

0378

BOX:

87

FOLDER:

950

DESCRIPTION:

Morris, Elizabeth

DATE:

12/22/82



950

237

Counsel,
Filed *22* day of *Dec* 188*2*

Pleads

14 bonds *in* THE PEOPLE
vs. *P*
Englishman
Grand Larceny
Second degree.

JOHN McKEON,
District Attorney.

A True Bill.

Draper
Part 2 Dec 22 1882
Foreman
Pleas Guilty
Englishman
Grand Larceny
Second degree.

0380

2 District Police Court.

Affidavit—Larceny.

CITY AND COUNTY
OF NEW YORK,

of No. 57 Ramon Street,

Saba Brinkerhoff.

being duly sworn, deposes and says, that on the 18 day of December 1882

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

the following property, viz:

Good and lawful money of the United States consisting of five bills of the denomination and value of ten dollars each. One gold national currency note of the denomination and value of ten dollars, eight bills of the denomination and value of five dollars each, and nineteen bills of the denomination and value of one dollar each in all of the value of One Hundred and nineteen dollars.

Sworn before me this

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 Elizabeth Morris, now present.

That deponent had paid money in a pocket book in a desk in the front basement of said premises. That said defendant was employed there washing.

That deponent missed said money which defendant subsequently admitted stealing. That deponent was informed by Officer Flanigan that he found ninety nine dollars of said money secreted in a hall closet in defendant's premises.

Saba Brinkerhoff

19 day of December 1882
Police Justice.

0381

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 39 years, occupation Policeman of No. 9 Recruit Station Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Seba Brinkerhoff
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 19 day of Dec 1882 } John Flanagan

J. Henry Bond
Police Justice.

0382

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question What is your name?

Answer.

Elizabeth Morris

Question. How old are you?

Answer.

37 years.

Question. Where were you born?

Answer.

In New Jersey

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

Answer.

14 Cornelia St. 2 years.

Question. What is your business or profession?

Answer.

Washing.

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

Answer.

I am guilty.

Elizabeth Morris
Mark

Taken before me this

day of

1884

Edmond B. Ford
Police Justice.

0383

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

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

Dated 19 Dec. 1882 _____ J. Henry _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0384

1069
Police Court--2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Seba Pankeloff
57 Barrow St.

Elizabeth Morris
2

BAILED,

No. 1 by _____

Residence _____ Street,

No. 2, by _____

Residence _____ Street,

No. 3, by _____

Residence _____ Street,

No. 4, by _____

Residence _____ Street.

Dated *19 December* 188 *2*

Ford Magistrate.

Harvey 9 Officer.

Paul Clerk.

Witnesses, _____

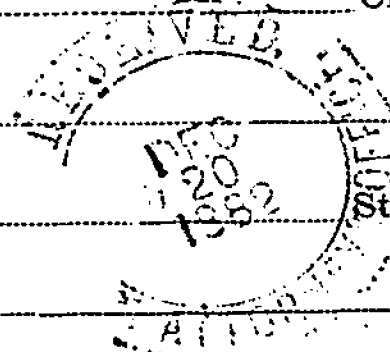
No. _____ Street,

No. _____ Street,

No. _____ Street,

\$ *1000* to answer *G.S.*

Rm.



0385

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Elizabeth Morris

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

Elizabeth Morris
of the crime of GRAND LARCENY, in the *second* degree, committed as follows:

The said *Elizabeth Morris*

late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the *eighteenth* day of *December* in the year of our Lord one thousand eight

hundred and eighty-two 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 known as 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.

of the goods, chattels, and personal property of one

Seba Winterhoff 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.

JOHN McKEON, District Attorney

0386

BOX:

87

FOLDER:

950

DESCRIPTION:

Muhllan, Frederick

DATE:

12/13/82



950

0387

BOX:

87

FOLDER:

950

DESCRIPTION:

Dentschbein, Gustav

DATE:

12/13/82



950

0388

BOX:

87

FOLDER:

950

DESCRIPTION:

Eisele, William

DATE:

12/13/82



950

107th Broadway
Philip Radin
113 7th Ave
c/o J. B. Lewis
William Kigel
Pr 169 W. 13th Ave

Day of Trial,
Counsel, *C. S. Lee*
Filed *13* day of *Dec*
Pleads *Waively (14)*

THE PEOPLE

vs.

B
 Frederika Mussler
 2
Erwin Dittler
Wieland Dittler

No. 2 x 3.

Family Couch

JOHN McKEON,

District Attorney.

A True Bill.

Dr. H. M. M. M.
 Foreman.
 May 5/83
 Wm. D. S.
 Fredy Acquette.

Frederick Acquitella

0309

0390

Belmont Hospital
Sept 28th/82

Das Hart presented himself
at the Hospital Monday, Sept 25th
at about 9 o'clock P.M. suf-
fering from a simple fracture
of the lower jaw bone, received
that evening.

John Blair Gibbs and
Acting House Surgeon 1st Inf. Div.

0391

To whom it may concern.

I hereby certify that
James Hart came to the
Dispensary of the New York
Homoeopathic Medical College on
Tuesday Sept. 26th inst, suffering
with a fracture of the lower jaw
on the left side between the canine
and first bicuspid, said to have
been caused by an instrument
of some kind in the hands of some
person or persons unknown to me,
for the night of the 15th inst.
which fracture was set and dressed
by me, and which will to the
best of my judgement require
about eight weeks before it
will be perfectly well.

Jno. B. Garrison M.D.
Asst. Surgeon Dispensary
N.Y. H. Med. Col.

236 E. 31st St.
Sept. 28th 1882.

0392

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

Peter Farley 46-

of No. 17th Precinct Police

Street

being duly sworn, deposes and says, that on the 27th day of September 1882

at the City of New York, in the County of New York, he arrested William

Eiseler, Gustav Deutschler and Frederick

Muhlan (age now 19) charged by James

Hart with violently assaulting and

beating him. ^{on Sept 25 1882} Depment was informed by

said Hart that said Muhlan struck him

with some hard substance knocking him

down. That while said Hart was down

said Deutschler and said Eiseler each

beat and kicked said Hart. Depment

took the above named defendants to the

house of said Hart who is confined to his

bed by reason of said injuries, when said

Hart identified each and every one of said

defendants as the parties who had assaulted

him. Officer Sullivan of 17th Precinct was also

present and heard the said Hart make the

above statements, and also saw said Hart

Sworn to, this
before me.

day of

188

Police Justice

0393

Identify said defendant as the parties who have
assaulted him. Said motion admitted to
deponent ~~and officer Salomon that he struck~~
deponent prays that said motion
may stand. Deponent prays that the
Esland Deutschlen may be committed to await
the result of the rigors inflicted by them upon
said Hunt.
Peter Salley

Sworn to before me
this 27 of Sept 1882

Solomon Salomon Justice

POLICE OFFICE, THIRD DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Dated

188

JUSTICE.

OFFICER.

WITNESSES:

0394

Police Court— 3d District.STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.

James Hart

of No. 430 East 5th Street,45 years of age Irish being duly sworn, deposes and says, that
on Monday the 25th day of September
in the year 1882 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Fredrick
Muhlan Gustav Deutchbein and
William Eisler. That said Muhlan
struck deponent a blow in the
face with a pair of metal knuckles
(then worn upon his hand) breaking
deponent's jaw in two places, and
said Deutchbein and Eisler also
struck deponent and beat him
and kicked him when he was
lying down, after being knocked down
by said Muhlan.

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(s) may be apprehended and bound to answer
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 9th dayof Oct 1882James ^{his} Hart
markSolon B. Smith
POLICE JUSTICE.

0395

W
Ex Dec 10-10 Am

Police Court--3 District.

THE PEOPLE, ETC.,
ON THE COMPLAINT OF
AFFIDAVIT--A. & B.
FELONIOUS.

James Hark
Frederick Hark
Gustav Deutchkeim
William Esler

Dated, Dec 9/10 1882
Smith Magistrate.

Officer.

Witness,

Dated for Ex Dec 10-1882
by Philip Sackman
113 First Ave
Wm. Lamb

0396

Sec. 198-200.

Ohio

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Frederick Muhlan

Question. How old are you?

Answer.

Nineteen years

Question. Where were you born?

Answer.

Germany

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

Answer.

8th St & 1st Ave - 10 months

Question. What is your business or profession?

Answer.

Grocers clerk

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

Answer.

*The complainant was
drunk and stuck his
fingers in my eyes and
attempted to strike me
with a bunch of keys then
I shoved him to defend
myself. He slipped down
because it had been raining
I have never seen a pair
of metal knuckles*

Frederick Muhlan

Taken before me this

day of

May

188

1888

John J. Smith
Police Justice.

0397

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

Third

District Police Court.

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

Question. What is your name?

Answer.

Gustav Deutschbein

Question. How old are you?

Answer.

Nineteen Years

Question. Where were you born?

Answer.

Germany

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

Answer.

113 First Ave - 3 mos

Question. What is your business or profession?

Answer.

Grocery Clerk

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

Answer.

I saw the complainant for the first time on Monday night when he came into the store with an officer and said, that Sister and I were not the men who struck him two days after we were arrested. I knew nothing of any disturbance until the officer came in.

Gustav Deutschbein.

Taken before me this

day of

188

Salomon M. Smith
Police Justice.

