

0678

BOX:

14

FOLDER:

178

DESCRIPTION:

Davidson, John

DATE:

06/07/80



178

0679

#3

Counsel,

Filed 7 day of June 1880

Pleas

W. C. Lundy - S

THE PEOPLE

vs.

P

John Davidson

W. C. Lundy

and *Embezzlement* *Larceny.*

BENJ. K. PHELPS,

June 9. 1880

District Attorney.

Madegunt - S

J. G. B.

A True Bill.

W. C. Lundy

Foreman.

W. C. Lundy

W. C. Lundy

Sentencs Suspend.

0580

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

Third District Police Court.

of No. 62 East 54th Moses H. Moses

Street, _____

being duly sworn, deposes and says,

that on the Cleventh

day of May

1880

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

John Davidson, was a servant in the employ of Moses H. Moses, firm name M. H. Moses & Co and not being an apprentice nor within the age of eighteen years, did feloniously embezzle and convert to his own use without the consent of said _____ Moses H. Moses _____ good and lawful money to the amount of Thirteen and ⁶²/₁₀₀ dollars, the property of deponent said Moses H. Moses

doing business at No. 77-79-81 Vesey Street in said City. That said moneys so received by said John Davidson, were received by him while he was a servant and driver in the employ of said _____ Moses H. Moses _____

and as such servant and driver, did deliver goods, purchased of said ~~Moses H. Moses & Co.~~ by William McEwen; to him said William McEwen, and receiving said amount above stated from said William McEwen in payment of bill for said goods.

In witness whereof I, _____ this 15th day of May 1880, Moses H. Moses, _____
Police Justice

State of New York
City and County of New York } ss. William McEwen
being duly sworn deposes and says he resides at no 223 6th Street in said City, that on the 11th day of May 1880 he paid to John Davidson the sum of Thirteen and ⁶²/₁₀₀ dollars for goods purchased of M. H. Moses & Co. Deponent further says that he paid said money to said John Davidson believing him to be a driver in the employ of said M. H. Moses and Company at the time he paid him said money

Sworn to before me this 15th day of May 1880
Wm. J. [Signature]

William McEwen

0681

#3

Police Court, Third District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Mrs. H. W. ...
62 E 54 St

vs.

John Davidson

Dated, May 15 1880

Ch. Otterbourg
Magistrate.

Wm. ...
Court Square
Officer.

William M. ...
223 E 78 St

\$500 T. A. General



Under Correction

0682

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

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

That

John Davidson

late of the First Ward of the City of New York, in the County of New York, aforesaid
not being an apprentice or person within the age of eighteen years, on the *Eleventh*
day of *May* in the year of our Lord one thousand eight hundred and
~~seventy-eighty~~ *eighty* was employed in the capacity of a clerk and servant to one

Moses H. Moses

and as such clerk and servant, was entrusted to receive a certain sum of
money to wit, the sum of *Thirteen dollars*
and *Sixty two cents* in money and of the
value of *Thirteen dollars and Sixty two*
Cents

and being so employed and entrusted as aforesaid, the said

John Davidson — by virtue of such employment
then and there did receive and take into his possession

the said certain sum of money to wit the
sum of Thirteen dollars and sixty two cents
in money and of the value of Thirteen dol-
lars and sixty two cents.

for and on account of

Moses H. Moses.

his said master and employer; and that the said

John Davidson on the day and year last aforesaid,
with force and arms, at the Ward, City and County aforesaid, fraudulently and feloniously did
take, make away with and secrete, with intent to convert to his own use, and did fraudulently
and feloniously embezzle and convert to his own use, without the consent of said master and
employer, and did fraudulently and feloniously and without the consent of his said master and
employer withhold, appropriate, apply and make use of the said

certain sum of money, to wit the sum of
Thirteen dollars and sixty two cents in money
and of the value of Thirteen dollars and
Sixty two cents.

(Over.)

0683

of the goods, chattels, personal property and money of the said *Moses H. Moses* which said goods, chattels, personal property, and money had come into his possession and under his care, by virtue of his being such clerk and servant as aforesaid, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

And the Jurors aforesaid, upon their Oath aforesaid, do further Present,

That the said

John Davidson

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year last aforesaid, at the Ward, City and County aforesaid, with force and arms, fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as a bank note), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as a bank note), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: thirty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: two hundred and forty silver coins (of the kind usually known as shilling pieces), of the value of twelve and a half cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand coins (of the kind known as three cent pieces), of the value of three cents each: three thousand copper coins (of the kind known as cents), of the value of one cent each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each.

13. ⁶² /

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as United States Treasury notes, of a number and denomination to the Jurors aforesaid unknown, and more accurate description of which cannot now be given, of the value of *thirteen dollars*

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as Bank Notes, of a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of *thirteen dollars*

Divers Due Bills of the United States of America, the same being then and there due and unsatisfied, and of the kind known as Fractional Currency, of a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of *thirteen dollars*

Divers Coins, of a number, kind, and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of *thirteen dollars*

0684

of the goods, chattels and personal property of one

Moses H. Moses.

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

BENJ. K. PHELPS, District Attorney.

0685

BOX:

14

FOLDER:

178

DESCRIPTION:

Davis, Margaret

DATE:

06/24/80



178

0686

#202

Counsel, *R. H. Wood*
Filed *24* day of *June* 188*2*
Pleads *Not Guilty (25)*

THE PEOPLE
vs.
Margaret Davis
INDICTMENT.
Larceny from the person.

B. K. Phelps
BENJ. K. PHELPS,
District Attorney.

A True Bill.
James J. L.
June 20th Foreman.

James J. L.
Per 6 months

0687

Form 112.

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

Police Court—First District.

of No. 128 Garden George Hall Street, being duly sworn, deposes

and says, that on the 21 day of June 1880

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

the following property, viz: one open face silver watch
and plaited chain in all

of the value of ten 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 Margaret Davis
(now here) for the reason that while deponent was a sleep in the cabin of a ferry boat of the Hamilton Avenue Ferry Company, deponent was informed by James E. Smith that he saw said Davis take the aforesaid property from the pocket of the vest then and there worn by deponent.

Wherefore deponent charges said Davis with taking, stealing, and carrying away the aforesaid property from deponent, person

George Hall

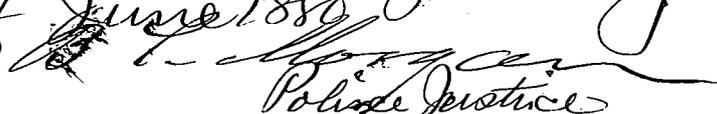
Sworn to, before me, this 29 day of June 1880

A. J. Murphy
Justice

0688

City and County }
of New York } ss

James E. Smith of
317 East 17 Street being duly sworn
says that he has heard the foregoing
affidavit and the statement therein
contained on information is true to
deponents own knowledge

Sworn to before me this Jas. E. Smith
22 day of June 1880

Police Justice

0689

Police Court—First District.

CITY AND COUNTY } ss.
OF NEW YORK.

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

Question. What is your name?

Answer. Margaret Davis

Question. How old are you?

Answer. 40 years.

Question. Where were you born?

Answer. Ireland.

Question. Where do you live?

Answer. 53 Cherry Street.

Question. What is your occupation?

Answer. Making —

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

Answer. I am guilty of nothing in
the charge preferred against
Margaret Davis
Mark

Taken before me this

27th day of June 1870
Wm. J. [Signature]
Police Justice.

0690

COUNSEL FOR COMPLAINANT.

Name,
Address,

COUNSEL FOR DEFENDANT.

Name,
Address,

to Col
Police Court—First District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George Hall
1128 Hardwick St
San Francisco
Margaret Davis

Affidavit—Larceny



Dated *22 June* 1880

Morgan Magistrate.

Chyle Officer.
1st Clerk.

Witness: *James E Smith*
317 East 17 St
17 28 E. 17th St
Care of Hayes Hotel

\$ *1000.* to answer
at *San Francisco* Sessions
Received at Dist. Atty's office

BAILLED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

0691

CITY AND COUNTY } ss.
OF NEW YORK, }

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

That *Margaret Davis*

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

on the *twenty first* day of *June* in the year of our Lord one
thousand eight hundred and eighty at the Ward, City, and County aforesaid,
with force and arms,

One watch of the value of eight dollars -
One chain of the value of two dollars

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

BENJ. K. PHELPS, District Attorney.

0692

BOX:

14

FOLDER:

178

DESCRIPTION:

Davis, William H.

DATE:

06/07/80



178

0693

#10

Counsel,
Filed 7 day of June 1850
Pleads

THE PEOPLE
vs.
P
William H. Davis
vs.
Larceny, and Receiving Stolen Goods.

BENJ. K. PHELPS,
District Attorney.

A True Bill.

J. M. Riley
Foreman.
James G. P.
James G. P.
S.P. 18 months.

0694

FORM 89 1/2

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

ss.

POLICE COURT—SECOND DISTRICT.

Charles M. Dewey

of No. *170 West 23* Street, being duly sworn, deposes
and says, that on the *18* day of *May* 18*80*

at the City of New York, in the County of New York, was feloniously taken, stolen and carried
away, from the possession of deponent, *from the Factory 541*

West 23rd Street

the following property, to wit:

*Twelve pairs Cassimere
pantalons and trimmings (unfinish-
ed) in all*

of the value of *Forty Eight* Dollars,

the property of *William C. Browning and others*
copartners and in deponents care as
Superintendent

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

William C. Davis
(now here) for the reasons following
that on the said date said deponent
came to deponent and solicited work
stating that his wife had sent him
for the said purpose - that deponent
believing said statement to be true
delivered to the custody of said de-
pendant the said property. The wife
of said Davis informed deponent
that she had not lived with depond
ant for the space of a year last
past and did not authorize said de

Assured to be for same this

Police Justice

0695

defendant to procure said property -
That said defendant thereafter sold
said property and has failed to re-
turn the same or any portion thereof
deponent therefore charges the said
defendant with feloniously obtaining
said property with the intent to de-
fraud the bail owners -

Sworn to before me this Cha. W. Deane
31st day of May 1880 }
D. W. Smith
Police Justice

0696

Police Court—Fifth District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

William H. Davis -

Question. How old are you?

Answer.

Thirty two years

Question. Where were you born?

Answer.

New York

Question. Where do you live?

Answer.

Louging House

Question. What is your occupation?

Answer.

Cartman

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

Answer.

I am guilty of the charge

Taken before me, this

31

day of

May

187

89

W. H. Davis

J. J. Williams

Police Justice.

0697

NY #10 -
Form 894

POLICE COURT—SECOND DISTRICT

THE PEOPLE, & C.,
ON THE COMPLAINT OF

Affidavit—Larceny.

Charles M. Dewey
170 W 28th St
William H. Davis

DATED May 31 1880

R. Kilbreth
MAGISTRATE.



Campbell
OFFICER.

WITNESS:

May E. Davis
49 Erie Street Jersey City
John W. Gibson
49 1/2 Washington Street

\$100 TO ANS.

