligan his aunt who
threw it in water closet - a lot of
32 Caliber Cartridges were found in M's room.
I have not seen Dr. Doulton to ascertain
of the bullet found in the brain of Ratib

0478

3

District Attorney's Office.
City & County of
New York.

was a 32 Caliber, a statement made
~~It~~ to Capt Sumner that ~~but~~ M
Killed Rats in Self Defence - is not
of great moment, as he never said a
word about self defence to Macy when
he met him ~~hitting~~ - and charged
him with "near shooting him".

The person is very young, had been
drinking for 7 1/2 ^{pm} O'Clock to 2.30 in AM. There
was no old grudge, threat, or previous
malice or bad blood as far as the
people know - I think Manslaughter
1st Degree would answer the ends
of Justice - ~~He was~~
if agreeable to the Court, although I
think he must be convicted of
a higher degree.

W. M. Sumner
June 2, 83

TORN PAGE

POOR QUALITY
ORIGINAL

0479

17
Cocky at 10:30
2/10/42
Museum
jumps under
new 2
about 10:30
at ball
from back front
to back + front
in off line
man -

Body - extra
at 10:30
right side
at 10:30
and front
at 10:30
at 10:30
at 10:30

TORN PAGE

POOR QUALITY
ORIGINAL

0480

*Diagnosis complete
Organs normal*

0481

COURT OF GENERAL SESSIONS.

Hauslaughten
June 1883
James J. Martin
June 13/83

0482

day of _____ 1897.

Witnesses in the Case of *James J. Martin*

Subpoena Clerk.

WITNESS.

RESIDENCE.

HOW SERVED.

DEFENDANT.

Thomas Buff	213 E. 76 St.	P	<i>James J. Martin</i>
Samuel Barton	422 E 76	"	"
James Tracey	1311 3 rd St.	"	"
Off. Wm Jordan	28 Prec.	"	"
" James F. Nally	" "	"	"
" Michael Shields	" "	"	"
Capt. Gummer	" "	"	"
Katie Martin	217 E 74	"	"
Amie Gilligan	" " "	"	"
H. A. Manderville M. S. St			
House Surgeon Presbyterian Hospital 101 Ludlow Place			
J. E. Smith M. S. & deputy coroner			
Watchman Levy			
James Davis			
Doorman Maggerty			
John Conway Fireman			
Chas. Mc Dermott Fireman			

0483

Answered
Mar. 10th 1888
L. R. S.

0484

VI

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

October 18, 1888.

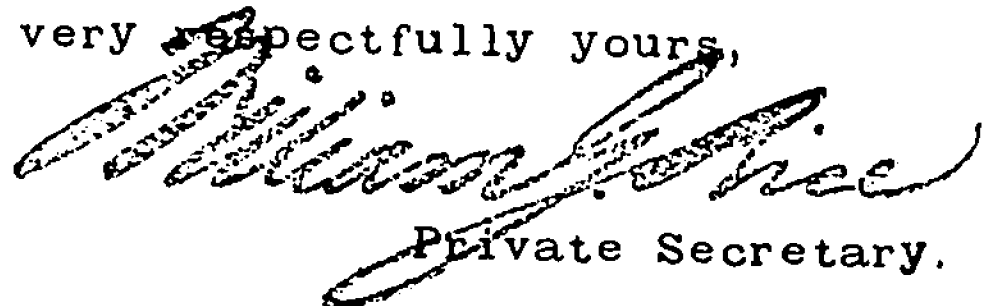
Sir:

Application for Executive clemency having been made on behalf of James J. Martin,----- who was convicted of Manslaughter first degree in the county of New York,----- and sentenced June 13, 1883 to imprisonment in the Sing Sing Prison----- for the term of eighteen years and six months,----- I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

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

I am,

very respectfully yours,


Private Secretary.

Hon. John R. Fellows,
District Attorney,
New York City.

0485

James J. Martin

Answered

June 30/85

0486

State of New York.

Executive Chamber,

Albany, MAY 5 1888

Sir: Application having been made to the Governor for the pardon of James D. Martine, who was sentenced on June 13 1882, in your County, for the crime of Murder in the 1st for the term of 18 years and 6 months to the State Prison Penitentiary, you are respectfully requested (in pursuance of § 695 of the Code of Criminal Procedure, ~~Chapter 310, Laws 1844~~) to furnish the Governor with a concise statement of the case as proven on the trial, together with any other facts or circumstances which may have a bearing on the question of granting or refusing a pardon. Be pleased, also, to state the previous character of the convict. An opinion is respectfully requested.