0398

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

Thud District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

The complainant said on the night of the fight that I was not one of those who struck him. I am not acquainted with Mullan and was not with that night.

William Eisle

Taken before me this

1882

day of
John A. Smith
 Police Justice.

0399

Sec. 151.

30

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss

In the name of the People of the State of New York; To the Sheriff of the County of New York, or any Marshal or Policeman of the City of New York. GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by James H. Hart of No. 430 East 5th Street, that on the 25th day of Sept 1887 at the City of New York, in the County of New York,

he was violently assaulted and Beaten by Frederick Muhlen
Gustav Deutenber William Eisler

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 Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring them forthwith before me, at the 30 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 9th day of Decr 1887

Solomon B. Trunk
POLICE JUSTICE.

POLICE COURT, DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Dated

188

Magistrate.

Officer.

The Defendant

taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Officer

Dated

188

This Warrant may be executed on Sunday or at night.

Police Justice.

Warrant-A. & B.

REMARKS.

Time of Arrest,

Native of

Age,

Sex

Complexion,

Color

Profession,

Married

Single,

Read,

Write,

0400

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

Frederick Muhlan

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

Dated *Dec 10* 188 *2* *Solon B Smith* Police Justice.

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

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named *Gustav Deutschbein*
and William Fisher guilty of the offence within mentioned, I order *him* to be discharged.

Dated *Dec 10* 188 *2* *Solon B Smith* Police Justice.

0401

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

W.
Police Court--

3

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Hart

480 East 5 St

Frederick Muhlan

Gustav Deutschlein

William Eisler

4

Dated Dec 9

1882

Smith

Magistrate.

Officer.

Clerk.

Peter Farley

17th Precinct

David Sullivan

17th Precinct

No.

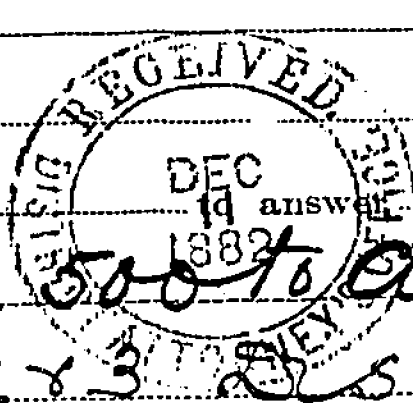
\$

No 1 500 to ans G.S.

No 2 & 3

Born

Office, Telorons
Assault Battery



0402

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Frederick Muhlman
Gustav Deutschheim
William Eiseler

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

Frederick Muhlman, Gustav
Deutschheim and William Eiseler
of the CRIME OF Assault and Battery upon another by such means
and force ~~and~~ ^{and} were likely to produce death with intent to kill
committed as follows:

The said Frederick Muhlman, Gustav
Deutschheim, and William Eiseler

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

in and upon the

body of one James Stark in the peace of the people
of the said State then and there being, feloniously
made an assault, and the said Frederick
Muhlman, Gustav Deutschheim and William
Eiseler, upon the said James Stark, with the
clenched fists of them the said Frederick
Muhlman, Gustav Deutschheim and William
Eiseler armed with metal knuckles, in and
upon the head of him the said James Stark,
feloniously did beat, strike, cut, bruise
and wound: and the said Frederick Muhl-
man, Gustav Deutschheim and William Eiseler,
upon the said James Stark, with the hands
and feet of them the said Frederick Muhlman
Gustav Deutschheim and William Eiseler in and
upon the neck, head, stomach, breast, belly, back
and sides of him the said James Stark, felon-
ously did then and there strike, beat, kick, bruise
and wound, the same being such means

0403

and force as were likely to produce the death
of him the said James Hart, with intent
him the said James Hart then and there
feloniously to kill, 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.

John McKeon

District Attorney

0404

BOX:

87

FOLDER:

950

DESCRIPTION:

Muller, Christopher

DATE:

12/18/82



950

0405

Bill. Dec 22/82

(II)

Day of Trial,

Counsel,

Filed

18 day of Dec 1882

Pleads

Not guilty - Jan 10/83

THE PEOPLE

vs.

B

Christopher M. Mear

Feb 15/83

Office of Recorder of Deeds

City and County of Baltimore

JOHN McKEON,

District Attorney.

A True Bill.

W. H. W. W.

F. H. W.

F. Dec 22/82

1 Year. W. H. W.

Revised by

George Jerry

23rd St. & North Ave.

R. R. Reed.

\$ 2000

Revised on appeal by

George Jerry

23rd St. & North Ave.

R. R. Reed.

0406

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 100
Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he
give such bail.

Dated November 18 188 2 J. Kilbuck Police Justice.

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

Dated Nov 18 188 2 J. Kilbuck Police Justice.

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

Dated _____ 188 _____ Police Justice.

0407

BAILED,

No. 1, by Gerrard Lerang
Residence N. W. Cor. 11th Ave. & 4th Street,

No. 2, by _____
Residence _____ Street,

No. 3, by _____
Residence _____ Street,

No. 4, by _____
Residence _____ Street.

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas Heatherton
494 1st Avenue
Christopher Muller

2 _____
3 _____
4 _____

Offence, Murder

Dated Nov. 16 1882
J. P. Killbuck Magistrate.

J. P. Millane Officer.
Clerk.

Witnesses, Winifred Moran
No. 401 East 29th Street,

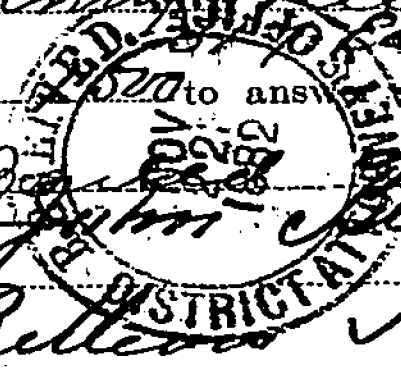
John Cunningham
No. 411 West 56th Street,

Joseph Ward
No. 818 13th Avenue Street,

Henry Peel
No. 315 East 32nd Street,

\$ _____
to answer

John Blair Gillis
Bullman Hos



0408

Sec. 192.

24th District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.
OF NEW YORK, }

An information having been laid before James J. Kilbreth a Police Justice
of the City of New York, charging Christopher Muller Defendant with
the offence of causing injuries to Margaret Muller.

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We, Christopher Muller Defendant of No. 2444
West 19th Street; by occupation a Car driver
and George Perry of No. 1111 Avenue 23rd
Street, by occupation a Superintendent Surety, hereby jointly and severally undertake that
the above named Christopher Muller Defendant
shall personally appear before the said Justice at the 4th District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of five
Hundred Dollars.

Taken and acknowledged before me, this 8th
day of November 1882

N. Williams
POLICE JUSTICE.

Christopher Muller
George Perry

0409

CITY AND COUNTY }
OF NEW YORK, } ss.

Sworn to before me, this
day of November
1882
J. J. Kellard
Police Justice.

the within named Bail and Surety being duly sworn, says, that he is a resident and free
holder within the said County and State, and is worth Twenty Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of a house and lot

land located at 504 West 42nd
Street in said city -

George Jerry

4 District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to appear
during the Examination.

vs.

Christopher Muller

Taken the

8th day of November 1882

J. J. Kellard
Justice.

0410

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. Christopher Muller

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. Germany

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

Answer. 444 West 19th Street 8 months

Question. What is your business or profession?

Answer. Car driver

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

Answer. I was driving my horse attached to Car 26 of the 23rd Street Rail Road on 1st Avenue and when I got ^{near} to the corner of 29th Street I saw some children crossing the track on which I was going up, and the girl who was run over backed against my horse's ^{hind leg} and fell. I done all that was possible to stop my car. I could not have stopped my car quicker than I did my horse was going a a time gait, not fast and I was not whipping my horse

Christopher Muller

Taken before me this 16

day of November 1888

Police Justice

04 12

W. C. C. W. }
200
1874-1875

1874-1875

0413

Bellevue Hosp. Nov 12th

Margaret Mullin, who was brought into the Hospital Nov 8th, died about 9.30 A.M. of the following day. Her left leg from knee to ankle was crushed into a shapeless mass, and in addition there were severe injuries to the other leg. When admitted she was in a state of shock from which it was impossible for her to rally.

John Blair Gibbs M.D.
Surgeon 1st Long. Division
Bellevue Hospital
New York

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Form 9.

4th
4th District Police Court.STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.

Thomas Heatherton, aged 21 years
of No. 494 1st Avenue
street,

being duly sworn, deposes and says,
8th day of November 1882
that on the

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

Christopher Muller, (now present),
was the driver of Car No. 26 of the
23rd Street. Rail Road Company.

and when the said Car was
at the corner of 1st Avenue and 23rd Street
deponent saw the wheel said Car on
the legs of a girl of about the age of
9 years. and whose name deponent is
informed is Margaret Mullen. the
said Margaret was lying down and
deponent helped to raise said Car
from off the legs of said Margaret
and which deponent saw were cut
and injured. deponent further says
that he has no knowledge of how
the said Margaret was knocked
down.

sworn to before me
this 8th day of November 1882 J. Heatherton

J. W. M.
A. J.

04 15

Form 9.

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POLICE COURT - FIFTH DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas Weatherston

vs.

Christopher Muller

Dated

Nov. 8th

1882

J. J. Kelly

Magistrate.