BAILED BY

No. STREET.

Con

0698

CITY AND COUNTY }
OF NEW YORK, } ss.

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

That *William H. Davis*

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

*Twelve pairs of pantaloons of the value
of four dollars each pair _____
Forty eight yards of cloth of the
value of one dollar each yard _____
Forty eight yards of trimmings of
the value of one dollar each yard*

of the goods, chattels, and personal property of one

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

0699

And the Jurors aforesaid, upon their oath aforesaid, do further present
That the said *William A Davis*

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

*Twelve pairs of pantaloons of the
value of four dollars each pair
Forty Eight yards of cloth of the
value of one dollar each yard
Forty Eight yards of trimming
of the value of one dollar each
yard*

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

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

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

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

BENJAMIN K. PHELPS, District Attorney.

0700

BOX:

14

FOLDER:

178

DESCRIPTION:

Days, Frank

DATE:

06/29/80



178

0701

#239
HC

Filed 29 day of June 1880
Pleads *Guilty (20)*

*no clerks
+ master*

THE PEOPLE

vs.

I

Frank Dago

Felonious Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

A. W. Wiley

Foreman.

*Pleads guilty a pt charge
day up to July 6. 1880*

S. J. S. P. J. S.

0702

Form

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

POLICE COURT—FIRST DISTRICT.

James ~~Edwards~~
~~House of Deputations~~
of No. 5 York Street, being duly sworn, deposes and says,
that on the 25 day of June 1880

at the City of New York, in the County of New York, he was violently and feloniously assaulted and
beaten by Frank Day

now present.
who did willfully and maliciously
cut deponent on the face with a
razor then and there held causing
a painful wound

Sworn to, before me, this

day of

1880

Deponent believes that said injury, as above set forth, was inflicted by said

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

Wherefore this deponent prays that the said assailant may be ~~apprehended~~ and dealt with accord-
ing to law.

James Edwards

Wm. Thompson
Police Justice.

0703

Police Court—First District.

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

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

Question. What is your name?

Answer. *Frank Saps*

Question. How old are you?

Answer. *20 years.*

Question. Where were you born?

Answer. *Charleston - S.C.*

Question. Where do you live?

Answer. *No 5 York Street.*

Question. What is your occupation?

Answer. *Master*

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

Answer. *I am not Guilty. This
complaint because I laughed
at him and because he first
struck ~~me~~ with his fist and
when he struck me I cut him
with the razor. I did not intend
to strike him intentionally. I am
sorry for it. I brought the
razor from home (Charleston).
We both came up as passengers.
I did not know him until he
came on board the Steamer
"Atlanta". We both agreed to be
partners together on board of
steamer to split each other.
Frank Saps*

Taken before me, this

29 day of June 1880

W. C. Thompson
POLICE JUSTICE

0704

COUNSEL FOR COMPLAINANT.

Name,
Address,

*Complainant
Adm to McHarris
of Detroit
in default of \$300.
bail.*

COUNSEL FOR DEFENDANT.

Name,
Address,

Police Court—First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

*James E. Young
vs
Frank Naup*



Dated, *26 June* 18*80*

*Magistrate.
Handy to Priority Officer.
J. P. Poremech Clerk.*

Witnesses,

W. !
8 *One Howard* to answer
at General Sessions *W. M.*

Received at Dist. Atty's Office,

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

CITY AND COUNTY } ss.
OF NEW YORK, }

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

That *Frank Days*

late of the City of New York, in the County of New York, aforesaid, on the
twenty fifth day of *June* in the year of our Lord
one thousand eight hundred and *eighty* with force and arms, at the City and
County aforesaid, in and upon the body of *James Elmore*
in the peace of the said people then and there being, feloniously did make an assault
and *him* the said *James Elmore*
with a certain *razor*
which the said *Frank Days*

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

SECOND COUNT.

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

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

THIRD COUNT.

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

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

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

0706

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

FOURTH COUNT.

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

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

BENJ. K. PHELPS, District Attorney.

HC #239

Filed 29 day of June 1880
Pears
John Pears (20)

Frank Dago
vs
James Eluone
THE PEOPLE

Felonious Assault and Battery.

BENJ. K. PHELPS,
District Attorney.

A TRUE BILL.

J. M. Kelly
Foreman.

*Heads guilty - apt remark
changed sep 20
Judge 6-1880
S. J. P. P. J. S.*

0707

BOX:

14

FOLDER:

178

DESCRIPTION:

Degnan, David

DATE:

06/29/80



178

0708

Day of Trial,
Counsel,
Filed 29 day of June 1880
Pleads

THE PEOPLE
vs.
I.
David Deegan.
3/11

BENJ. K. PHELPS,
District Attorney.

A True Bill.
J. H. Pabel
Foreman.
James G. Gaulty
S. P. 2 May.

0709

Police Court—Third District.

CITY AND COUNTY }
NEW YORK, } ss.

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

Question.—What is your name?

Answer.—

David Degnan

Question.—How old are you?

Answer.—

Thirty-eight

Question.—Where were you born?

Answer.—

New York

Question.—Where do you live?

Answer.—

222 West 17

Question.—What is your occupation?

Answer.—

Laborer

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

Answer.—

Nothing to say

David Degnan

Taken before me, this

28th
day of May

1888

Maxim C. Kearney

Police Justice.

State of New York
 City and County of New York

See
 Jacob L. Hanes, of No 76 Bowery in
 said City, being duly sworn, upon his oath says. That on
 the 22nd day of January 1880, at this City of New York, in the
 County and State of New York, to wit, in the District Court of the
 City of New York for the Third Judicial District, at the Court
 room thereof, before George W. Parker Esquire the judge or
 justice of said Court then there duly holding the same,
 and in the certain action on contract, cause matter or
 proceeding then there duly depending in said Court
 and before said judge or justice, between Robert Copeland
 plaintiff and James J. Lenny defendant, for the recover-
 y of money only to an amount exceeding \$100, one David
 DEGRAN, having theretofore been offered as surety,
 (together with one Jeremiah W. Mallon and said defendant),
 on a certain undertaking offered by said defendant to pro-
 cure the removal of said action into the Court of Common
 Pleas in and for the City + County of New York, under and
 pursuant to the provisions of section 3 of Chapter 514 of the
 Laws of 1859, and upon objection to his sufficiency as
 such surety, being then there by said judge or justice
 duly sworn, and being thereupon examined under his
 oath touching his sufficiency as such surety, he, the
 said David Degran did commit wilful and corrupt
 perjury, and upon his said oath did corruptly and
 wilfully and falsely swear and testify, that he was
 then engaged in the general carting business and owned
 personal property consisting of two trucks worth \$200 one

spring cart and four horses, and was worth fifteen hundred dollars or sixteen hundred dollars over and above all his debts and liabilities. That he - said David Deegan - in his own name, had bought and then owned such two trucks and four horses, and therewith carried on said general carting business in this city of New York (having one stand at 21st street and 8th Avenue and another on 10th street). And himself superintended said business, but employed and hired one James Watson, residing at 319 West 17th street, as his driver of one of such two trucks and therefor paid him weekly wages, and that he also employed and hired one Dana Hickey, residing at 220 West 17th street, as his driver of ~~such~~ the other of such two trucks, at weekly wages of \$8 per week, and had so employed and hired said Watson for the last six or seven years, and said Hickey for the last three years, about. That he - said David Deegan - bought one of such two trucks from the maker, one McCann of West 17th street, South side, between 9th and 10th Avenues, and that he bought the other of such two trucks from one McCarty a cartman living in 16th street between 10th and 9th Avenues, for the price of \$250 about three years ago. That he - said David Deegan - bought such four horses at the horse market in this city, and himself then stabled and fed and kept them in the stable at 319 West 17th street which he in his own name hired from the tailor who lives in the front house at 319 West 17th street. That such two trucks were licensed and numbered, and that one thereof was

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then number 2737, and the other then was number 5563, and that said pretended spring cart was kept standing in front of the aforementioned stable.

And this deponent says that he is informed and believes that each and every the several aforesaid statements and matters so testified and sworn by said David Deegan as aforesaid was and were wholly false, and to him so known to be. That said David Deegan never bought and did not own the aforementioned pretended two trucks, four horses, or spring cart, as so testified and sworn, was not engaged in and did not superintend said pretended general carting business, was not worth fifteen hundred or sixteen hundred dollars, did not hire or employ said pretended drivers Dora Hickey or said pretended James Watson as by him testified and sworn, and did not hire any stable, or feed stable or keep four horses or any horse at 219 West 17th street, or keep or own a spring cart standing in front of such stable.

Jacob L. Jones

Subscribed & sworn to before me
this 2 day of February 1880

[Signature]

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New York, Jan. 28th 1880
Third Civil Dist. Court
Before Hon. Geo. W. Parker
Justice.

Copeland }
vs }
Keimney }

Stenographic
Transcript

M. J. Kelly
Stenographer
3rd Civ. Dist. Court

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David Degnan, called and sworn,
(as surety) says, as follows:

Q. Do you own personal property?

A. Yes.

Q. Of what does it consist?

A. Two trucks, a spring cart and
four horses.

Q. And what else? What is the
value of your trucks?

A. About \$400⁰⁰/₁₀₀.

Q. And of the horse?

A. About -

Q. And what is your business?

A. General carting.

Q. Where do you reside?

A. 222, W. 17th St.

Q. Keep house there?

A. Yes.

Q. Are there any judgments against
you?

A. No.

Q. Do you owe any money?

A. No.

Q. How much are you worth
over all your debts and liabilities?

A. \$1500⁰⁰/₁₀₀ or \$1600⁰⁰/₁₀₀.

~~Q. How much?~~

Q. What is your age?

A. 37.

Q. Who constitutes your family?

20

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21 a. Father - mother & brother.

Q. How long have you been engaged in business?

A. About 8 years.

Q. Have you ever observed your name in the City Directory, of New York?

Ans.

Q. Do you know why it is not there -

A. Yes -

Q. Why?

A. Because ever since the time of the draft the old lady never would give the name -

Q. It has not been in the Directory before or after the draft?

Ans.

Q. What is your father's name?

A. Peter Dequan.

Q. Who lives the apartments?

A. I do.

Q. What is his landlord's first name, & his residence?

A. Hickey; he is the agent, and they live at No. 220.

Q. What street?

A. 218 West 17th St.

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Q Do you know his 1st name?

A I don't.

Q When did you hire these apartments?

A About 9 years ago.

Q Did you hire them before 9 years?

A No.

Q Did you hire them since, you, yourself?

A I never left there.

Q Have you ever hired them since 9 years ago?

A Yes.

Q You, yourself, ~~could not~~ made the bargain with Hickey?

A Yes.

Q Do you pay any board?

A No.

Q Do you contribute anything towards the expense of the household?

A Yes.

Q How much - & when?

A Just as it is called for; always.

Q Who calls for it?

A Mother.

Q Now, is it not true, that your father supports the family & supports you?

spring car and four horses, and was worth fifteen hundred dollars or sixteen hundred dollars over and above all his debts and liabilities. That he said David Deegan

239, no.

