

0556

BOX:

140

FOLDER:

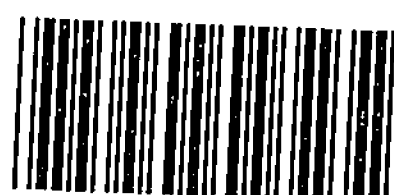
1447

DESCRIPTION:

Van Horne, James

DATE:

05/16/84



1447

0557

BOX:

140

FOLDER:

1447

DESCRIPTION:

McGrath, Thomas

DATE:

05/16/84



1447



0558

BOX:

140

FOLDER:

1447

DESCRIPTION:

McCarty, John

DATE:

05/16/84



1447

0559

BOX:

140

FOLDER:

1447

DESCRIPTION:

Gillen, William

DATE:

05/16/84



1447



OF. GEO. BOBEL

9 PRECT

June 24<sup>th</sup> 1884  
The affidavits of Geo  
Hewins show that the  
Complainant has left the  
city - and has been absent  
for several weeks and  
his whereabouts and  
time of return, are  
unknown. He is  
connected with a stealing  
Ministered troupe. The Police  
have made every effort  
to get ready for trial  
& cannot for reasons stated  
above. I respectfully  
suggest that he be before  
the discharge of this case  
recognizing and following  
apostolic ad

1. Nathaniel  
2.

Counsel,

Filed 16 day of May 188

Pleads  
May 19.

THE PEOPLE

vs.  
James A. Van Horn  
Thomas McGrath  
John Mc Carthy  
William Gillen

Robbery in the  
(Sections 224 and 225)  
Degree

PETER B. OLNEY,  
JOHN McKEON

District Attorney

A TRUE BILL.

Foreman.

W. H. 18<sup>th</sup> May 1884  
Let out to be arr'd  
on 20<sup>th</sup> May 1884  
26  
May 29<sup>th</sup> 1884

POOR QUALITY  
ORIGINAL

0560

0561

# 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 A. Van Horne,  
Thomas Mc Carthy,  
John Mc Carthy, and  
William Cullen

The Grand Jury of the City and County of New York, by this indictment, accuse, James A. Van Horne, Thomas Mc Carthy, John Mc Carthy and William Cullen of the CRIME OF ROBBERY IN THE - First - DEGREE, committed as follows:

The said James A. Van Horne, Thomas Mc Carthy, John Mc Carthy, and William Cullen late of the First Ward of the City of New York, in the County of New York aforesaid, on the thirteenth day of May in the year of our Lord one thousand eight hundred and eightyfour, at the Ward, City and County aforesaid, with force and arms, in and upon one John Ezzert in the peace of the said People then and there being, feloniously did make an assault [each of them the said James A. Van Horne, Thomas Mc Carthy, John Mc Carthy and William Cullen being then and there aided by an accomplice actually present] and one hat of the value of one dollar, and one nickel coin of the United States of America of the kind known as five-cent-pieces, of the value of five cents -

of the goods, chattels and personal property of the said John Ezzert from the person of said John Ezzert and against the will and by violence to the person of the said John Ezzert then and there violently and feloniously did rob, steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity,

PETER B. OLNEY,

JOHN McLEON, District Attorney.



COURT OF GENERAL SESSIONS.

The People, &c.

VS.

*James Van Horne  
et al*

OFFENCE

PETER B. OLNEY,  
District Attorney

*Withdrawn of Off. Babel*

0562

GLUED PAGE

0563

PART 2.

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the Officer at the Court-Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA  
FOR A WITNESS TO ATTEND THE  
Court of General Sessions of the Peace.

The People of the State of New York,

To *John Egbert*  
of No. *139 East 117th* Street,

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you appear in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *24th* day of *June* instant, at the hour of eleven in the forenoon of the same day, to testify the truth, and give evidence in our behalf, against

*James Vanstorne et al*  
in a case of Felony whereof he stands indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

Witness, Hon. FREDERICK SMYTH, Recorder, of our said City, at the City Hall, in our said City, the first Monday of *June* in the year of our Lord 188*4*.

JOHN McKEON, District Attorney.

sworn says: I am a Police Officer attached to the 9th Precinct. On the 23<sup>d</sup> day of June 1884 I called at No. 139 East 117<sup>th</sup> Street the alleged residence of John Egbert the complainant herein to serve him with the annexed subpoena and was informed by his mother that he had not been home for five weeks and that she heard he had gone travelling with a Minstrel Troupe she did not know his address nor his present whereabouts or when he would return.

I had previously, about three weeks ago called at No 142 Bleeker Street where said Egbert occasionally slept and was there informed that said Egbert left the City with a troupe of minstrels but could gain no information as to his present whereabouts.

Sworn to before me this  
24<sup>th</sup> day of June 1884

Rudolph P. Schaaf  
Com. of Deed N.Y. City

George Bobel



GLUED PAGE

0564

COURT OF GENERAL SESSIONS.

The People, &c.

vs.

James Van Horne  
et al

OFFENCE

PETER B. OLNEY,

District Attorney

City & County of New York p: -

George Bobel being duly sworn says: I am a Police Officer attached to the 9<sup>th</sup> Precinct. On the 23<sup>d</sup> day of June 1884 I called at No. 139 East 117<sup>th</sup> Street the alleged residence of John Egbert the complainant herein to serve him with the annexed subpoena and was informed by his mother that he had not been home for five weeks and that she heard he had gone travelling with a Minstrel Troupe, she did not know his address nor his present whereabouts, or when he would return.