Mullane Officer.
21st 1882

Ex. Nov. 11th 1882 9 1/2 A.M.

14

9 1/2

15

9 1/2

16

9 1/2

18

9 1/2

0416

like and bounty of
New York } Minnie Moran, aged
24 years. Housekeeper, and residing
at 401 East 29th Street being duly sworn
deposes and says

Q did you see anything of the carrying over
of Margaret Mullen, now deceased.

Ans Yes.

Q when were you at the time

Ans when it first happened I was at my
windows on the 3rd floor of said premises
which face on 1st Avenue

Q what was the first thing you saw

Ans I saw Margaret Mullen and three
other children, on the crossing at the
North East Side of 1st Avenue & 29th Street
they were crossing over the avenue
there was a belt line car coming
down the avenue, and the said
Margaret stood between the two tracks
until the belt line car should pass
and moved back until the belt line
car should pass the one horse car
was coming up 1st Avenue from
28th Street and was going very fast
and Christopher Muller (now present),
was driving said one horse car
of the 23rd Street Rail Road Company

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he did not see the child. the horse attached to said car knocked the said Margaret down and she was dragged about 10 feet by the car her dress having been caught by the wheel of the wheel of the car

Q Did the wheel of the car go over the girl

Ans Yes. the wheel of the car was over the child when the driver stopped the car, the car was lifted from off the child and she was taken out from under it -

Q What was the driver doing at the time just previous to the horse striking the child

Ans I could not say my eyes were more on the child than on the driver

Q Was his attention directed from his horse

Ans he seemed to be looking kind of sideways -

Cross examined

Q When did this child start from when ~~she~~ you first saw her

Ans She started from the North East Corner of 1st Avenue & 29th Street

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Q What particular part of the sidewalk was she when you first saw her
Ans She was standing on the curb in the act of crossing

Q What first attracted your attention to this child

Ans She was in the middle of the street and she seemed attracted to the children with her. I do not know what first attracted my attention to the children while on the ~~child's~~ sidewalk.

Q How fast was the car going that run over the child

Ans the horse was galloping. I do not know how fast he was going.

Q you remember my calling on you on last Friday evening about 6 1/2 o'clock.

Ans I do

Q did you state to me at that time that this driver was not blame

Ans I told you that the minute the driver was "halloed" to he stopped the car and I told you that the driver put the brake on very quickly.

Q did you or did you not then tell me the driver was not to blame

Ans Yes I told you that. then I was not under oath I could tell you

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what I pleased

Q How long did the child stand in the middle of the tracks before this white car got to the north crossing

A About five seconds ~~for~~ it.

Q Were there anything in front of the child while she was standing on the crossing

A The belt line car was passing in front of her

Q Then you swear that the Red car was passing the crossing before this child was run over

A It was about the same time

Q How far below the crossing was the Red car, when this child was run over

A About 10 feet north of the crossing

Q Where was the

did the red car stop north of the crossing or below it

A The Red car stopped ~~below~~ ^{north of} the crossing and the driver got off his car to help to lift the car from off the child

Q How far from the upper crossing did the red car stop, ^{Ans} about 10 feet

Q When the red car was stopped about 10 feet north of the crossing was the white car then stopped

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Ans Yes.

Q Where you saw the ^{when the white car was stopped} East side of the Avenue

Ans Yes.

Q You swear you saw this child under the wheel of the wheel of the white car

Ans I do

Q Which side of the white car was the child under

Ans on the West side of the car

Q When the white car was between the child lying on the track and your self

Ans Yes Sir

Q Was the wheel was on the child

Ans Yes the wheel was on the child

Q You saw the child dragged along with the car and her dress caught in the wheel for several feet

Ans Yes

Q How many feet do you think the child was dragged.

Ans About 10 feet

Q Did the girl fall down

Ans She was knocked down by the horse

Q Which part of the horse knocked the child down

Ans I do not know

Q then you did not see that

Ans I, do not know what part of the horse knocked her down

Q where was the child when you saw it knocked down, ^{Ans} on the crossing

Q How far from the horse

Ans She was right at the horses head

Q you swear there on your direct examination that you could not tell what the driver was doing.

Ans I then answered that he was then looking kind of sideways

Q were you looking at the driver or at the child

Ans I was looking at the child

Q you did not then see what the driver was doing.

Ans ~~he~~ not when I was looking at the child

Q were there any boys on the rear part of the car

Ans I think there were two or three boys on the rear part of the car

Q do you know if ~~there were boys~~ in fact if there were any boys there

Ans there were three boys on the back of the car when the confusion was.

going on. the boys were jumping on from side to side when the car was stopped

Q will you swear there were any boys on the back platform of the white car before the car was stopped

Ans I will not. for I do not know

Q what became of the other children

Ans they went up 29th street towards 2nd avenue

Q did they go on the crosswalk.

Ans yes

Q did they walk or run

Ans yes they run as fast as they could

Q was there anything in the way to prevent the child that was run over from crossing and going on with these other children

Ans No Sir. only waiting for the red car to pass.

Q do you know the driver of the white car

Ans I do not. only seeing him on the day the child was run over

Q what time in the day did this occurrence take place

Ans about 8 1/2 or 9 o'clock. Ans

Q were you sitting inside of your window

Ans I or leaning out of the window

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Ans I, was leaning out of the window
Re direct

Q did you hear the driver of the belt car
call to the defendant.

Ans Yes.

Q How did you come to make the statement
to the Counsel on Friday evening that
the driver was not to blame

Ans he came into my house and I
did not know who he was and he said
that the driver was a very trust
worthy man and if he thought it
was the drivers ^{was in} fault he would
discharge him, and I said to him
that I did not want any one
discharged on my statement, and
I did not want to be in the case until
I was subpoenaed. I was not then
under oath

Q how you had any conversation about this
case with any one since your conversation
on Friday evening with the Counsel.

Ans No Sir, not until yesterday when
the father of the child came up with
a subpoena

Q did you have any conversation with him
then

Ans he came in and asked if I saw it

I said 'no' at first, he then told me he was the father of the child and he asked me if I would go to the court, I told him I did not want to go the court, he said he would subpoena me, and he did
He cross ex

Q did you not say to me (Counsel) on Friday evening last, that the driver done all he possibly could to stop the car

Ans I did

Q did you not also say that the driver was very tenderhearted, and that he cried, and that you felt very sorry for the driver

Ans Yes

Q did you not also say at that time that the child ran or fell backwards against the horse of the white car, after the shout was made by the driver of the red car coming downtown

Ans No Sir. She was knocked down by the horse

Q did you not also say that the white car stopped very quick

Ans Yes

Q

Winifred ^{her} Moran
mark

Summons to appear in the 1st day of January 1882

W. H. Moran
Attorney

City and County of }
 New York } John Cummings aged
 26 years, occupations a car driver, and
 residing at 411 West 56 Street, in said
 City being duly sworn says

Q on what Rail Road are you engaged
 as a driver

Ans on the Belt Rail Road

Q were you working as driver on
 the the said road on the 8th day of
 November, 1882

Ans Yes. I drove horses attached to
 Car No. 114 of said Rail Road

Q did you see anything of the running
 over of a girl at the corner of 1st Avenue
 and 29th Street on said day

Ans I did

Q state what you saw

Ans as I coming up 1st Avenue
 I was driving behind Car No. 26
 of the 23rd Street Rail Company and
 at the south side of 29th Street
 I stopped my car to let out a passenger
 when I again started. I looked
 ahead and saw the 23rd Street
 Car stopped about 20 feet
 north of the upper crossing of 29th
 the Street. I drove up to the car

and got off to see what was the matter. I then saw that there was a child under the wheel of the 23rd Street car I then assisted to lift the car up from off the child. and child was then taken away.

Q what wheel was on the child
 Ans it was the front wheel on the west side of the car.

Q is Christopher Muller (now here) the person who was then the driver of the 23rd Street car which then run over the girl
 Ans Yes -

Cross Examined

Q did you see anything of this ~~accident which caused the death of~~ occurrence before you got off your car

Ans I did not see anything until I got off my car

Q do you know anything more about the occurrence, than you have now stated

Ans I do not John Cummings
 sworn to before me
 this 14th day Nov. 1882

J. H. Smith
 Police Justice

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City and County of }
New York } Joseph Ward, aged 43
years, occupation car driver, and
residing at No. 888 10th Avenue,
being duly sworn deposes and
says.

Q. Where are you engaged as car driver
Ans on the Belt Rail Road.

Q. were you working on the 8th day
of November 1882
Ans I was.

Q. what car were you on
Ans 134.

Q. did you on that day see anything
of the running over of a girl on
that day by one of the cars of the
23rd Street Rail Road line.

Ans I did

Q. state what you saw.

Ans I was driving down 1st Avenue
with my car, and about fifteen feet
ahead of me on 1st Avenue, near
29th Street, a blue car of the Avenue
B and Dry Dock Rail Road Company
and when about 10 feet from
the upper crossing of 29th Street
I stopped my car as I saw
some children going over that

crossing, the 23rd Street car was coming up on the East side track I shouted "to the driver of the 23rd Street Car" to hold up or you will run over that child." He then put on the Brake of his car and stopped as soon as he could. The children then ran down to get back of the car. When one of them struck against the side of the horse and fell down, the front part of the car struck her and ~~knocked~~ ^{knocked} her 3 or 4 feet forward, and her legs went under the car.