Q. Where do you do your business of general carting, as you term it?

A. 21st St. & 8th ave., & one at 19th St.

Q. Do you drive either one of them yourself?

A. No.

Q. Who drives the one on 8th ave. & what st.?

A. 21st St.

Q. Who drives that truck?

A. ^{Two} ~~two~~ gentlemen, named Watson.

Q. What is his 1st name?

A. James.

Q. Where does he live?

A. 17th St.

Q. What number?

A. 349.

Q. Who drives the other truck?

A. Hickey.

Q. And what is his first name?

A. Dana.

Q. Where does he live?

A. 220, 17th St.

Q. Is he the man from whom you rent your premises?

A. No.

Q. Is he the man of that name?

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A. Yes.

Q. When did you employ Hickey to drive for you?

A. About 3 years ago.

Q. What wages did you pay him?

A. \$8⁰⁰/₁₀₀.

Q. Did you receive the money yourself, & pay him that \$8⁰⁰/₁₀₀?

A. Yes,

Q. Every week?

A. Yes,

Q. What do you call the other man's name -

A. James Watson.

Q. Do you also mean to say you hired Watson, employed him & paid him weekly wages for driving the truck?

A. Yes.

Q. Whose name is on the truck that Watson drives?

A. No name,

Q. Has there ever been a name on it, that you know of?

A. No.

Q. Whose name is on the truck that Hickey drives?

A. No name.

Q. There never has been a name

~~When engaged in one of~~
personal property, consisting of two trucks worth \$100 one

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Spring Cars and Jan. Boxes

25 on that either?

A no.

Q. How many horses do you say you have?

A. 4.

Q. Where do you stable them?
A. At 819 W. 17th St.

Q. Do you hire stable room there?

A. Yes.

Q. And buy the feed, & feed the horses?

A. Yes.

Q. That you do yourself, & have in your own name?

A. Yes.

Q. From whom did you hire that stable room?

A. From the tailor, in front of the stable.

Q. That lives in front of it?

A. Yes.

Q. How long have you owned that truck which ~~Walden~~ drives?

A. About 8 years, I guess.

Q. What is the number of it?

A. 4437.

Q. How long have you owned the other truck that ~~Hickley~~ drives?

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Q. And what is the number of that?
A. 55 something, I forget now;
5563.

Q. And the license for each one of those trucks, is it in your own name?

A. No, in Watson & Hickey's.

Q. Why is that?

A. They had time to go there, & I did not.

Q. Is that the true reason, is it because the trucks driven by each of them belonged to each of them; don't that truck & team drivers by Watson belong to him?

A. No.

Q. It absolutely belongs to you?

A. Yes.

Q. And so with the one driven by Hickey; that absolutely belongs to you, & not to Hickey -

A. No -

Q. And Hickey has no interest in it, & Watson has no interest in the one he drives?

A. No.

I never had -

A. No -

Q. Neither of them?

when engaged in the general carting business, and owned personal property consisting of two trucks worth \$1000.00

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279 no.

Q. From whom did you buy the truck that Nickay drives?

A. From McCann, a builder in 17th St.

Q. Is he there now?

A. No; I don't know; it is 3 or 4 years since I had dealings with him.

Q. Do you know his 1st name?

A. Patrick.

Q. Where was it in 17th St?

A. Between 9 & 10 ave., on the down town side of the way.

Q. From whom did you buy the other truck?

A. A man named McCarthy.
I make -

A. no.

Q. Where does he live, & what is his 1st name?

A. He lives in 76th St. between 6th & 7th ave.

Q. Do you know his 1st name or address - nearer than that?

A. no.

Q. What is his business?

A. Truckman.

Q. And when you bought that

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truck from him. Did you buy it in your own name?

A. Yes.

Q. Get any bill for it?

A. No, paid him cash.

Q. When you bought the other truck, did you buy it in your own name?

A. Yes.

Q. Get a bill for that?

A. Paid him cash.

Q. Took no bill for it, or any receipt for the money you paid?

A. No.

Q. You purchased each one, yourself, personally?

A. Yes.

Q. From whom did you buy the several horses, that you own?

A. I bought them in the market.

Q. What market?

A. 24th St.

Q. Do you know from whom?

A. General dealers there; I don't recollect the names.

Q. Ever know his name?

A. No.

Q. When did you buy them?

98 A. I bought one two years ago.

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Q Describe the one you bought 2 years ago, so, that we will be able, afterwards, to identify it?

A. A bay horse, about 16 hands high.

Q. Any peculiar marks about him, by which you can identify him?

A. A star on the forehead, one white hind foot.

Q. Who drives him now?

A. No one.

Q. That is one you, also, bought in your own name?

A. Yes.

Q. For how much?

A. \$150⁰⁰/₁₀₀, I believe.

Q. Now, name another one, from whom you bought it, & when?

A. I have a large bay, 17 hands high, driven by Watson.

Q. From whom did you buy that, & when?

A. In the market about 8 years ago.

Q. Go on - next one - that is two.

A. I have a grey, about 7 years old; he is not much good, & is

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driven by Hickey.

Q. That is three? Now, for the next one?

A. The other, I don't know how to call him.

Q. Who drives him?

A. He is not driven at all; he is not much good.

Q. Is he never used by any one, for any thing?

A. Sometimes he is taken in the truck, turn about.

Q. Now, this other one, ~~the~~ ^{whose} color you don't know how to designate who drives that one?

A. He is driven by each in turn; whenever he is wanted.

Q. The one I previously spoke of, was he a grey horse?

A. He is in the truck.

Q. Who drives that one?

A. Hickey.

Q. And that one you bought how long ago?

A. About 7 years.

Q. How many horses does Hickey drive at a time -

A. Only one - & Watson only one, a single truck.

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Q Does each one, Watson and Hickey, regularly return you all the money that he takes in, as yours?

A Yes.

Q How long has Watson been in your employ driving that truck?

A About 6 or 7 years.

Q And Hickey?

A About three -

Q Did I understand you to say that you were the person ^{supporting} that family, yourself, your mother, father & brother?

A No.

Q Have you not got any family, that you support?

A No; unless you call them my family, I have no family depending on me for support.

Q When did you last give your father or mother anything as a contribution to your support, for board?

A Last week.

Q When, last, before that?

A The week before.

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Q. Do you pay money weekly?
A. Yes; if needed I pay more than my board.

Q. What amount?

A. Any amount they ask.

Q. But a specific or stated amount?

A. No.

Q. To whom do you give it?

A. To mother.

Q. Do you pay rent?

A. No; the old lady pays it.

Q. Rented in your name?

A. Yes.

Q. How old is the truck that Hickey drives?

A. About 7 or 7 1/2 years.

Q. And what did you say it cost?

A. \$250⁰⁰/₁₀₀.

Q. You could now buy another one like that for \$100⁰⁰/₁₀₀, or less?

A. The way it is now -

Q. Yes -

A. I might, if I got a bargain.

Q. And the truck that the other man drives; how long has that been running?

A. About four years I guess since it was new.

Q. That is near 4 years old?

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A. Yes.

Q. Pretty well worn?

A. No, nothing a matter with it.
It is as good as new.

Q. Would you give as much for it to day, as you would when it was new?

A. Yes, I guess so.

Q. (Rephrased)

A. Yes, if any need of it.

Q. Would you give as much for it ~~now~~ for any truck worn four years, constantly, carting, as you would give for the same thing when new?

A. No.

Q. Can you then explain why this has not deteriorated?

A. No, I don't know, the truck is taken care of, it is not broken down like some.

Q. We speak of its value, you expressed an opinion that it is equal now to what it was when new, and I ask you to explain why that should be?

A. I cannot tell any thing like that, I don't know its value.

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of old goods - any more than
any one else.

Q. Ever buy a 2nd hand truck?

A. Yes & I have had it in use.

Q. One of these you have spoken

of?

A. Yes.

Q. Which one?

A. The one I bought of M^cCartley.

Q. That was a 2nd hand truck when
you bought it?

A. Yes.

Q. How long had M^cCartley run it?

A. About a year.

Q. And how long ago did you buy it?

A. About 3 years ago; it is about 4
years since the truck was new.

Q. Do you owe any debt to
any one?

A. No.

Q. Does anyone so claim to
your knowledge?

A. No.

Q. What security, or bond, have
you ever gone on before?

A. None -

Q. None other?

A. No.

34 Q. You signed an undertaking in

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33

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This case, that when a judgment should be got against this debt, you would pay it?

A. Yes.

Q. And you knew what you were signing?

A. Yes.

Q. Did debt. pay you anything for it?

A. No.

Q. Can you explain why it is, that your nearest neighbors know nothing about your having any employment, or owning any property, what soever?

A. I cannot; I don't have any intercourse with them whatsoever.

Q. Do you, personally, do any business or work?

A. Yes, I superintend the trucks, I have a spring cart, & when called on I go out with it.

Q. Where is that?

A. In 17th St. opposite the stable.

Q. Opposite the same stable you have before identified?

A. Yes; opposite 319.

Testimony closed.

State, City and County of New York ss.

Michael S. Kelly, being duly sworn says, that he is the official stenographer in the District Court in the City of New York for the Third Judicial District, and as such took stenographic minutes of the deposition of David Deegan upon his examination, under oath, on the 20th day of January 1880, touching his sufficiency as a surety for defendant James S. Kerry, at the suit of Robert Pipeland, then pending in said Court before George W. Parker Esq. Justice. And the paper writing hereto attached and purporting to be the examination of such David Deegan is a true and correct transcript of any said stenographic minutes

Sworn to before me this 27th day of February 1880.

[Handwritten signature]

Michael S. Kelly
[Handwritten signature]

Third Civil Dist Court
Before
Hon. Geo. W. Parker
Justice

N. Y. Jan. 28 1880

Henry C. Squire
Deans capt

Jacob L. Henning
M'gr of H'ffs

W. J. Kelly
Henry C. Squire
Deans capt

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Form 115.

#95

POLICE COURT -- THIRD DISTRICT,

THE PEOPLE, & C.

ON THE COMPLAINT OF

76

Paulsen

Offence

BAILED,

No. 1, by

Residence

Street

No. 2, by

Residence

Street

No. 3, by

Residence

Street

No. 4, by

Residence

Street

Dated *May 28 80*

Magistrate

John L. Brown

Officer

Clerk

Witnesses *Charles H. Brown 340 St. 17 St. ...*
John J. Gallagher 321 St. 19 St. ...
John J. Brown 321 St. 19 St. ...
John J. Brown 321 St. 19 St. ...
John J. Brown 321 St. 19 St. ...

No.

Street

to answer Committed

J. J. Brown

Received in Dist. Atty's Office,

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Third District.