Each letter of inquiry from this Department should be answered on a separate sheet.

Very respectfully yours,

David B. Hill
Governor.

To Hon. C. B. Martine
District Attorney, &c.

By Edwin Henry,
Prosecuting Clerk.

0487

VI

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

October 16, 1888.

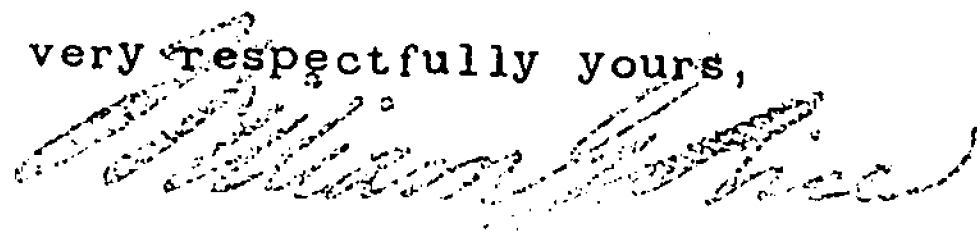
Sir:

Application for Executive clemency having been made on behalf of James J. Martin,----- who was convicted of Manslaughter first degree in the county of New York,----- and sentenced June 13, 1883 to imprisonment in the Sing Sing Prison----- for the term of eighteen years and six months',----- I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

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

I am,

very respectfully yours,



Private Secretary.

Hon. Frederick Smyth,
Recorder,
New York City.

0488

Coroner's Office.

TESTIMONY.

We, the jury find that Peter Ratel, came to his death on the morning of April 22nd at the corner of 75th Str. and Third Ave. through a pistol shot wound of the head, discharged by James J. Martin and the jury finds no evidence that said James J. Martin was justified in firing this shot in self defence.

We also find that the real cause is again found in the fact of carrying concealed weapons, and we would recommend the Legislature to pass a law making it a felony for any person carrying concealed weapons without a permit.

We also commend Capt. J. Gunner and officers of the 28th Police Precinct for the efficient and prompt manner in which they have so speedily brought to justice the guilty party and their untiring efforts in capturing all parties concerned in this affair.

Taken before me

this 25 day of June 1885

Ferdinand Frey

CORONER.

0489

Police Department of the City of New York,

Precinct No.

New York, 188

Witnesses in the Case of the Shooting
of Peter Petrell 75th St near 3rd Avenue
on Sunday Morning April 22nd at
about 2:30 P.M.

John Greff	Bar tender
Sam ^l Caton	Peter Francis
James Tracy	Martin Bro Francis
off. Jordan	
Thomas Nally	
Tom Gilligan	Martin Bro Andrew
Kate Martin	Martin Bro Sister
Capt. Connor	
Walter Campbell	

Watchman Lewis
James Harris
Hoorman Hagerty
off. O'Neil
off. Shields
John Conway Freeman
Chas M^c Dermott " "

0490

Witness

0491

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the house of
No. 13 *Chatham* Street in the 4 Ward of the City of
New York, in the County of New York, this 25 day of *April*
in the year of our Lord one thousand eight hundred and 83 before
Ferdinand Levy Coroner,

of the City and County aforesaid, on view of the Body of
Peter Ralte lying dead at
Parkman St Upon the Oaths and Affirmations of
good and lawful men of the State of New York, duly chosen and
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said
Peter Ralte came to his death, do

upon their Oaths and Affirmations, say: That the said *man*
came to his death by *Pistol shot wound of the*
head at the hands of James J. Martin cor 75 St
and 3 An on April 22 1883
Recommendation on next page

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

Alwin Wilkeford JURORS.
988 5th Ave.

J. E. Lummus
Frederick Schaefer Jr
Wm Condrin

William L Peck

Jas. Gault

Louis v. Schwanenflugel
Matthias Neumann 21 Sutton Place
985 3rd Ave

Carl Joern 145 E. 58 St

Ed. Wagner 989 3rd Ave

Francis J. Briggs 207 E 89

203 E 61st St
112 E 51st St
955 3rd Ave.

42 E 67 St

143 East 59th

Ferdinand Levy
CORONER, E. S.