Q did the driver see the child before you shouted at him.

Ans I do not think he did.

Q was this person (here ^{present} Christopher Muller the person who was driving the 23rd Street car

Ans Yes

Q was the Blue car between you and the 23rd Street car. at 29th Street

Ans he was passing the 23rd Street car

Q how far from the 23rd Street ^{car} was the Blue car.

Ans the back ends of each car were about together at the lower side of

29th Street

Q

cross Ex

Q

and at the time the blue car was on the lower side of the lower crossing of 29th Street the horse head of the 25th Street car was near to the North crosswalk of 29th Street is that the fact

Ans

about half way between the crossing of 29th Street

Q

at that time where was your car

Ans

about 10 feet above the upper crossing. my horse head were above at the crossing

Q

where were the children when you first saw them

Ans

they were about halfway between the East sidewalk and the track on the North crossing of the Street

Q

Have you today conversed with Officer Mullane, who was present there this morning about this case

Ans

No

Q

did you not state to the Court this morning on your examination

that these children crossed the ~~Street~~ above the crosswalk and not upon the cross walk

Ans they were crossing the ~~Street~~ close by the crosswalk

Q at that time was the blue car passing the north crossing

Ans Yes

Q Were those children standing there when the Blue car passed the north crosswalk

Ans the Blue car had passed half way passed the north crosswalk when the children got to the track

Q were the children standing in between the up and down tracks

Ans Yes - when I stopped

Q then there was not anything in the way to prevent this particular girl from going across your track

Ans No, there was not at that time

Q How fast was the 23" steel car going at that time

Ans about one mile in 8 minutes

Q you say that the child was knocked 3 or 4 feet forward by the car. Ans. Yes

Q was the driver attending to his¹⁶ duties at the time, looking ahead of him

Ans he seemed to be looking a little to the East side of the street

Q did he stop the car quickly

Ans he did very quickly

Q when you speak of the driver looking a little to the East, do you mean to say that he could not have seen what was going on in front of him

Ans he could not very well see looking towards that side of the street

Q if this child that was run over had remained standing in the street as you first saw her in between the tracks would she have been injured by this car

Ans No Sir.

Q and you think the driver did all that he could to back up his car and save the child

Ans yes -

Q How long have you been a car driver

Ans about 18 years

sworn to before me this

14 day of November 1882

Joseph Ward

[Signature]

Police Justice

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⁴
~~Seventh~~ District Police Court.

The People
against
Christopher Muller

New York, November 15, 1882.

Before Justice Kilbreth.

City and County of New York, ss:

Henry Reel, being duly sworn, deposes and says:

By the Court:

Q. What is your name? A. Henry Reel.

Q. Your residence? A. I think it is ^{31st} ~~31st~~ 32nd street East.

Q. Your age? A. Fifty-eight.

Q. Your occupation? A. At present I am a watchman in 29th street. I have been a watchman there the last three years, very nearly three years.

Q. Were you present at the time this child Margaret Mullen received her injuries? A. I was about sixteen feet from the corner of 29th street and First Avenue.

Q. State all that you saw in connection with this matter from the time your attention was first attracted to the child, where the child was and where the car was? A. I was standing on the corner at the time that young man (pointing at driver of the car) came up. He was at a fast gait coming up at that turn-table just beyond the corner. I saw these three children standing on the corner - I think it was three of them - run across, and this little one, she kind of

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halted back. The little girl ran across. The first thing I saw was the little girl's head under the car and her little leg kind of mashed up in pieces on her knee. I ran to 34th street ferry and had this young man arrested by a policeman

Q. Now when you saw this car coming, of which the defendant was driver, what do you say in regard to the rate of speed? A. I thought he was going too fast against that turn-table.

Q. Can you give any idea about as to the rate at which he was going? A. I can't exactly say any more than so quick as to come on to that little girl.

Q. Well, was he going at an unusually rapid rate?
A. He was.

Q. How far in front of his horse was the little girl standing when you first saw her? A. Probably it might be fourteen or fifteen or twenty feet.

Q. Was she in the track that he was on or on the other track at the time you first saw her? A. She was kind of running off from the other little girls. These little girls got across the street before she did.

Q. Did you see what the driver was doing at the time? Was he paying attention to his horse or was he looking behind? A. He was whipping his horse at the time this child was ~~run over~~ killed.

Q. And you say the horse was already going at an unusual and unreasonable speed? A. I did.

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Cross-examined by Mr. Conner:

Q. You say you are 58 years of age? A. 58 the 10th of March.

Q. Your name is Reed or Reel? A. My name is Reel.

Q. What kind of a watchman are you? A. I am a watchman working in Mr. Bludget's factory and Mr. Goodman's place.

Q. Where is Mr. Bludget's factory? A. In 29th street, sir. I think it is 461, if I am not mistaken.

Q. What part of 29th street is Mr. Bludget's factory? A. About the middle of the block.

Q. Between what avenues or streets? A. We will call it Avenue A and First Avenue; that is, nearer to Avenue A if it was cut through.

Q. Then it is nearer down to the river than it is to 29th? A. No, sir; there is five lots between that and the river.

Q. How many lots are there between Bludget's factory and First Avenue? A. There are four lots belonging to Lyons and Burn next to Mr. Bludget's, nearest First Avenue and then there is one house and a tinsmith's house on the corner. That is all the houses in that street.

Q. That makes six lots between Bludget's factory and First Avenue? A. About that. Probably it is more.

Q. Do you know how many feet east of First Avenue this factory is? A. That I cannot exactly say.

Q. Do you know how many feet there are in a lot in that street between those points? A. These five lots of Mr. Bludget's are 125 feet and Mr. Sutherland has four lots.

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Q. Then your best impression is that there are 25 feet in each of those lots? A. Yes, sir, 125 feet in Mr. Blodget's lots.

Q. My question is whether it is your best impression ^{that there is 25 feet} in each of those lots on that street? A. There is 125 feet in Blodget's lots, but in Sutherland's lots I cannot say exactly how much it is, because the water front takes in his four lots.

Q. On what side of the street is this factory or place where you are watching situated, on the north or south side of the street? A. South side of the street, sir.

Q. You watch at that place at night? A. No, sir; only until 6 o'clock from 7 in the morning.

Q. Then you watch in the day time? A. Yes, sir.

Q. Were you watching on this particular day, Wednesday of last week? A. I was.

Q. What particular portion of the premises that you are ^{watchman for were you} watching at about 9 o'clock on November 8th last past?

A. I generally walk up and down all the whole day to very near the corner of First Avenue, mostly every hour, every half hour in my life, since I took charge of that place.

Q. Were you watching Mr. Blodget's factory at that time? A. I was, sir, because I could see everything.

Q. Where were you at the time this accident occurred? A. About sixteen feet from the corner.

Q. In 29th street? A. Yes

Q. In 29th street about 16 feet east of First Avenue?

4 A. Yes, sir.

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Q. On which side of the street? A. On my lefthand side going up.

Q. That is on the south side of the street? A. Yes, sir.

Q. Which way were you going at the time this accident occurred? A. Walking right up as I walk most every day about five hundred times, up to First Avenue.

Q. You were then walking towards First Avenue? A. Yes, sir.

Q. What first attracted your attention to these children?

A. I see these three children cross the street at the time he crossed along just as hard as ever he could drive his horse and this little one wanted to cross over after the other three little ones

Q. How do you know she wanted to cross? A. Can't my eyes see?

Q. I don't know that you can see her thoughts? A. No, sir.

Q. Then you do not know of your own knowledge that this child wanted to cross? A. I am certain she did.

Q. What first attracted your attention to these children?

A. Because I always have an eye to children passing that corner, because it is the worst corner in New York.

Q. I will repeat the question until I get a direct answer from you? A. I am giving you directly as I can.

Q. What first attracted your attention to these children?

A. Because I have seen so many accidents on that corner; that is the very reason.

Q. You did not see any other accident there on that corner on this particular morning? A. Certainly not, sir.

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Q. When you swear to the fact that your attention was called to these particular children because so many accidents occurred on that corner, you do not mean that any other accident occurred on that morning? A. Certainly not.

Q. Where did you first see these children? A. On the corner.

Q. On which corner? A. What do you call it? North east? I do not know exactly what you call it. There is a liquor store on that corner and a grocery store on the other. They were standing on this side of the car.

Q. You know which side of the street Bludget's factory is on? A. I told you.

Q. Were the children on that corner? A. No.

Q. They were on the corner north of that? A. What I would call north, sir.

Q. They were on the up-town corner? A. Yes, sir.

Q. What were they doing when you first saw them? A. I could not say what they were doing.

Q. What attracted your attention to these children? A. Exactly on account of the accidents that happen on the corner so often, I watched them for.

Q. What made you watch them? A. I am a watchman along there and it is my interest to watch them.

Q. How many children were there there? A. To my best opinion there were four. I was so excited when I saw the little child's head and leg under the wheel that I could not tell exactly how many children crossed. ~~A. That I could not~~

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Q. What became of these other children? A. That I cannot give no evidence at all against what did become of them or what did not become of them, because at that time I ran off after this man up to 34 street to have him arrested.