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

To any Constable 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

James J. ...

of No. 76 Broadway Street, that on the 25th day of January 1881 at the City of

New York, in the County of New York;

David Resman did commit wilful and corrupt perjury in the said David Resman's affidavit before the Honorable Justice at the 3rd District Court and offered himself as surety on a bond saying that he was a property owner when in truth and in fact he had no property whatsoever

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are therefore, in the Name of the People of the State of New York, to command you, the said Constable and Policemen, and each and every of you, to apprehend the said Defendant and bring *My* forthwith before me, or some other Justice of the Peace for the City and County of New York, at the *3rd* District Police Court, in Essex Street, in the said City, to answer the said charge, and to be dealt with according to law.

GIVEN under my hand and seal, this

day of

Police Justice.

Warrant.

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Police Court--Third District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

Jacob L. Harris

vs.

David Deguan

WARRANT.

Dated March 9 1880

J. M. Little Magistrate.

Sumner Officer.

The Defendant David Deguan

is taken, and now brought before the Magistrate to answer the within charge, pursuant to the command of this Warrant.

Dated May 2nd 1880,

Charles J. Cummings
Officer 3rd Dist. Police

David Deguan

REMARKS.

Time of Arrest, May 27 1880

Native of U.S.

Age, 28

Sec. 2nd Ward 7th

Complexion,

Color,

Profession,

Married,

Single,

Read,

Write,

City and County } ss.
 of New York }

The jurors of the People
 of the State of New York in and for the
 body of the City and County of New York
 upon their oath present:

That on the twenty eighth day of
 January in the year of our Lord one
 thousand eight hundred and eighty and
 theretofore and at and during all the
 times hereinafter mentioned there was a
 suit cause and action depending in the
 District Court in the City of New York
 of and for the Third Judicial District,
 a court then and there having jurisdiction
 thereof, and at and in which George W.
 Parker, who was then and there the Judge
 and justice of said Court was then and
 there presiding as such judge and justice
 as aforesaid and which said action was
 duly and regularly brought by one
 Robert Copeland against one James Kenny
 to recover two hundred and four dollars
 and ninety six cents in money for divers
 goods wares and merchandise alleged therein
 by the said Robert Copeland to have been
 sold by him to the said James Kenny
 as by reference to the proceedings in said
 suit cause and action now on file with

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the clerk of the said Court and with the clerk of the Court of Common Pleas for the City and County of New York more fully and at large appears, and that issue was duly and regularly joined in said suit cause and action by and between the said Robert Copeland as such plaintiff as aforesaid and the said James J. Kenny as such defendant as aforesaid and thereupon then and there and before the trial thereof by the said Court, the said James J. Kenny duly and regularly applied in pursuance of the Statute in such case made and provided to the said Court whereat the said George W. Parker was then and there presiding as such judge and justice as aforesaid, to remove the ^{said} suit cause and action therefrom to the Court of Common Pleas for the City and County of New York upon executing an undertaking to the said Robert Copeland as such plaintiff as aforesaid in pursuance of said Statute in such case made and provided for the removal of such a suit cause and action into the said Court of Common Pleas and he the said James J. Kenny for the purpose of removing said suit cause and action into the said Court of Common Pleas, presented and exhibited to the said

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Georgell. Parker, as such justice and judge
so presiding as aforesaid, an undertaking
in due form of law duly executed by
him the said James J. Kenny and by
David Dequan and one Jeremiah V. Wallon
as sureties of and for him the said James J.
Kenny reciting in substance and effect the
commencement of the said suit cause and
action, for a cause of action arising under
the said Statute in such case made and
provided and that the claim and demand
in said suit cause and action of the said
Robert Copeland as such plaintiff as
aforesaid against the said James J. Kenny
as such defendant as aforesaid, exceeded
the sum of one hundred dollars and that
the said James J. Kenny as such defendant
as aforesaid had appeared in said action
and that issue was joined therein and that
thereafter and before trial thereof the said James
J. Kenny as such defendant as aforesaid had
duly applied for the removal of said suit cause
and action to the said Court of Common Pleas and
providing in substance and effect that they the
said James J. Kenny, Jeremiah V. Wallon and
David Dequan jointly and severally promised
and agreed that they the said James J. Kenny,
Jeremiah V. Wallon and David Dequan would
and should pay to the said Robert Copeland

as such plaintiff, as aforesaid the amount of any judgment that may or might be awarded against the said James J. Kenny such defendant as aforesaid by the said Court of Common Pleas in the said suit cause and action and which said undertaking was, after the examination and justification hereinafter mentioned of him the said David Dequan and Jeremiah V. Hoallon approved by and before the said George W. Parker as such judge and justice so presiding as aforesaid, and the said suit cause and action and the trial thereof was and were removed to the said Court of Common Pleas.

And the jurors aforesaid upon their oath aforesaid do further present:

That the said Robert Copeland as such plaintiff as aforesaid duly and regularly excepted to the sufficiency and ability of the said Jeremiah V. Hoallon and the said David Dequan to be and become sureties of him the said James J. Kenny in and upon said undertaking so presented as aforesaid and in pursuance thereof and of the requirement of the said George W. Parker as such judge and justice so presiding as aforesaid and to procure the approval of said undertaking by the said George W. Parker as such judge and justice so presiding as aforesaid and the removal of said suit

cause and action to the said Court of Common Pleas it thereafter and on the said twenty-eighth day of January in the year of our Lord one thousand eight hundred and eighty became and was material and necessary for him the said David Dequan to justify and qualify before and be examined as to his sufficiency and ability as such surety as aforesaid by and before the said George W. Parker as such judge and justice so presiding as aforesaid and he the said David Dequan thereupon at the said City of New York in the County of New York aforesaid on the said twenty-eighth day of January in the year of our Lord one thousand eight hundred and eighty came in his own proper person before the said George W. Parker as such presiding judge and ~~justice as aforesaid~~ ^{who as such presiding judge and justice as aforesaid} and there duly authorized and empowered to take and approve such undertaking, to justify, qualify and be examined, and he the said David Dequan was then and there examined as to his sufficiency and ability to be and become one of the sureties of the said James J. Kenny and to procure the approval of said undertaking by the said George W. Parker as such judge and justice as aforesaid, and he the said David Dequan then and there was

duly sworn by and took his corporal oath before the said George W. Parker as such presiding justice and judge as aforesaid, touching his sufficiency, qualification and ability to be and become such surety as aforesaid of him the said James J. Kenny on said undertaking (he the said George W. Parker as such judge and justice so presiding as aforesaid having then and there full and competent power and authority to administer the said oath to him the said David Segnan in that behalf)

And the jurors aforesaid upon their oath aforesaid do further present:

That the said David Segnan so being as aforesaid before the said George W. Parker as such presiding judge and justice as aforesaid and so offering to be and become such surety as aforesaid and to justify qualify and be examined as to his ability and sufficiency to be and become such surety as aforesaid and so being duly sworn and examined as aforesaid, it then and there became and was material that the said George W. Parker as such presiding judge and justice as aforesaid should know and be informed.

Whether he the said David Segnan was then and there engaged in the general carting business.

0742

Whether he the said David Segnan then and there owned two trucks worth four hundred dollars.

Whether he the said David Segnan then and there owned one spring cart and four horses ~~worth sixteen hundred dollars.~~

Whether he the said David Segnan was worth ^{hundred dollars} fifteen, or sixteen hundred dollars over and above all his debts and liabilities.

Whether he the said David Segnan had in his own name bought such two trucks as aforesaid and such four horses as aforesaid and with said trucks and horses carried on such general carting business as aforesaid in the city and county of New York aforesaid.

Whether he the said David Segnan then and there had a stand at Twenty-first Street and Eighth Avenue in the city and county of New York aforesaid and another stand on Nineteenth Street in the city and county of New York aforesaid for the purpose of carrying on such general carting business as aforesaid.

Whether he the said David Segnan then and there hired and employed one James Watson who then and there resided at Number Three hundred and forty-nine West Seventeenth Street in the city and county of New York aforesaid as the driver of him the said David Segnan of one of such two trucks as aforesaid and therefore paid him

0743

the said James Watson weekly wages.

Whether he the said David Segnan then and there employed, and hired one Dana Hickey who resided at Chamber two hundred and twenty West seventeenth Street in the City and County aforesaid as the driver of him the said David Segnan of the other of such two trucks as aforesaid at weekly wages of Eight dollars for a weeks.

Whether he the said David Segnan had so employed and hired, as aforesaid said James Watson for the last six or seven years and whether he the said David Segnan had so employed, and hired, as aforesaid the said Dana Hickey for about the last three years

Whether he the said David Segnan ^{bought} one of such two trucks as aforesaid from the Maker one McCann of seventeenth Street on the south side thereof between Ninth and Tenth Avenues in the City and County of New York aforesaid.

Whether he the said David Segnan bought the other of such two trucks as aforesaid from one McCarty a cartman living in sixteenth Street between Sixth and Seventh Avenues in the City and County aforesaid for the price of two hundred and fifty dollars about three years ago.

Whether he the said David Segnan had

bought such four horses as aforesaid at a horse market in this city and County aforesaid.

Whether he the said David Dequan then and there stabled and fed and kept such four horses as aforesaid in the stable at number three hundred and nineteen West Seventeenth Street in the City and County of New York, aforesaid.

Whether he the said David Dequan hired such stable as aforesaid from the tailor who lives in the front house at number three hundred and nineteen West Seventeenth Street in the City and County of New York, aforesaid.

Whether such two trucks as aforesaid were then and there licensed and one of such trucks was numbered as license number four thousand four hundred and thirty seven and the other was numbered as license number five thousand five hundred and sixty three.

And the jurors aforesaid upon their oath aforesaid do further present:

That the said David Dequan being so duly sworn as aforesaid upon his oath aforesaid at the said City of New York in the County of New York aforesaid on the said twenty-eighth day of January in the year of our Lord one thousand eight hundred and eighty before the said George W. Parker as such judge and justice so sitting as aforesaid upon his justification, qualification and examination

0745

aforesaid did then and there wickedly, wilfully, falsely, feloniously and corruptly say, swear, make oath, answer, testify and depose among other things in substance and to the effect following that is to say:

That he the said David Degnan was then and there engaged in the general carting business.

That he the said David Degnan then and there owned two trucks worth four hundred dollars, one spring cart and four horses.

That he the said David Degnan was worth fifteen ^{hundred dollars} or sixteen hundred dollars over and above all his debts and liabilities.

That he the said David Degnan in his own name had bought such two trucks and four horses (such two trucks and four horses as aforesaid meaning thereby) and with said two trucks and four horses carried on said general carting business in the City and County of New York aforesaid.

That he the said David Degnan had one stand at Twenty-first Street and Eighth Avenue and another on Nineteenth Street (that he the said David Degnan then and there had a stand at Twenty-first Street and Eighth Avenue in the City and County aforesaid for the purpose of carrying on such general carting business as aforesaid

0746

meaning thereby).

That he the said David Degnan then and there employed and hired one James Watson who resided at Chamber three hundred and forty nine West Seventeenth Street (Chamber three hundred and forty nine West Seventeenth Street in the City and County aforesaid meaning thereby) as the driver of him the said David Degnan of one of such two trucks as aforesaid and therefore paid him the said James Watson weekly wages.