I had previously, about three weeks ago, called at No 192 Bleeker Street where said Egbert occasionally slept and was there informed that said Egbert left the City with a troupe of minstrels but could gain no information as to his present whereabouts.

Sworn to before me this  
24<sup>th</sup> day of June 1884

Rudolph L. Schaaf

Clerk of Court N.Y. City

George Bobel

being duly sworn, deposes and says he

this is a copy, upon

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

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his assistants.

If all when served, please send timely word to the District Attorney's Office.



0565

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

Police Court 2 District 1334

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Wadsworth  
James Van Horn  
Thomas McLaughlin  
John McCarty  
William Gillen  
Offence Robbery

Dated May 13 1884

Wm. Patterson Magistrate.  
Geo. Boole Officer.

Witnesses Geo. Boole  
Geo. Boole Precinct.  
Geo. Boole Street.

No. \_\_\_\_\_ Street \_\_\_\_\_

No. Back 11 Street \_\_\_\_\_  
\$ 1000 to answer \_\_\_\_\_ Sessions.

MAY 15 1884  
Clerk

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 Van Horn, Thomas McLaughlin, John McCarty and William Gillen guilty thereof, I order that they be held to answer the same and they 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 they give such bail.

Dated May 13 1884 Wm. Patterson 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.



0566

Sec. 198—200

CITY AND COUNTY }  
OF NEW YORK, } ss.

2 District Police Court.

*William Gillen* 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 Gillen*

Question. How old are you?

Answer. *19 years 7 mos*

Question. Where were you born?

Answer. *New York*

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

Answer. *219 West 16 St. about 2 years.*

Question. What is your business or profession?

Answer. *Copier driver*

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

Answer. *I am not guilty*

*William Gillen*  
*(his mark)*

Taken before me this *13* day of *May* 188*8*  
*John J. Sullivan*  
Police Justice.

0567

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

*John M. Carty* 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 M. Carty*

Question. How old are you?

Answer.

*19 years of age*

Question. Where were you born?

Answer.

*New York*

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

Answer *444 1/2 East 19 St. 2 years.*

Question. What is your business or profession?

Answer.

*Owner of a Coal Cart*

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

Answer.

*I am not guilty*  
*John M. Carty*

Taken before me this *18<sup>th</sup>* day of *May* 188*8*  
*J. M. Putnam*  
Police Justice.



0568

Sec. 198-200

2

District Police Court.

CITY AND COUNTY }  
OR NEW YORK, } ss.

*Thomas McGarrick* 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. *Thomas McGarrick*

Question. How old are you?

Answer. *18 years 9 months*

Question. Where were you born?

Answer. *New York*

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

Answer. *196 Varick St. all my life*

Question. What is your business or profession?

Answer. *Book-binder*

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*  
*Thomas McGarrick*

Taken before me this *13<sup>th</sup>* day of *May* 188*4*  
*John J. Sullivan*  
Police Justice.

0569

Sec. 198-200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *James Van Horn*

Question. How old are you?

Answer. *23 years of age*

Question. Where were you born?

Answer. *New York*

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

Answer. *412 East 19 St. For 4 years.*

Question. What is your business or profession?

Answer. *Gold Pen maker*

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 have nothing to say*

*James Van Horn*

Taken before me this *10* day of *May* 188*8*

*John J. Quinlan*  
Police Justice.



0570

Police Court— 2 District.CITY AND COUNTY } ss  
OF NEW YORK,

John Ogberk  
 of No 139 East 107<sup>th</sup> Street, Aged 37 Years  
 Occupation Variety Performer being duly sworn, deposes and says, that on the  
13<sup>th</sup> day of May 1884, at the 15<sup>th</sup> Ward of the City of New York,  
 in the County of New York, was feloniously taken, stolen, and carried away from the person of de-  
 ponent by force and violence, without his consent and against his will, the following property, viz:

One hat and a five Cent Nickel  
Coin, said property being in all

of the value of One dollar and five Cents DOLLARS,  
 the property of deponent

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

James Van Horn, Thomas  
McGrath, John Mc Carthy  
and William Gillen, all  
here present, from the fact  
that about the hour of 11<sup>12</sup>  
o'clock A. M. of said day deponent  
was coming down the stoop of  
No. 192 Bleeker Street when  
he was seized hold of by the  
defendants Van Horn and  
Gillen who forcibly held  
deponent and took the said

deponent

Subscribed and sworn to before me this

188-

James Gillen



0571

Mickie Coine from the left pocket  
of the coat then worn upon  
deponents person. That the said  
other deponents then joined  
the deponents Van Horn and Gillen  
and all of them surrounded  
deponent and pulled deponent  
about and forcing into said coat  
from deponents head. That  
deponent got away from them  
and found an officer and had  
them arrested, and also stating  
that was then found as the  
possession of the deponent Van  
Horn.

Given to by me this John E. Light  
13th day of May 1884

John E. Light  
Police Justice

Police Justice

Dated 1884 guilty of the offense within mentioned, I order he to be discharged.

There being no sufficient cause to believe the within named Police Justice.

Dated 1884 I have admitted the above named to bail to answer by the undertaking here to unnamed.

Dated 1884 of the City of New York, until he give such bail.

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

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

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—ROBBERY.

23.

1  
2  
3  
4

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.