Q. How many children started to run across that street?

A. It is my real opinion there were three before the car come up.

Q. Was this child that was run over one of the three?

A. It is my real opinion she was, or one of the four, I could not say which.

Q. Where was the fourth child? A. This little one that was killed.

Q. She was the fourth child? A. I thought so..

Q. You thought so? A. Yes, sir, I am certain of it, that it was so.

Q. You have sworn there were four children; that three of them ran across the street? A. Yes, sir.

Q. Where was the fourth one standing when these three ran across the street? A. On the liquor store corner, the north-east corner.

Q. Was the child that was standing on the north-east corner or the liquor store corner the child that was run over?

A. On the liquor store corner.

Q. That was the child that was run over? A. Of course, I am certain it was, because I helped to pick her out from under the car.

Q. When did she start to run? A. Probably it was when the other children had got across on the other side of the street.

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Q. They had got across on the other side of the street?

A. Yes, sir, at the time she was caught.

Q. Did you see this child start from that corner to run?

A. Did I? why certainly I did.

Q. At the time this child started to run from that corner where was this white car? A. Well, it was then probably near the turntable.

Q. That is near the north crossing of 29th street? A. The North crossing.

Q. And when this car was near the north crossing of 29th street this child that was run over started to run across the street from the liquor store corner; is that so? A. That is so.

Q. Which side of the car was this child hurt with? A. The car exactly did not hit the child; it was the horse that hit her.

Q. What part of the horse hit this child? A. I did not exactly notice what part of the horse.

Q. Which side of the horse was this child on when you swore that it was hit by the horse? A. It must be on the north corner when she was hit, when she was knocked down.

Q. You understand Mr. Reel what I mean by the word "side"? A. I do sir. Whether it was on the left side or the right side.

Q. Does that car run to the north corner of the street?

A. Why, certainly; it runs up town, don't it?

Q. Is that the north corner? Is not that the middle of the street? A. That is what I call it. I don't know what you call it.

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Q. Which side of this horse as it was going up-town was it that you say struck this child that was run over? A. I wont swear to that because I could not.

Q. Then you did not see which part of the horse struck this child? A. Certainly not, because I was kind of excited when I see the child caught.

Q. Do you know where this child was standing at the time you say it was struck by this horse? A. Certainly I do; on the corner.

Q. Please state where the child was standing when you say the child was struck by the horse? A. I suppose not more than seven feet from the corner crossing, because hardly any child can get across that crossing without being caught by those cars.

Q. Did you watch these cars in particular? A. Certainly, I did; because it is my business to watch them. I walk up and down that side walk one thousand times a day from one end to the river.

Q. Are you employed to watch these cars? A. No, sir, I am not. I am employed to see squareness and fairness.

Q. Then why do you watch these cars? A. I do not watch these cars.

Q. Then when you swore a few moments ago that you particularly watched these cars, it was not true? A. I didn't swear no such thing.

Q. Where was this child standing at the time you say this horse struck the child? A. I did not swear whether the horse

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struck the child or not.

Q. You say you did not swear the horse struck the child?

A. No I cannot ~~swear~~ say whether it was the horse that hit her- what part of his body or not.

Q. Did you see the horse strike the child? A. Not what part of his body struck the child.

Q. Then when you swore that it must have been the horse that struck the child you did not know that to be the fact?

A. Yes, I know it was some part of the horse's body that hit the child; whether it was the shoulder or not I can't make an affidavit to it.

Q. How do you know it? A. I am certain of it because she would never be rolled under the wheel unless the horse hit her.

Q. Now did you see this child fall? A. Yes, sir; I seen this child fall.

Q. Where did the child fall? A. It fell on the track.

Q. Which track did it fall on? A. On the up town track, of course.

Q. Which rail of the up town track? A. That I would not swear exactly because I am a kind of excitable man, but I think it was on the east side rail. It is my opinion it was.

Q. And all this time you were in 29th street east of First Avenue? A. South of First Avenue.

Q. You were between First Avenue and the River? A: Yes, within fourteen feet of the corner.

Q. Did you see this child picked out from under the car?

A. Yes, sir. At the time the car was backed down ~~and~~ ^I helped to take her little head off the track.

0442

11

Q. Was her head under the wheel? A. Yes, sir.

Q. Which wheel was the head under? A. It is my opinion, because I am an excitable man, it was on the east side wheel. That I wont exactly swear to, but I think it was

Q. Was it the first wheel or the second wheel? A. We backed two wheels off the child before we got her out.

Q. You swear positively that you backed two wheels over the child before you got her out? A. Yes, sir. Her little head leg was cut in mummy and her head stopped the car.

Q. And this was on the east side of the car. A. I wont say for certain. I wont swear to that either. I am most certain it was. As I told you before I was excited. Whether it was the north corner and east side I wont swear for a fact.

Q. Then you are a very excitable man are you not? A. I am kind of since I lost my arm.

Q. Then you were very much excited at this time? A. Not much.

Q. What did you mean a few moments ago when you swore you were excited? A. To that effect I did not swear nothing; but at the time I see the accident I got excited.

Q. Was this child under the wheel of that car when you got over to where the child was? A. Yes, sir.

Q. Did you see how the child got under the wheel? A. Why it must be the knocking down of her by the horse.

Q. But you did not see the horse hit the child? A. Why, certainly I must see unless I was blind.

Q. Do you understand what "hit" means? A. I do. I say I could not tell you exactly what part of the body of the horse hit the child.

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Q. Will you swear that this horse hit that child? A. Yes, sir but what part of the body hit the child I do not know.

Q. Was this car between you and the child? A. It must be of course as long as that child was on the corner.

Q. There is a hill there? A. A turntable on the corner where the horses switch off.

Q. Is this turntable as you call it on the track that this child was run over on? A. Yes, sir, on the down town track. That switches off these one-horse cars, switches off the Belt and these blue and the cars of the Dry Dock.

Q. Did you ever drive a car? A. Yes, sir, in Brooklyn, on Fulton Avenue and East New York. The Captain of the Police got me on there. He is around now at the City Hall in Brooklyn.

Q. Can you see one of these white cars when you are watching your factory on 29th street coming at a rapid rate up the hill from 28th street? A. Yes, sir.

Q. Where does that hill commence? A. It commences probably about the middle of the block between 29th and 28th street.

Q. This child was then picked up by you and several others? A. Yes, sir.

Q. Upon this so called turn-table? A. It was not on the turn-table; it was the other side of the turn-table.

Q. Which side of the turn-table? A. The up town side of the turn-table.

Q. And that turn-table was on this track that this child was run over on? A. On this track where this young man

12 turns around 29th street,

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Q. This man was going up town? A. He was at a rapid rate.

Q. Do you know the rate of speed these cars are permitted to run? A. Not exactly the rate of speed, but I know a little about railroading, coming around a curve; it is a place to walk around - a turn-table.

Q. Was this young man with this car upon the curve or the turn-table at the time the child was killed? A. How was he on the turn-table and he coming up town? It was the other side of the turn-table the child was killed.

Q. Did this young man stop when this child was run over?

A. He had to stop because the child's head stopped him.

Q. Then after he stopped you went over and together with other persons took this child out from under the wheel?

A. Yes, sir; backed two wheels.

Q. After you picked this child from under the wheel what did this driver do? A. He was driving off and was coming on the back trip at the time I had him taken off the front ~~car~~ of the car by a policeman.

Q. He got off his car at the time the child was picked out from under the wheel? A. That I wont swear to. I have told you in an excitement of that kind you will not watch a driver at that time, in a murder like that?

Q. Was there any murder here? A. When the child skull was crushed and its little leg cut in pieces, was not that murder?

Q. Was the child dead when you picked it out from under the wheel? A. No, sir, but her little head fell on its breast this way and her little leg was shaking.

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Q. And this driver drove off at that time? A. After the

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child had been taken out and I followed him and got ^{William} ~~McLean~~ to take him up as he was coming out from the starting place about ten feet coming back again. He took him down to Bellevue then.

Q. Where was this car when it stopped and when you went over to it and found this child under the wheel? A. The other side of the table I tell you.

Q. What do you mean by the other side of the table? A. Well anything up town is the other side, aint it? That table stands very near the curve to switch off the Belt and his car.

Q. Then it was on the upper side of this turn-table where this car was stopped at the time? A. Yes, sir.

Q. Now, in reference to the cross-walk on the upper side of 29th street and First Avenue, was this car stopped upon that crosswalk or did it stop above the crosswalk? A. Well, it must be between the crosswalk and the table where the car stopped. The length of a car and horse is different to me. I cannot exactly swear as to difference between length of car and the length of horse.

Q. Can you swear where this car was stopped? A. Between the turntable and the crossing, up town side. That turn-table I do not know how many feet it is. It is not more than five feet in length.

Q. Where does the turn-table begin? A. It begins of course where the down down track switches off the car he was driving and switches off the Belt and the blue car.

Q. Does that turn-table as you call it begin on the north or south side of 29th street? A. On the north side I would

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call it

Q. That is the up town side? A. Yes, sir.

Q. Does it begin at the north side or upper cross walk or above the upper side? A. I cannot exactly say how many feet from the crossing.

Q. Is it on the upper side of the crosswalk? A. It is on the down town, going down to switch these cars off a little, off the curve or crossing.