That ^{he} the said David Degnan then and there employed and hired one Dana Hickey who resided at Chamber two hundred and twenty West Seventeenth Street (Chamber two hundred and twenty West Seventeenth Street in the City and County aforesaid meaning thereby) as the driver of him the said David Degnan of the other of such two trucks as aforesaid at weekly wages of eight dollars for a week.

That he the said David Degnan had so employed and hired, (so employed and hired as ^{said Watson (said James Watson hereby meaning)} aforesaid meaning thereby) for the last six or seven years and the said Dana Hickey for about the last three years.

That he the said David Degnan bought one of such two trucks as aforesaid from the maker one McCann of West Seventeenth Street on the south side thereof between Ninth and

0747

in the City and County aforesaid and that he the said David Degnan bought the other of such ^{two} trucks as aforesaid from one Mr. Barry a cartman living in Sixteenth Street between Sixth and Seventh Avenues in the City and County aforesaid for the price of two hundred and fifty dollars about three years ago.

That he the said David Degnan had bought such four horses as aforesaid at a horse market in the City and County aforesaid.

That he the said David Degnan stabled and fed and kept them (such four horses as aforesaid meaning thereby) in the stable at number three hundred and nineteen West Seventeenth Street in the City and County of New York aforesaid, which he the said David Degnan hired from the tailor who lives in the front house number three hundred and nineteen West Seventeenth Street in the City and County of New York aforesaid.

That such two trucks as aforesaid were licensed and numbered and that one thereof was then number four thousand four hundred and thirty-seven and the other then was number five thousand five hundred and sixty-three (that such two trucks as aforesaid were then and there licensed and one was numbered as license number four thousand

0748

four hundred and thirty seven and the other was numbered as license number five thousand five hundred and sixty three, meaning thereby;

Whereas in truth and in fact he the said David Degnan was not then and there engaged in the general carting business or any carting business whatever.

Whereas in truth and in fact he the said David Degnan did not then and there own two trucks worth four hundred dollars or any truck or trucks worth four hundred dollars or any sum of money whatever.

Whereas in truth and in fact he the said David Degnan did not then and there own one spring cart and four horses or any cart or horse or horses whatsoever.

Whereas in truth and in fact he the said David Degnan was not then and there worth fifteen hundred dollars or sixteen hundred dollars or any sum of money or property over and above all his debts and liabilities but on the contrary was wholly poor, impoverished and pecuniarily worthless and insolvent.

Whereas in truth and in fact he the said David Degnan had not in his own name bought such two trucks as aforesaid and such four horses as aforesaid or any truck or trucks whatsoever or any horse or horses

0749

whatsoever.

And whereas in truth and in fact he the said David Degnan did not then and there carry on with such horses and trucks or with any of them such general carting business as aforesaid in the City and County of New York ^{or elsewhere} aforesaid.

And whereas in truth and in fact he the said David Degnan did not then and there have a stand at Twenty-first Street and Eighth Avenue in the City and County of New York aforesaid and another stand on Nineteenth Street in the City and County of New York ^{or either of said places} aforesaid, or any stand whatever elsewhere for the purpose of carrying on such general carting business ^{or any business whatever} as aforesaid.

And whereas in truth and in fact he the said David Degnan did not then and there hire or employ one James Watson who then and there resided at Number three hundred and forty-nine West Seventeenth Street in the City ^{and County} of New York aforesaid or anyone else as the driver of him the said David Degnan of ^{any} one such two trucks as aforesaid, ^{or any truck whatsoever} and did not therefore pay him the said James Watson weekly wages or any wages whatsoever.

And whereas in truth and in fact he the said David Degnan did not then and there hire or employ one Dana Hickey who resided at Number two hundred and twenty West

West Street Attorney.

0750

Seventeenth Street in the City and County of New York aforesaid or pay any one whomsoever as the driver of ^{him} the said David Degnan of the other ^{of any} of such two trucks as aforesaid, ^{or any truck whatsoever} at weekly wages of eight dollars for a week, or at any wages whatsoever.

And whereas in truth and in fact he the said David Degnan had not ^{or at all} employed or hired as aforesaid said James Watson for the last six or seven years or for any time whatsoever as he the said David Degnan then and there well knew.

And whereas in truth and in fact he the said David Degnan had not ^{or at all} employed or hired as aforesaid the said Dana Hickey for about the last three years or for any time or period whatsoever as he the said David Degnan then and there well knew.

And whereas in truth and in fact he the said David Degnan had not bought one or any of such two trucks ^{or any truck whatsoever} as aforesaid, from the cheater one Mr. Cann of Seventeenth Street on the south side thereof between Ninth and Tenth Avenues in the City and County aforesaid or from any person named Mr. Cann or from any one whomsoever.

And whereas in truth and in fact he the said David Degnan had not bought the
witness attorney.

0751

other or any of such two trucks as aforesaid
or any truck whatever
from one Chas. Carty a cartman living in
Sixteenth Street between Sixth and Seventh
Avenues in the City and County aforesaid
or from any person by the name of Chas. Carty
or from any one whomsoever for the price
of two hundred and fifty dollars or any sum
whatever about three years ago or at any other
time whatever.

And whereas in truth and in fact he the
said David Degnan had not bought such
four horses as aforesaid or any of ^{or any horse or horses} them, at
any horse market in the City and County of
New York aforesaid or at any other place,
whatsoever.

And whereas in truth and in fact he the
said David Degnan had never at all bought
such four horses as aforesaid or any of ^{or any horse or horses whatever} them.

And whereas in truth and in fact he the
said David Degnan did not then and there
stable or feed or keep such four horses as
aforesaid, ^{or any four horses or any part of} in the stable at Number three
hundred and nineteen West seventeenth Street
in the City and County aforesaid or at any
other place whatsoever.

And whereas in truth and in fact he the
said David Degnan did not hire such stable
as aforesaid, ^{or any stable} from the tailor who lives in the
front house Number three hundred and nineteen
West Seventeenth Street.

0752

West seventeenth Street in the City and County of New York aforesaid or from any person whomsoever.

And whereas in truth and in fact such two trucks as aforesaid were not licensed and one of such trucks was not numbered as license number four thousand ^{four hundred and} thirty seven and the other of such trucks was not numbered as license number five thousand ^{five hundred and} sixty-three.

And so the jurors aforesaid upon their oath aforesaid do say:

That he the said David Degnan at the City of New York in the County of New York aforesaid on the said twenty-eighth day of January in the year of our Lord one thousand eight hundred and eighty before the Honorable George W. Parker, as such presiding judge and justice as aforesaid (who as such presiding judge and justice as aforesaid had, then and there full and competent power and authority to administer as aforesaid the said oath to him the said David Degnan) wickedly, wilfully, maliciously, corruptly and feloniously did in manner and form aforesaid commit wilful and corrupt perjury against the peace of the people of the State of New York and their dignity. *Geo. W. Phelps*
District Attorney.

0753

BOX:

14

FOLDER:

178

DESCRIPTION:

DeLaVette, Mary

DATE:

06/09/80



178

0754

#18

Filed 9 day of June 1880
Pleas
Wm. G. Smith

Assault and Battery.—Felonious.
Treasons.

THE PEOPLE

vs.

F

Mary De la Hoya

BENJ. K. PHELPS,

District Attorney.

A True Bill.

J. Phelps

Foreman.

June 10. 1880

Wm. G. Smith

0755

Form

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

POLICE COURT—FIRST DISTRICT.

of No. 267 William Street, being duly sworn, deposes and says,
that on the 31st day of May 1880

at the City of New York, in the County of New York, She was violently and feloniously assaulted and
beaten by Mary de La Tette

now present.

who did willfully and maliciously
point aim and discharge at deponents
body a pistol loaded with powder
and leaden ball

Sworn to, before me, this
day of June 1880

Police Justice.

Deponent believes that said injury, as above set forth, was inflicted by said

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

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

Mary Ann McGuire

0756

Police Court—First District.

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

Maria DeLa Vetta being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was at
liberty to refuse to answer any question that may be put to h , states as follows, viz:

Question. What is your name?

Answer. Maria DeLa Vetta

Question. How old are you?

Answer. 36 years

Question. Where were you born?

Answer. France

Question. Where do you live?

Answer. 267 William St

Question. What is your occupation?

Answer. I am a married woman

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

Answer. I am not guilty,
de Jussion

Witness before me this
day of June
1878
Police Justice

0757

COUNSEL FOR COMPLAINANT.

Name,
Address,

COUNSEL FOR DEFENDANT.

Name,
Address,

Police Court - First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Mary Ann W. Good,
267 1/2 Sprague St.
Mary Seabrook

1
2
3
4
5
6
Dated June 1880
J. Smith, Magistrate.
A. Brown, Officer.
H. Prescott, Clerk.

Witnesses
\$ 1000 to answer
at General Sessions. Com
Received at Dist. Atty's Office,

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

0758

CITY AND COUNTY }
OF NEW YORK, } ss.

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

That

Mary De La Vette

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

on the *thirty-first* day of *May* in the year of our Lord
one thousand eight hundred and ~~seventy-eight~~ *eighty* with force and arms, at the City and
County aforesaid, in and upon the body of *Mary Ann McGrade*
in the peace of the said people then and there being, feloniously did make an assault
and to, at and against *her* the said *Mary Ann McGrade*
a certain *pistol* then and there loaded and charged with gunpowder and one
leaden bullet, which the said *Mary De La Vette*
in *her* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously, did then and there shoot off and discharge,
with intent *her* the said *Mary Ann McGrade*
thereby then and there, feloniously and wilfully to kill, against the form of the Statute
in such case made and provided, and against the peace of the People of the State of
New York and their dignity.

SECOND COUNT.

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

with force and arms, in and upon the body of the said *Mary Ann McGrade*
in the peace of the said people then and there being, wilfully and feloniously did make
an assault and to, at and against *her* the said *Mary Ann McGrade*
a certain then and there loaded and charged with gunpowder and one
leaden bullet, which the said *Mary De La Vette*
in *her* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously, did then and there attempt to discharge,
with intent *her* the said *Mary Ann McGrade*
thereby then and there, feloniously and wilfully to kill, against the form of the Statute
in such case made and provided, and against the peace of the People of the State of
New York and their dignity.

THIRD COUNT.

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

Mary De La Vette

with force and arms, in and upon the body of the said Mary Ann McGrade then and there being, wilfully and feloniously, did make an assault and to, at and against her the said Mary Ann McGrade a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which pistol the said

Mary De La Vette in her right hand, then and there had and held, wilfully and feloniously, and without justifiable and excusable cause, did then and there shoot off and discharge, with intent, then and there, thereby her the said Mary Ann McGrade

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

FOURTH COUNT.

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

Mary De La Vette

with force and arms, in and upon the body of the said Mary Ann McGrade then and there being, wilfully and feloniously, did make an assault and to, at and against her the said Mary Ann McGrade a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which pistol the said

Mary De La Vette in her right hand, then and there had and held, wilfully and feloniously, and without justifiable and excusable cause, did then and there attempt to shoot off and discharge, with intent, then and there, thereby her the said Mary Ann McGrade

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

BENJ. K. PHELPS, District Attorney.

0760

BOX:

14

FOLDER:

178

DESCRIPTION:

Desmond, John

DATE:

06/16/80



178

0761

#103

John
Day of Trial,
Counsel,
Filed *6* day of *June* 18*88*,
Pleads *Not Guilty* (17)

THE PEOPLE,
vs.
John Diamond
John Diamond
7
BIGAMY.

S. D. CARVIN
Ray. K. Kelly
District Attorney.

A True Bill.

J. J. Wiley
Foreman.
James Wiley
George Kelly
D.P. 2 years.

0762

Police Court—Second District.

CITY AND COUNTY }
OF NEW YORK. } ss.

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

QUESTION.—What is your name?

ANSWER.—

John Desmond

QUESTION.—How old are you?

ANSWER.—

Thirty years

QUESTION.—Where were you born?

ANSWER.—

Ireland

QUESTION.—Where do you live?

ANSWER.—

At home

QUESTION.—What is your occupation?

ANSWER.—

Coachman

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

Answer.—

I am guilty of the charge
John Desmond

Taken before me, this

J. H. [Signature]
1888

day of *June*

Police Justice.

0763

POLICE COURT—SECOND DISTRICT.

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

of 110 Dick Avenue ^{230 West 29th Street} ^{with Mr. Ward} Street, being duly sworn, deposes
and says that on the 14th day of December 1879
at the City of New York, in the County of New York.

John Desmond
did unlawfully and feloniously
contract a marriage with deponent, he
having previously married another
woman to wit Kate Desmond. (nowhere
and well knowing at the time he so
unlawfully made such contract with
deponent that his wife was alive and
he was not divorced from her and that
such act on his part was a violation of
Law

Sworn to before me } Allen Cook
this 5th day of May 1880 }

Wm. H. [Signature] Police Justice
City and County of New York. ss

Kate Desmond
of No 335 West 20th Street being duly sworn
deposes and says that on the third day
of November 1875. deponent was legally
married to John Desmond and has never
been divorced from him and that at the
time the ceremony of Marriage was performed
between said John Desmond and Ellen
Cook as alleged in the foregoing affidavit
he well knew deponent was alive and such
act on his part was a violation of law

Kate Desmond

Sworn to before me
this 5th day of May 1880 -
[Signature] Police Justice

0764

#103

625

POLICE COURT - SECOND DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Indigo

Allen Kavan
110 Spring Ave
270 W. 79

Offence,

John Diamond

Dated *May 5* 188*0*

Witnesses,

John Diamond

John Diamond in 2nd Ave. B.

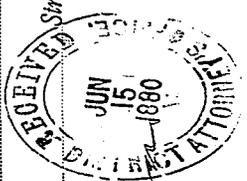
Mrs. M. Schell

Kelly

Committed in default of \$1000 Surety.

Bailed by *Ben Kelly*

No. *60*



0765

CITY AND COUNTY }
OF NEW YORK, } ss.

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

That

John Deemond

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

on the *thurs* day of *November* in the year of our Lord one
thousand eight hundred and *seventy five*

did marry *Kate Deemond*
and *her* the said *Kate Deemond*
did then and there have for *his wife* and that the said *John*
Deemond afterwards, to wit, on the *fourteenth* day of *December*
in the year of our Lord one thousand eight hundred and seventy-*nine*
at the *City of New York in the County of*
New York aforesaid

with force and arms, did feloniously marry and take as *wife*
one *Ellen Croak*
and to the said *Ellen Croak*
was then and there married, the said *Kate Deemond*
being then and there living and in full life, 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.

Reij. K. Phelps

~~S. B. GARVIN~~, District-Attorney.

0766

BOX:

14

FOLDER:

178

DESCRIPTION:

Dolan, James

DATE:

06/29/80



178

0767

#239
Chase

Counsel,
Filed 29 day of June 1880
Pleas *Wm. C. C. C. Co.*

INDICTMENT
Larceny from the person.
in the English name

THE PEOPLE

vs.

R
James D. Law
aka Fally Co.
nomina

not a true bill
BENJ. K. PHELPS,
District Attorney.

A True Bill.

J. M. W. W.
Foreman.

Said
7-4-80
Wm. C. C. Co.

0768

Form 112.

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

} ss:

Police Court—First District.

Edmond F. Laymich

of No. 331 East 23

Street, being duly sworn, deposes

and says, that on the 20 day of June 1880

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

the following property, viz: one gold watch

of the value of Seventy five 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 James Dolan (now here) for the reason that deponent was on a 23rd Street car which was bound toward the East River said Dolan stood in the door way of said car and did jostle against deponent and immediately after deponent missed the aforesaid watch from the pocket of the vest then and there worn by deponent

Edmond F. Laymich

Sworn to before me, this 22 day of June 1880

W. P. Murphy
Police Justice

0769

Police Court—First District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. James Dolan

Question. How old are you?

Answer, 38 years

Question. Where were you born?

Answer. New York

Question. Where do you live?

Answer 71 East 10th St

Question. What is your occupation?

Answer. Barnisher

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

Answer. I am not guilty.
James Dolan

Taken before me, this

Wm. J. ...
Justice
1899

0770

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

#233-

Police Court—First District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Edmond A. Seymour
331 E 23rd St

vs.
James Dolan



Dated 22 June 1880

Margaret Magistrate.

Engineer & House Officer.
Central Office
Clerk.

Witnesses:

to answer
at General Sessions

Received at Dist. Atty's office

Wm. J. ...

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

0771

CITY AND COUNTY }
OF NEW YORK, } ss.

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

That *James Dolan*

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

on the *twentieth* day of *June* in the year of our Lord one
thousand eight hundred and eighty *at the Ward, City, and County aforesaid,*
with force and arms, *in the night time of said day*
One watch of the value of
seventy five dollars

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

BENJ. K. PHELPS, District Attorney.

0772

BOX:

14

FOLDER:

178

DESCRIPTION:

Donohue, Owen

DATE:

06/30/80



178

0773

#249 Iowa

Filed 30 day of June 18 80
Pleads Not Guilty (2)

THE PEOPLE

vs.

P
Owen Donohue

Felony Assault and Battery.

25
5.15/28

BENJ. K. PHELPS,

District Attorney.

A True Bill.

J. H. Wiley
J. H. Wiley

Foreman.

Pleads guilty on
second count

J. H. Wiley

0774

AFFIDAVIT—FELONIOUS ASSAULT, &c.

Second District Police Court.

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

Bridget Van Nearch of No. 157
West 27th (rear) Street, being duly sworn, deposes and says
that on the 25 day of June in the year
1880 at the City of New York, he was violently and feloniously assaulted and beaten by

Owen Donohue (now here)
who wilfully cut deponent
on the head with a hatchet
at the time held in the hand
of the said defendant. That
said assault was

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

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

Sworn to before me this

26 day
of June 1880

Bridget Van Nearch
mark

My Comm. Murray Police Justice.

0775

Police Court—Second District.

CITY AND COUNTY)
OF NEW YORK.) ss.

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

QUESTION.—What is your name?

ANSWER.—

Owen Donohue

QUESTION.—How old are you?

ANSWER.—

Twenty Eight years

QUESTION.—Where were you born?

ANSWER.—

Ireland

QUESTION.—Where do you live?

ANSWER.—

West 28th Street

QUESTION.—What is your occupation?

ANSWER.—

Watchman

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

Answer.—

I don't know any thing about the charge

Owen Donohue

Taken before me, this

day of

1886

Police Justice.

by J. M. Howard

0776

249

POLICE COURT—Second District.

OFFENCE—Felonious Assault and Battery

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Rigel Van Meek
107 W 2nd St
37

vs.

Gwen Donohue

Dated June 26 1880

Magistrate.

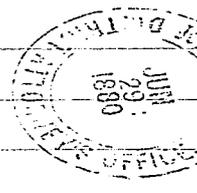
Sherran

Officer.

Raunhy

Clerk.

Witnesses,



Committed in default of \$1000 bail.

By Gen. Dets.

No.

Com

Street.

0777

CITY AND COUNTY } ss.
OF NEW YORK, }

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

That Owen Donohue

late of the City of New York, in the County of New York, aforesaid, on the
twenty fifth day of June in the year of our Lord
one thousand eight hundred and eighty with force and arms, at the City and
County aforesaid, in and upon the body of Bridget Van Mearch
in the peace of the said people then and there being, feloniously did make an assault
and her the said Bridget Van Mearch
with a certain hatchet
which the said

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

SECOND COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County
aforesaid, the said Owen Donohue
with force and arms, in and upon the body of the said Bridget Van
Mearch then and there being, wilfully and feloniously did make an
assault and her the said Bridget Van Mearch
with a certain hatchet which the said

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

THIRD COUNT.

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

Owen Donohue
with force and arms, in and upon the body of Bridget Van Mearch
in the peace of the said people then and there being, feloniously, did make another
assault and her the said Bridget Van Mearch
with a certain hatchet
which the said

Owen Donohue in his right
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,
and wound, the same being such means and force as was likely to produce the death
of her the said Bridget Van Mearch with intent her the

0778

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

FOURTH COUNT.

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

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

BENJ. K. PHELPS, District Attorney.

#249 hours

Filed 30 day of June 1880
Pleas Not Guilty (2)

THE PEOPLE

vs.

Owen Donohue

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

[Signature]
Foreman.

[Signature]
Reads guilty and
Pleas Not Guilty

[Signature]

0779

BOX:

14

FOLDER:

178

DESCRIPTION:

Doran, James

DATE:

06/24/80



178

0780

#207-

Filed 24 day of June 1888

Pleads Not Guilty (25)

THE PEOPLE

vs.

James Doran

Felony Assault and Battery.

36
401

BENJ. K. PHELPS,

District Attorney.

A True Bill.

A. K. Wally

Foreman.

July 9. 1888.

Jury Comitted of
an assault
Ben Jones.

221.

The People
vs
James Doran
felonious

Court of General Sessions. Before Recorder
Smythe, July 9. 1880. Indictment for
assault and battery.

James Murray, sworn and examined
testified. I work in a blacksmith's shop at 348
Seventy-fifth St. I know the prisoner and have
been acquainted with him about six months.
On the 18th of June Doran came into the shop;
he did not work there; he came in about six
o'clock in the morning; one of my bosses was
in there at the time, Timothy Howard; he is
not in Court. I had no previous trouble with
the prisoner. I went into the shop and commen-
ced to sweep up the floor; Doran came in be-
hind me and knocked me in the coal box
and got on top of me, I halloed for my boss
to take him off me and he did; the prisoner
got the stick in the coal box. He said, "you
son of a b---h, I will kill you; he struck
me with a bale stick and I ran after him in
First Avenue and had him arrested; he hit me
in the head and left a mark there. (Witness showed
the mark to the jury) I bled and my shirt was
all full of blood. I did not say anything to
him before he struck me. The day before he
struck me he commenced to call me a rag
picker. I told him I would get square with
him and at 6 o'clock in the night I fired a

0782

stone at him and it did not hit him. He hit me a crack of the bale stick in the middle of the day. Where did he hit you with the bale stick? On the back. What did you do with him? I told him I would get square with him and about seven o'clock I fired a stone at him; he was standing by a wagon. Where was the wagon? In Seventy fifth St. near the shop right outside the door. Did you hit him with a stone? No sir. What did you do then, did you run away? I ran away and he ran after me; he did not catch me then, he came in the next morning, he struck me, knocked me down and I called my boss and he took him away from me after he had struck me with a bale stick. Were you taken to the hospital for your injuries.