Q. You know what I mean by crosswalk? A. I do.

Q. When you speak of turntable you mean a curve? A. Yes.

Q. It is not a turntable it is a curve? A. It is a switch in on the table. There is a switch coming into the turntable.

Q. Is there a turn-table at 29th street and First Avenue?

A. Yes, sir; there is. There is a switch coming into the turntable.

Q. Is there a turn-table at 29th street and First Avenue?

A. Yes, sir, a switch coming into the turntable. You cannot get into that turntable without a switch.

Q. How is this turn-table operated? A. Well, it is operated by a horse standing on it.

Q. And that turn-table is in this track that this car was running upon that run over that child? A. Certainly not.

Q. Is that turn-table at the crossing on the upper side of 29th street or is it on the upper side of the crossing at 29th street and First Avenue? A. It is on the upper side of the crossing of course.

Q. And when this car was stopped it was on the upper side of the crossing? A. It was on the upper side of the ^{turn table} crossing of course.

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Q. Have you a prejudice against this railroad? A. No, sir.

Q. What made you think this car was going faster than other cars. A. Because it is my opinion every one of them is just about the same. They run so quick that no child can pass that crossing without catching it.

Q. And what you know about this car than you base upon some opinion in having seen other cars? A. I base my opinion that he was going at a furious rate

Q. And do all the other cars of this company go at that same rate? A. That I wont swear to but I will swear just exactly what I seen,

Q. How was this horse going? A. I told you he was going at a furious rate.

Q. What do you mean by a furious rate? A. He was galloping.

Q. Just as hard as he could go? A. I would not say whether it was as hard as he could go or not.

Q. But you ran to 34th street ferry to arrest this driver?
A. Yes, sir, gave him to Mullane, a policeman.

Q. Where did you find the driver? A. Coming around that curve from the starting place.

Q. That is between 33rd and 34th street below First Avenue?
A. Yes, sir. In that lot that they have the privilege of running there.

Q. When you saw this accident as you have described it at first, did you run over to the car or did you walk. A. I run.

Q. At the time that you got over to the place where the child was, had the car stopped? A. Yes, sir; cerainly the car had stopped and we had to back it down from the little girls head.

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Q. Was the car stopped when you first saw it? A. It was stopped by this time to get the child from under it.

Q. Then when you were in 29th street about 1400 feet east of First Avenue you looked towards this car and at that time the car was stopped; is that so? A. No, sir; the car was not stopped at the time, sir; but he was going up in a flying gallop at the time he ran over the child.

Q. Were these children standing in the middle of the street? A. No, sir.

Q. Then how ^{did} this child that was run over strike this horse? A. I could not swear what part of the body of the horse hit the child.

Q. You do not know whether it was the east side or the west side? A. No, sir.

Q. Where did you find Mullane? A. I guess it must be on the 32nd street corner. I won't swear positively. It was in the middle of the block between 32nd and 33rd. I hallooed to him, says I "Mullane come; there is a child killed on the 29th street corner."

Q. You say that you have been a car-driver? A. Yes, sir; on Fulton Avenue. I suppose now it is about 14 or 15 years ago.

Q. Do you understand the operation of a car? A. I do and the braking up of a car too.

Q. Do you understand the operation of braking up a car? A. Yes.

Q. In your experience as a car-driver and in the manner of braking up a car in what space can you brake up a car in?

17 A. That I cannot say exactly. Coming up a hill like between

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28th and 29th streets a driver can brake up a car in three seconds.

Q. How much of a distance can a car go in three seconds?

A. That I cannot swear to; it is according to the team of horses you have and according to your own judgment. I wont swear to anything of that kind.

Q. You don't know how far a car can travel in three seconds.

A. I wont swear to that. That is according to the road you are driving on.

Q. Did you see this car stop? A. Yes, sir, at the time the child was under it.

Q. Did the car stop quick? A. That I wont swear to.

Q. You did not see it? A. Why, certainly I saw it at the time you had the child killed.

Q. Why is it you cannot state whether it stopped quick or not? A. I suppose it was the head of the child that stopped the car

Q. Do you swear it was stopped quick? A. No.

Q. You say it was not stopped quick? A. I wont swear to either

Q. Did you see what this driver was doing? A. Certainly not.

Q. Do you know whether this man was attending to his duties or not? A. I will make an affidavit before the Judge that he was not.

Q. In what particular was he not attending to his duties?

A. He was driving too hard against that hill coming around the turn-table.

Q. In what respect was he not attending to his duties?

18 A. I did not watch his eyes.

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19

Q. You do not know anything about which way he was looking?

A. I wont swear that, not one bit of it.

Q. Is it not the fact that at the time you saw this car coming and at the time the car was stopped when the child was run over that the driver was in front of you; that is north of you? A. No, sir it is not the fact.

Q. Where was the driver then when you were on the south side of 29th street? A. I suppose probably standing on the front of his car.

Q. When this child was run over the car was above the north side of the crossing of the street? A. I told you it was the other side of the turn-table.

Q. Was it on the upper side of the crossing? A. Yes, sir; certainly it was.

Q. Then the car being up above that crossing and you on the south side of 29th street 14 feet east of First Avenue, was or was not the driver on the platform of the car as you have already testified? A. Certainly.

Q. Is it the fact that he was not north of you at the time and had his back turned towards you? A. No, he was not and had not his back turned towards me either. I wont swear that.

Q. But you do swear that when the car was stopped it was on the upper side of the upper crossing? A. Between the turntable and the middle of the turntable.

Q. And you have already sworn that that turntable strikes the track on the upper side of the upper crosswalk, have you not? A. Yes, sir.

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Q. Then it was at that point where this car was stopped?

A. Between one end of the turn-table and the middle of it.

Q. Well at that point where the turntable strikes the track this car was stopped? A. There is no curve in that up track; but there is a curve coming in the turn-table but not on the up track.

Q. Do you know what cross-walk means? A. I do.

Q. What I want to know from you Mr. Reel is whether this curve that strikes that down town track to go into 29th street or to turn these other cars down First Avenue in their proper course, as to whether that curve strikes this cross-walk or comes a little above the cross-walk? A. A little above it.

Q. At the time this car was stopped it was opposite to where this switch as you call it strikes that upper track on this track? A. It swings in all the cars on this table.

Q. You have said that that was on the upper side of the cross walk? A. I never said any such thing. I was at the putting down of that table.

Q. Where did this car stop? A. Between the upper end of the table and the middle of it.

Q. Is there a table on this track? A. Not the up-town. There is on the down town track that switches all these cars off.

(Diagram of streets drawn and explained to witness)

Q. On the track where the car was coming up town where did that car stop? A. It was between the upper end of the turn-table and the middle of it.

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By the Court:

Q. Is there any turntable on that track? A. The horse, Judge, to my best opinion was on the other side of that table. Part of the car got over the upper crossing.

Q. Are you sure that part of it did? A. I do not know.

By Mr. Conner:

Q. The fact is you do not know where this car stopped?

A. I have made affidavit that I knew it was between the upper end of the turn-table and the crossing.

Q. Was that car when it stopped at this crosswalk or up above the crosswalk? A. It did not stop at the crosswalk.

Q. Was it above the crosswalk? A. It is my real opinion it was.

Q. Is it the best of your impression or the best of your opinion that the car was above the crossing when it stopped?

A. I would not swear to it

Q. Do you know where the horse stopped? A. Certainly; the head of the horse passed the upper part of the table.

(Court explains to witness by diagram)

By the Court:

Q. I want to know on this track how far this car got before it stopped; did it get all the way across the crossing or part of it? A. Part of it.

Q. You cannot say whether all of it did or not? A. I won't swear to that, Judge.

2. *You did not see which way this driver was looking? A. No.*

By Mr. Conner:

Q. You do swear that this driver was whipping his horse as fast as he could? A. Yes, sir; I swear to that as a fact; going at a furious rate.

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Q. What else was the driver doing at the time? A. I could not say.

Q. When you first saw the car where was it? A. Coming in the middle of the block from 28th street

Q. You saw the car in the middle of the block between 28th and 29th street? A. Yes, sir

Q. At the time you saw it in the middle of the block between 28th and 29th street he was going at a furious rate? A. Yes, sir

Q. He was galloping? A. Yes, sir.

Q. Then you are positive that both wheels were rolled back over this child at the time she was picked up? A. Yes, sir.

Q. Both wheels of the car passed over this child? A. Yes.

Q. You have also sworn that it was the east side of the car that run over the child? A. I said to the best of my opinion.

Q. Which side of the car was it that run over the child?

A. I wont say for certain.

Q. Which side of the car did you pick the child out from under? A. I could not swear to that.

Q. What part of the child was under the wheel when you picked it out? A. The head.

Q. Was the wheel resting upon the head? A. No, against it.

Q. What other part of the child was under the wheel? A. I could not say

Q. You swear positively the head of the child was under the wheel? A. Yes, sir.

Q. Had the wheel gone entirely over the head? A. It must be when the head was smashed.

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Q. Was the head smashed? A. Yes, sir; all split in two.

Q. Was the child dead when you picked the child up? A. I did not pick the child up. The child was lying this way. The sinews of the leg you could see under the knee.

Q. The leg was under the wheel? A. I did not see it.

Q. You saw the head under the wheel? A. Yes, sir.

Q. Are you sure of that? A. Yes, sir.

Q. Did you see this red car? A. Yes, sir, I saw the red car and the blue car stop between the middle of the block. I understood that from gentlemen here yesterday.