Yes sir and I got my head dressed. Were you there any length of time? Three days I did not work. Did you cause his arrest that morning?

Yes sir. I saw him after his arrest in 94th St. and Second Avenue. I pointed him out to officer Weinberg. I was bloody then. Cross examined. The stone that I threw at him was not as big as my head, it was not a big stone, the stone I threw at him weighed about two ounces, he was about three doors from the shop when I threw it at him, it did not hit him. The prisoner and myself had not

0783

been skylarking a good deal that afternoon. I did not hit him in rough play. The prisoner did not ring my ears in the shop that morning. He just jumped on top of me. I did not pick up any coal. I lay in the coal box until my boss took him off me. I got on my feet. He struck me over my boss, I was standing behind him. He ran out and I ran right after him. I kept behind him all the way; it took about ten minutes before I caught him. I had my wound dressed in 70th St. between Madison and Fourth avenues. I went back to the shop but only stayed five minutes. I did not go back to the shop; the doctor told me not to work. I had to go to the Hospital, and on my way over I stopped in the shop. I was not laid up in bed any time. Joseph Weinberg, sworn. I arrested the prisoner on 74th St. and First Avenue. I jumped off a Second Avenue Car at 75th St. I ran up to 74th St. after the prisoner and held him. His Murray came to me and said he struck him with a ball stick. I arrested him; Murray was bleeding from a wound on his head. I saw blood on his clothing. What did the prisoner say when Murray charged him with hitting him with a ball stick? He said he done it in fun. What did Murray say? He said he did not.

0784

James Doran, sworn and examined in his own defence testified. I know the complainant. The day before I struck him with the bale stick, we were skylarking all the day. I went up in the morning with the intention of going to work in the shop, both bosses, Mr. Howard and Mr. Dun sent up for me to go to work because one of them had to go to the country that day and would be away for a few days, as long as I was not working. I had worked very often in the place back and forward for the last two years. The boss sent Murray out for a couple of cans of beer and we three drank it. There was a "half door" going out from the shop, and every time Murray would go for beer he would catch me by the hair and pull me over the half door. I was reading the paper. I used to fire the stick at him. When we were going home that night he took a stone the full of a man's hand and fired it at me; it struck the tail board of a wagon, we had been using the stick on each other; he blackened my shins skylarking and fooling. That evening going home Mr. Howard told me to come up early in the morning and "we will knock hell out of him for it." I went up in the morning with the expectation of going to work. He picked up a piece of coal to fire at me, I picked up a

11. C. 2. 10. 11

0785

stick and run it across Howards shoulder
and it caught him in his head. I never
was under lock and key in my life. I am
32 years in New York. I had no ill feeling
against the complainant.

The jury rendered a verdict of guilty of
an assault with a recommendation
to mercy.

0786

Testimony in the case of
James Doran
filed June 24.

0787

Police Court, Fourth District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *James Doran*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *Ireland*

Question. Where do you live?

Answer. *401 East 48th St*

Question. What is your occupation?

Answer. *Horse-Shoer*

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

Answer. *I did not intend to hurt
him, I struck him. It was more
of an accident than anything else
*James Doran**

Taken before me this

day of

June 1878

A. J. Murphy
Police Justice

0788

Police Court—Fourth District.

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

of No. 417 East 4th James Murray Street,
on Friday the 18th being duly sworn, deposes and says, that
in the year 1887 at the City of New York, in the County of New York, day of June

he was violently ASSAULTED and BEATEN by James Doran
(now here) who did then and there
strike deponent a blow on the top
of deponent's head with a large club
which he (Doran) held in his hand
cutting deponent's head causing great
loss of blood. That said James Doran
was lying in wait for deponent and
struck deponent.

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

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

Sworn before me, this 18th day
of June 1887

R. L. Morgan James Murray
Police Justice.

0789

35. 2207

Police Court—Fourth District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Murray
417 E 76th St

James Doran

Dated June 18th 1880

Morgan Magistrate.

Henryberg Officer.

Witness
James H. Howard
243 East 75th St.

John J. Conroy



RECEIVED
JUN 21 1880
DISTRICT ATTORNEY

CITY AND COUNTY } ss.
OF NEW YORK, }

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

That *James Doran*

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

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

SECOND COUNT.

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

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

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-
said, the said *James Doran*
with force and arms, in and upon the body of *James Murray*
in the peace of the said people then and there being, feloniously, did make another
assault and *hit* the said *James Murray*
with a certain *club*

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

0791

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

FOURTH COUNT.

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

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

BENJ. K. PHELPS, District Attorney.

#207

Filed *27* day of *June* 18*77*
Pleas *Not Guilty (2-0)*

THE PEOPLE
vs.
James Doran
P
Felonious Assault and Battery.

W. J. P.
BENJ. K. PHELPS,
District Attorney.

A True Bill.

A. M. Kelly
Foreman.

July 9. 1877

Sherry & Company of
are accusal
Ben Doran,

0792

BOX:

14

FOLDER:

178

DESCRIPTION:

Dorgan, Daniel

DATE:

06/15/80



178

0793

the Board of the ... of the ...

Grand Jurors ...

#90
Counsel
Filed 10 day of April 1888
Pleads Not Guilty (16)

THE PEOPLE
-08-
Indictment
Grand Jurors
Grand Larceny of Money, &c.
P
Daniel Morgan

BENJ. K. PHELPS,
District Attorney.

A True Bill.
J. M. Miles
Foreman.

Part Two - June 16 - 1888
Pleads Guilty

Z. H. G. Mosby
Remanded till 18th

NEW YORK ...

THE TRIBUNE OF THE PEOPLE OF THE CITY OF NEW YORK

0794

District Police Court

Affidavit—Larceny.

CITY AND COUNTY OF NEW YORK, } ss.

Jacob Dough

of No. 65 E 130th Street,

3^o day of June 1880

City of New York,

at the... in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, Cyrus O Stubbell in the care

& charge of deponent the following property, viz: good and lawful money

to the amount of forty dollars viz One United States Treasury note of the value and denomination of twenty dollars, one United States Treasury note of the denomination & value of five dollars

Three National Bank bills each of the value & denomination of five dollars

the property of Cyrus O Stubbell who is a dealer in Coal & has an office on the corner of 126th Street & 4th Avenue

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

deponent saw take steal & carry away said money from a drawer in said office. Deponent pursued

said Dorgan ~~down~~ through ^{4th ave to} 125th Street where said Dorgan fell down

& was then arrested by John J. Joyce of the 12th Precinct. At the Station

House Dorgan handed the aforesaid money to officer Joyce. About 10

Subscribed and sworn to before me this 3^o day of June 1880
Notary Public

0795

GLUED PAGES

0796

minutes before he stole said money
he came into the Office &
asked deponent to change a
silver dollar. Thereafter another
person called deponent outside
of the office under the pretence
that he wished to buy coal
& while deponent was out
Dorgan sneaked into the
office & stole said money.

Jacob Vaughn

Given to before me
this 3rd May 1880
B. J. Proby
Police Justice

District Police Court.

AFFIDAVIT—Larceny.

THE PEOPLE, &c.,
OF THE COMPLAINT OF

vs.
Jacob Vaughn

vs.
Paul Dorgan

June 3- 1880

vs.
Buby Magistrate.

vs.
Jayer 12th OFFICE.

WITNESSES:
John C. Jayce
12th Precinct

DISPOSITION:
2000 bonds
bond

CITY AND COUNTY
OF NEW YORK, } ss.
Daniel J.

0797

David - Larceny.

4th
Dist

THE PECC
OF THE CO

cot

will

John

WESSIS

John

12

9

CITY AND COUNTY } ss.
OF NEW YORK,

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

Question. What is your name?

Answer. *Daniel Dorgan*

Question. How old are you?

Answer. *35*

Question. Where were you born?

Answer. *United States*

Question. Where do you live?

Answer. *New York*

Question. What is your occupation?

Answer. *I decline to answer*

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

Answer. *I have nothing to say*

Daniel Dorgan

Taken before me, this *Third* }
day of *June* 1880 }

R. W. Murphy

Police Justice.

0798

#90

POLICE COURT - FIFTH DISTRICT

THE PEOPLE, & c.,
VS. THE COMPLAINT OF

Robert Long
65 & 430th St.

Samuel Morgan

1
2
3
4

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Daniel Dennis Jnr

1880

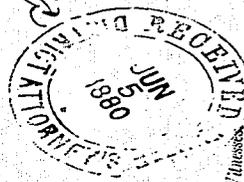
B. M. Kirby

Magistrate.

Rayce 12

Officer.

Clerk.



Witness

Rayce
12 4th

2000 Am G.S.

Committed

Received in Dist. Att'y's Office.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

That *Daniel Dorgan*

late of the First Ward of the City of New York,
day of *June* in the year

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

of the goods, chattels, and personal property of one
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,
then and there being found,

BENJ. K. PHELPS, District Attorney.

0000

CITY AND COUNTY OF NEW YORK

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

That Daniel Dorgan

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

For the Plaintiff

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of the goods, chattels and personal property of one Cyrus O. Hubbell by a certain person or persons then lately feloniously stolen of the said Cyrus O. Hubbell, unlawfully, unjustly and for the sake of wicked gain did feloniously receive and have the said Daniel Dorgan then and there well knowing the said goods, chattels and personal property to have been feloniously stolen

found, against

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

BENJ. K. PHELPS, District Attorney.

0801

BOX:

14

FOLDER:

178

DESCRIPTION:

Doyle, Henry F.

DATE:

06/29/80



178

0002

#230

Counsel,
Filed 29 day of June 1880
Pleads

INDICTMENT.
Larceny from the person.
and Res. Steal. &c.
vs.
Henry J. Doyle
District Attorney.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Charles J. White,
Foreman.

Thomas C. Johnson

S.P. 2 year.

0003

FORM 112.

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

Police Court—Third District.

George E. Nethercott Jr

of No. *22 Scammell* Street, being duly sworn, deposes

and says that on the *27th* day of *March* 1880

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

the following property viz: *One silver watch and chain*

of the value of *twenty five* Dollars

the property of *deponent's father George Nethercott Sr.*

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 *Henry F. Doyle* (now held for the reason that deponent has no account in the act of jumping from the ^{door} slip where deponent's father was asleep that deponent followed the accused and gave him into the custody of Officer *Adamsky* of the 13th Precinct (Police

State of New York }
City and County of New York } ss
Officer *Simon Adamsky* 13 Prec.
Officer being duly sworn deposes and says that he arrested *Henry F. Doyle* in Madison street upon the information of *George E. Nethercott Jr.* who claims that the accused had taken from the person of his father the aforesaid watch (the same) which said watch deponent found upon the person of the accused.