Q. Do you swear that from information that you received yesterday that this car was there or do you know that of your own knowledge? A. No, sir, I don't.

Q. Which will you have it? A. My own.

Q. Your own knowledge? A. Yes, sir.

Q. Of your own knowledge where was this red car? A. I won't say the distance between.

Q. Do you know where the red car was? A. It was the other side of the table; I won't say how many feet.

Q. Was it at 30th street or 29th? A. It was between 30th and 29th.

Q. Was it the middle of the block? A. Near 30th street corner.

Q. When these children ran across the street was there anything in the way to prevent them from going straight over? A. Nothing that I could see.

Q. They got across in safety, did they? A. Three of them did, I think it was three.

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Q. When you first saw them it was upon the corner of 29th street? A. Yes, sir.

Q. They were not standing in the middle of the street?

A. That I wont swear to.

Q. You don't know whether they stood there or not? A. No.

Q. But the fact is the car was between you and the down town track, was it not? A. Yes.

Q. You were standing on the south side of 29th street 14 feet east of First Avenue? A. That is about as I stood.

Q. Was there anything following this car? A. Nothing that I could see.

Q. You do not think there was anything else following this car up the Avenue? A. Not that I could see.

Q. But you did see this car? A. Yes, sir.

Q. Have you talked with anybody since yesterday about this case? A. I did not unless with my wife.

Q. You talked with your wife? A. Not about the case, only told I was coming to court this morning.

Given before me
U. S. 18 day of Dec 1882
Henry + Ruel
Mark
J. K. Kell
John Kell

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0456

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Christopher Muller

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

Christopher Muller

of the CRIME OF Manslaughter
committed as follows:

The said

Christopher Muller

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

in and upon one

Margaret Muller, in the peace of the said People
then and there being, feloniously made an
assault, and the said Christopher Muller, a cer-
tain car, drawn by a certain horse then and
there being driven by him the said Christopher
Muller upon a public highway there, with
great speed, at, against and upon her the said Mar-
garet Muller, then and there wilfully, culpably
negligently and feloniously, did drive, and her
the said Margaret Muller, with the car afore-
said, and the horse aforesaid, then and there
culpably, negligently and feloniously did, strike,
knock down, and run over, giving unto the said
Margaret Muller then and there, as well by
the driving of the said horse and the car
aforesaid, at, against and upon her the said Mar-
garet Muller, as by the striking, knocking down
and running over of her the said Margaret Muller
with the car and horse aforesaid, divers mortal

wounds, bruises, fractures and crushings, of and in the body of her the said Margaret Mullen, of which said mortal wounds, bruises, fractures and crushings, the said Margaret Mullen, from the said eighth day of November in the year aforesaid, until the ninth day of November in the same year aforesaid, at the City and County aforesaid, did languish, and languishing did live, on which said ninth day of November in the year aforesaid, the said Margaret Mullen, at the City and County aforesaid, of the mortal wounds, bruises, fractures and crushings aforesaid, did die.

And so the Grand Jury aforesaid, do say that the said Christopher Miller, her the said Margaret Mullen, in manner and form aforesaid, on the day and in the year aforesaid, at the City and County aforesaid, feloniously did kill and slay, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John M. Deon

District-Attorney

0458

BOX:

87

FOLDER:

950

DESCRIPTION:

Muller, John

DATE:

12/19/82



950

Martin called in
Fulton of Cap
says he never has
arrived before

John Warden
Comptroller
He is in the
house of the
Chambers good

Officer says that
in fact appears
Preliminary Record

193

Verbill
Counsel,
Filed 19 day of Dec 1882
Pleads Property (2)

1882 THE PEOPLE
vs.
John Warden
Grand Larceny, 1st degree, and
Possession of stolen goods

JOHN McKEON,
District Attorney

A True Bill.
Straper
Part 2 Jan 5, 1883 Foreman.
Pleads P. L.
L. J. Jones
F. J.

0460

District Police Court.

Affidavit of Larceny.

CITY AND COUNTY
OF NEW YORK, } ss

of No. 1008, 2 Avenue Street.

John Walters, aged 27 years

being duly sworn, deposes and says, that on the 9th day of December 1882at 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 said premises in the nighttime
the following property, viz:

One over coat of the value of
Twenty dollars. One dress coat, one
best of the value of Twenty Eight dollars
One Pink pocket handkerchief of the
value of Fifty cents. One pair of kid
gloves of the value of One dollar
One Ball ticket of the value of
Fifty cents.
All of the value of Fifty 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 John Muller (now present),

with the intent to deprive the owner
of said property. From the fact that
previous to said larceny the said
property was in deponent's room
in said premises, and said Muller
has admitted and confessed to deponent
in the presence of Officer John McGowan
that he Muller did so take steal and
carry away the said property from the
possession of deponent.

John Walters

Sworn before me this

11th day of December 1882

Police Justice.

0461

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am guilty of the charges preferred against me John Muller

John Muller

Taken before me this

day of December 1887

John A. Smith
Justice

0462

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

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

Dated December 11 188

Solomon B. Smith
Police Justice.

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

Dated Dec 11 188

Solomon B. Smith
Police Justice.

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

Dated _____ 188

_____ Police Justice.

0463

BAILED

No. 1, by Julius Hoffmann
Residence 1076 3d Ave Street,

No. 2, by _____
Residence _____ Street,

No. 3, by _____
Residence _____ Street,

No. 4, by _____
Residence _____ Street.

Police Court 1004 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Watters
1008 2nd St
John Muller

1 _____
2 _____
3 _____
4 _____

Office of Grand Jurors

Dated December 11 1888

John Smith Magistrate.

John M. Gowan Officer
John Buff Clerk.

Witnesses John M. Gowan
No. 19 Street, Prinich Police

No. _____ Street,

No. _____ Street,

* _____ to answer

Bailed

0464

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Miller

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

John Miller

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

The said

John Miller

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the ~~ninth~~ *two* day of ~~December~~ *January* in the year of our Lord one thousand eight hundred and eighty-~~two~~ *two*, at the Ward, City and County aforesaid, with force and arms ~~in the night time of said day~~ *one overcoat of the value of twenty* dollars, one coat of the value of twenty *four* dollars, one vest of the value of *four* dollars, one handkerchief of the value of *fifty* cents, two *gloves of the value of fifty cents each*

of the goods, chattels and personal property of one *John Walters, in the dwelling house of the said John Walters where it was then and there being found, then and there* feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John McLean

District Attorney

0465

BOX:

87

FOLDER:

950

DESCRIPTION:

Murphy, Bernard

DATE:

12/06/82



950

WITNESSES.

3A

Day of Trial,
Counsel, *W. H. K.*
Filed *6* day of *Dec.* 188*2*

Pleaded *Not Guilty (7)*

THE PEOPLE

vs.

P

Bernard Murphy

JOHN McKEON,

District Attorney.

A True Bill.

Geo. J. Moore

Dec. 8. 1882

Foreman.

Speed & Keen

0466

0467

Police Court—1st District.

CITY AND COUNTY
OF NEW YORK, } ss.

of No. 248 Elizabeth Street,

being duly sworn, deposes and says, that
on Friday the first day of December

in the year 1882 at the City of New York, in the County of New York,

She was violently and feloniously ASSAULTED and BEATEN by

Bernard Murphy now here
who did wilfully and
maliciously cut and wound
the flesh of deponent's right
arm with and by means of
a certain knife and sharp
dangerous weapon which
he Murphy then and there
held in his hand

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

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

Sworn to before me, this 2 day
of Dec 1882

A. L. Morgan POLICE JUSTICE.

Ellen Dodge
Mary

0468

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, ss.

1st District Police Court.

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

Question What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

*Am not guilty of the
charge*
Bernard Murphy

Taken before me this
day of *Sept* 189*1*

John J. Murphy

Police Justice.

0469

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

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

Dated Dec 2 188 R. L. Morgan Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice

0470

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Ellen Dodge
248 Elizabeth St.
Bernard Murphy

2
3 *First Degree*
4

Office, 1000 Broadway

BAILED,

No. 1, by _____

Residence _____ Street,

No. 2, by _____

Residence _____ Street,

No. 3, by _____

Residence _____ Street,

No. 4, by _____

Residence _____ Street.

Dated *Dec 2* 188 *2*

Morgan Magistrate.

Thomas D. Mitchell Officer.

14 Clerk.

Witnesses, _____

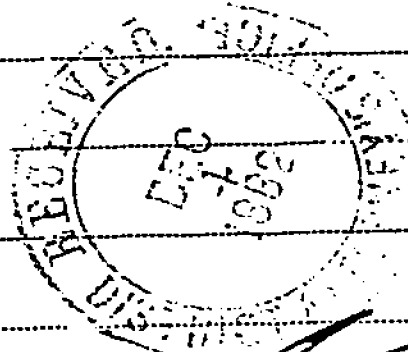
No. _____ Street,

No. _____ Street,

No. _____ Street,

\$ *1000* to answer *Y. D.*

Committed



0471

COURT OF GENERAL SESSIONS OF THE PEACE
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Bernard Murphy

The Grand Jury of the City and County of New York, by this indictment, accuse
Bernard Murphy
in the first degree,
of the CRIME OF "Assault and Battery," committed as follows:

The said

Bernard Murphy

late of the City of New York, in the County of New York, aforesaid, on the
first day of December in the year of our Lord
one thousand eight hundred and eighty two with force and arms, at the City and
County aforesaid, in and upon the body of Ellen Dodge
in the peace of the said people then and there being, feloniously did make an assault
and her the said Ellen Dodge
with a certain knife
which the said Bernard Murphy

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

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said
Bernard Murphy
in the second degree,
of the CRIME OF "Assault and Battery," committed as follows:

The said

Bernard Murphy

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid,
with force and arms, in and upon the body of the said Ellen
Dodge then and there being, wilfully and feloniously did make an
assault and her the said Ellen Dodge
with a certain knife which the said

Bernard Murphy

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

JOHN McKEON, District Attorney.