George E. Nethercott

Personally
Sworn to, before me this

day of *June* 1880

Michael J. O'Sullivan
POLICE JUSTICE

0804

Police Court—Third District.

CITY AND COUNTY }
OF NEW YORK } ss.

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

Question.—What is your name?

Answer.—*Henry F. Doyle*

Question.—How old are you?

Answer.—*Twenty one*

Question.—Where were you born?

Answer.—*Kerry City*

Question.—Where do you live?

Answer.—*104 1/2 Christie st*

Question.—What is your occupation?

Answer.—*Ice-man*

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

Answer.—*I am not guilty*
Henry F. Doyle
his name

Maven
Taken before me, this
27th day of June
1882
Police Justice.

0005

Police Court—Third District.

CITY AND COUNTY } ss.
OF NEW YORK.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

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

Answer.

Taken before me, this day of 18
POLICE JUSTICE.

0005

COUNSEL FOR COMPLAINANT.

Name.....

Address.....

COUNSEL FOR DEFENDANT.

Name.....

Address.....

POLICE COURT—THIRD DISTRICT.

THE PEOPLE, & c.,

ON THE COMPLAINT OF

*James E. Nettleton of
22 Beaman St
Chas. F. Doyle
James F. H. ...*

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

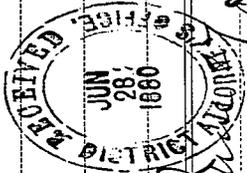
Residence

No. 5, by

Residence

No. 6, by

Residence



Dated *June 28* 188*0*

Magistrate.

Officer.

Clerk.

H. Family

Van Orner

Witnesses

\$ *15.00* to answer

at *General* Sessions

Received at Dist. Att'y's Office,

Chas.

AFFIDAVIT—LARCENY FROM THE PERSON

0807

CITY AND COUNTY }
OF NEW YORK, } ss.

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

That *Henry F. Gagle*

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

on the *twenty seventh* day of *June* in the year of our Lord one
thousand eight hundred and eighty *at* the Ward, City, and County aforesaid,
with force and arms,

One watch of the value of twenty dollars
One chain of the value of five dollars

of the goods, chattels, and personal property of one *George Nethercott senior*
on the person of the said *George Nethercott senior* then and there being found,
from the person of the said *George Nethercott senior* 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.

0808

~~CITY AND COUNTY~~
~~OF NEW YORK,~~ } ~~ass.~~

And THE JURORS ^{*aforsaid*} ~~OF THE PEOPLE OF THE STATE OF NEW YORK,~~
~~in and for the body of the City and County of New York,~~
upon their Oath, ~~aforsaid~~ *do further present*

That *the said Henry J. Doyle*
late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the *twenty seventh* day of *June* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *eighty* with force and arms, at the
Ward, City and County aforesaid,

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

of the goods, Chattels and personal property of *George Rethercott*
senior
by *a certain person or*
~~and certain other~~ persons to the Jurors aforesaid unknown, then lately before feloniously
stolen of the said *George Rethercott senior*
unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have
(the said

Henry J. Doyle

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

BENJ. K. PHELPS, District Attorney.

0009

BOX:

14

FOLDER:

178

DESCRIPTION:

Duffy, Charles

DATE:

06/25/80



178

0010

#229

Filed 25 day June 1888

Pleas

THE PEOPLE

vs.

^B
Charles Duffey

Assault and Battery.

B. K. PHELPS,

District Attorney.

A True Bill.

J. A. May
Foreman.

I am witness that
the case should be
tried at Special
sessions.

J. P. ...

0811

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

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

That

Charles Duffly

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

BENJ. K. PHELPS, District Attorney.

08 12

BOX:

14

FOLDER:

178

DESCRIPTION:

Dunne, John

DATE:

06/11/80



178

0813

#22

Counsel,
W. J. [Signature]
Filed 11 day of [Month] 1880.

Pleas, Not Guilty

THE PEOPLE

vs.

B

John Dume

R A P E.

BENJ. K. PHELPS,
District Attorney.

A True Bill.

A. Maly
Foreman.

Part Two. June 14th 1880.
Tried & acquitted

Done 14. 1880
17-11

0814

5th
Police Court, Ninth Judicial District, cor. of 129th St. and 4th Ave.
STATE OF NEW YORK,
CITY AND COUNTY OF NEW-YORK, } ss.

Mary B. Lieberman, of No. 253
Pacific Avenue, Jersey City,
being duly sworn deposes and
says - That at the City and County
of New York, on Friday the
21st day of May 1880 the prisoner
John W. Worce, now here, did
feloniously assault and beat
deponent with the intent to
deprive deponent and did by
force and violence and against
the will and consent of deponent
attempt to have her removed
with deponent.
That about the hour of 2 1/2
o'clock on the afternoon of said
day deponent was walking
through the open lots of
land between 10th and St. Nicholas
Avenues near 138th Street when
the said defendant approached
deponent from behind and
as deponent turned to face him
he seized deponent by the throat
and violently threw deponent to
the ground. That he then
pressed his knees on deponent
and lifted up deponent's clothing
from her person and placed
his hands upon deponent's private
parts. That deponent screamed
loudly for assistance whereupon

Mr Lieberman was paying through
the lot ~~house~~ which is to think
was breach the elevated
R.R. Depot - B.W.B

08 15

He released his load of deponents
and ran into the bushes,
and deponent regained her
feet and ran swiftly away.
Sworn to before me this
27th day of May 1880. Wm B. Lishman

R. N. Brigh - Police Justice

08 16

Police Court—Fifth District.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *John Dunne*

Question. How old are you?

Answer. *Nineteen years of age*

Question. Where were you born?

Answer. *New York City*

Question. Where do you live?

Answer. *157 St. & St. Nicholas Avenue*

Question. What is your occupation?

Answer. *Lamp lighter*

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

Answer. *I am not guilty of the charge.
I never saw the Complainant
until after my arrest.*

John Dunne

Taken before me, this *27th*

day of *May* 18*80*
R. S. Prichy

Police Justice.

0817

#23

POLICE COURT—FIFTH DISTRICT.

THE PEOPLE, &c.,
OF THE COMPLAINT OF

May R. Liebman
John Sackell
John S. Sanner



1467

Offence

Wanted to Rape
May 27, 1908
Magistrate
July 30, 1908
Officer
270 W 126th St
New York
Clerk

Bail
Theo. F. Fine
130th St. x 17th Ave
7 Throokwoods
271 W 125th St

BAILED.

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



Witnesses
Murray Daily
50th St. Police

#3000 Am. S.A.
Sub. Committed
Received in Office
1007-1300
N.Y. C.C. 4

08 18

CITY AND COUNTY } ss.
OF NEW YORK,

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

That *John Duane,*

late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the *twenty first* day of *May* in the year of our Lord one
thousand eight hundred and ~~seventy~~ *Eighty*. at the Ward, City, and County aforesaid,
with force and arms, in and upon one *Marie B Libenau*
wilfully and feloniously made an assault, and that the said

John Duane her the said
Marie B Libenau then and there by force and with
violence to her, the said *Mary B Libenau* and against her
will, did wilfully and feloniously ravish and carnally know

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

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

John Duane

late of the Ward, City, and County aforesaid, afterwards, to wit, on the
day and in the year aforesaid, and at the place aforesaid, with force and arms, in and
upon her, the said *Marie B Libenau* wilfully and feloniously
made an assault, with intent her the said *Mary B Libenau*
against her will, and by force and violence, to then and there wilfully and feloniously
ravish and carnally know, against the form of the Statute in such case made and pro-
vided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

08 19

BOX:

14

FOLDER:

178

DESCRIPTION:

Dunning, Jasper J.

DATE:

06/10/80



178

0820

#52

R. N. WALKER

206 Broadway
Filed 10 day of June 1880

Pleas Not Guilty

Assault and Battery.—Felony.

THE PEOPLE

vs.
Jasper J. Manning

BENJ. K. PHELPS,

District Attorney.

Part No. 11. 1880

Plead ^{ham.} Not Guilty to do body

A TRUE BILL.

J. M. Kelly

Foreman.

State Refractory Chival.

0821

Form

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

ss. :

POLICE COURT—FIRST DISTRICT.

Robert Dodd

of No. 390 Water Street, being duly sworn, deposes and says,

that on the 31 day of May 1890

at the City of New York, in the County of New York, he was violently and feloniously assaulted and

beaten by Jasper J. Summing

now present:

who did wilfully and maliciously
point and discharge ~~at~~
pistol loaded with powder and
lead ball at deponent's body

Sworn to before me this
1890

Deponent believes that said injury, as above set forth, was inflicted by said

with the felonious intent to take the life of deponent, or to do h bodily harm, and without any justification

on the part of the said assailant :

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

R Dodd

[Handwritten signature and notes on the left side of the page, including the words "Sworn to before me this" and "1890"]

0822

Police Court—First District.

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

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

Question. What is your name?

Answer. *Gasper J. Dunning*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *U S*

Question. Where do you live?

Answer. *27 Dore St*

Question. What is your occupation?

Answer. *Steamboat man*

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

Answer. *I have nothing to say*
Gasper J. Dunning

Taken before me this

day of June

1880

POLICE JUSTICE.

0023

COUNSEL FOR COMPLAINANT:

Name, _____
Address, _____

COUNSEL FOR DEFENDANT:

Name, _____
Address, _____

Police Court - First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Robert Wood
390 W. Main St.
Joseph Hummer

Dated, *1 June* 190*8*
Smith Magistrate
Car Officer.

Clerk.

Witnesses, _____

[Signature] to answer
at General Sessions.

Received at Dist. Atty's Office,

BAILED:

No. 1, by _____
Residence, _____

No. 2, by _____
Residence, _____

No. 3, by _____
Residence, _____

No. 4, by _____
Residence, _____

No. 5, by _____
Residence, _____

No. 6, by _____
Residence, _____

0824

CITY AND COUNTY }
OF NEW YORK, } ss.

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

That

Jasper J. Dunning

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

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

SECOND COUNT.

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

Jasper J. Dunning

with force and arms, in and upon the body of the said *Robert Dodd*
in the peace of the said people then and there being, wilfully and feloniously did make
an assault and to, at and against *him* the said *Robert Dodd*
a certain *pistol* then and there loaded and charged with gunpowder and one
leaden bullet, which the said *Jasper Dunning*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously, did then and there attempt to discharge,
with intent *him* the said *Robert Dodd*
thereby then and there, feloniously and wilfully to kill, against the form of the Statute
in such case made and provided, and against the peace of the People of the State of
New York and their dignity.

THIRD COUNT.

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

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

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

FOURTH COUNT.

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

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

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

BENJ. K. PHELPS, District Attorney.