0472

BOX:

87

FOLDER:

950

DESCRIPTION:

Murphy, Michael

DATE:

12/11/82



950

77

Day of Trial,
Counsel,
Filed *11* day of *Dec* 188*2*
Pleads *Not Guilty (12)*

THE PEOPLE

vs.
P
Michael Murphy
BURGLARY—Third Degree,
NOTHING STOLEN.

JOHN McKEON,
District Attorney.

A True Bill.

Geo. H. Moore
Foreman.
December 15. 1882

Open & Acquitted.

0474

Sec. 212.

6th District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

It appearing to me by the within depositions and statement that the crime therein mentioned

Burglary & Attempted Larceny

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

Michael Murphy

guilty thereof, I order that he be held to answer the same, and the said crime being bailable by me, but bail not having been taken by me, I order that he be admitted to bail in the sum of Five Hundred Dollars and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated at the City of New York, December 6th 1882

Hugh J. [Signature] Police Justice

0475

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.6th DISTRICT POLICE COURT.

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

Question. What is your name?

Answer. *Michael Murphy*

Question. How old are you?

Answer. *19 years of age*

Question. Where were you born?

Answer. *Hartford Connecticut*

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

Answer. *New Haven! 15 years*

Question. What is your business or profession?

Answer. *Curry-Comb Maker.*

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

Answer. *I opened the door of the car, and went in for the purpose of having a sleep. I did not break the car door.*

Taken before me, this *6th*
day of *December* 188*2*

M. R. Murphy

Amos Gardner Police Justice.

0476

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

Sixth District Police Court.

of No. 134th Street between Willis & Alexander Avenues
being duly sworn, deposes and says,
that on the 5th day of December 1882
at the City of New York, in the County of New York, Car No 1202

of the New York, New Haven & Hartford Rail
Road Company marked A. V. R. R. and
standing in the yard of said Company
at Harlem River depot, was Burglariously
entered by means of forcibly breaking the
seal of the door, and removing a cleat
and opening said door, and entering
therein with intent to commit a crime
on the evening of the day above mentioned
and a quantity of Merchandise, of various
kind contained in cases and being of
the value of One hundred & more dollars
the property of said New York, New Haven
& Hartford Rail Road Company, a common
Carrier, said company being duly incorporated
and said property was in deponent's care
& charge as Night Watchman, and deponent
further says and has cause to believe that
the aforesaid Burglary was committed and
the property before mentioned attempted to
feloniously taken stolen and carried away
by Michael Murphy (now here) from
the fact that deponent found the
seal broken and the cleat removed from
the door of said car and said Michael
Murphy therein, that the said Michael
Murphy had no lawful right or claim
in said car or upon said premises -

Sworn to before me this { Thomas J. Russell
6th day of December 1882 }
J. J. [Signature]
Police Justice

0477

Form 9.

POLICE COURT-SIXTH DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James Russell
134 St. St. Hillis and
Alexander Dr.
Michael Murphy

3 Degree
Dated December 6th 1892

Murray Magistrate.

Richard Linn Officer. 33rd Precinct

Witnesses:

Frederick C. Payne

Harlem R. R. Station

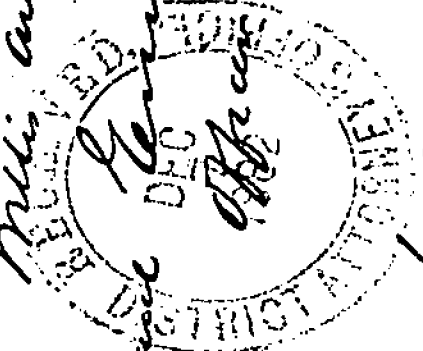
Hill and Southern Railroad

Richard Linn

33rd Precinct

\$1000 to Mrs. L. L.

Can



1074
Burglary & Larceny & Battery

AFFIDAVIT.

0478

COURT OF GENERAL SESSIONS OF THE PEACE
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Michael Murphy

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

Michael Murphy

of the crime of BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

Michael Murphy

late of the *Twenty third* Ward of the City of New York, in the County of New York aforesaid, on the *fifth* day of *December* in the year of our Lord one thousand eight hundred and eighty*two* with force and arms, at the Ward, City and County aforesaid, the *railroad car* of *the New York, New Haven and Hartford Rail Road Company* there situate, feloniously and burglariously did break into and enter the said *car* being then and there a building in which divers goods, merchandise, and valuable things were then and there kept for use, sale and deposit; the same being the goods, chattels, and personal property of *the New York, New Haven and Hartford Rail Road Company* with intent the said goods, merchandise and valuable things in the said *car* then and there being then and there feloniously and burglariously to steal, take, and carry away

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

JOHN McKEON, District Attorney.

0479

BOX:

87

FOLDER:

950

DESCRIPTION:

Murray, James

DATE:

12/15/82



950

0480

In this case I am
informed by the officer
that it is a matter of mere
chance whether I will ever
be able to find the con-
planning witness. The deft.,
however, is willing to plead
guilty to have the matter
disposed of. He has left
the business and never
intends to commence
it again. Under these
circumstances, I recom-
mend mercy.

May 22. 1883 *W. B. B.*

12. 8. 82.

101 Bill on *Boyan*

Day of Trial,

Counsel,

Filed *15* day of *Dec* 188*2*

Pleads *Not Guilty (18)*

THE PEOPLE

vs.

B
James Murray

27
Heck

Wednesday 20

JOHN McKEON,

District Attorney.

A True Bill.

W. B. B.

Hayes Foreman.
Guilty

Fined \$100.

ad.

Selling Lottery Policies.

0481

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

John Heard
of Police Officer 1st Inspection District Street,
being duly sworn deposes and says, that on the 8 day of
December 1887 at No. 94 Houston
Street, in the City and County of New York,

James Murray
did unlawfully and feloniously sell and vend to
Deponent for twenty cents
a certain paper and document, the same being what is commonly known as,
and is called a Lottery Policy, and which said Lottery Policy, writing, paper,
and document is as follows, that is to say: the annexed ticket
to wit: Number 1-13-18-51. which purports
to bear numbers in the drawing or
drawn numbers of in certain lotteries
unauthorized by the laws of the state
of New York
Wherefore deponent prays that the said James Murray
may be dealt with according to law.

Sworn to before me, this 8

day of December 1887

John Heard

Andrew White

Police Justice.

0482

Police Court / District.

THE PEOPLE, & c.,
ON THE COMPLAINT OF
SELLING LOTTERY POLICIES.

John Heard

vs.

Dated Dec 8 188

White Police Justice.

Officer.

Witness:

to answer.

Bailed by

Residence

Street.

0483

Sec. 151.

Police Court.....District.

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

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police
Justices for the City of New York, by John Hearst
of Police Officer Inspection District Street, that on the 1 day of December
1887 at the City of New York, in the County of New York,

James Murray of No 94 Houston
Street did unlawfully sell and send
to complainant for twenty cents a certain
paper commonly called a lottery ticket
purporting to insure a chance
in the drawing or draw number of a
certain lottery purporting to be
of the State of New York.
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
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him
forthwith before me, at the.....DISTRICT POLICE COURT, in the said City, or in case of my absence
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
be dealt with according to law.

Dated at the City of New York, this 1 day of December 1887

Andrew J. White POLICE JUSTICE.

POLICE COURT.....DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-General.

Dated.....188

Magistrate

Officer.

The Defendant

taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

Officer.

Dated.....188

This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

Time of Arrest,

Native of

Age,

Sex

Complexion,

Color

Profession,

Married

Single,

Read,

Write,

0484

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

DISTRICT POLICE COURT.

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

Question. What is your name?

Answer.

James Murray

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

New York

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

Answer.

116 Hester 9 years

Question. What is your business or profession?

Answer.

Bar tender

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

Answer

I am not guilty

James Murray

Taken before me, this

day of

Dec 1st 1888

Arthur J. Webb Police Justice

0485

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

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

Dated Dec 9 1882 Andrew White Police Justice.

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

Dated 9 Dec 1882 Andrew White Police Justice.

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

Dated _____ 188 _____ Police Justice.

0486

Antoniou Court
be found at
BAILED,
No. 1 by *Samuel Emerson*
Residence *175 E 63* Street,
No. 2, by ~~*St East Street*~~
Residence _____ Street,
No. 3, by _____
Residence _____ Street,
No. 4, by _____
Residence _____ Street.

107 21/2
107 21/2
Police Court

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Heard
"Inspection List"

1 *James Murray*
2 _____
3 _____
4 _____

Offence,

Dated

1 December 188 *2*
A. P. White Magistrate.
Heard Officer.
Co Clerk.

Witnesses,

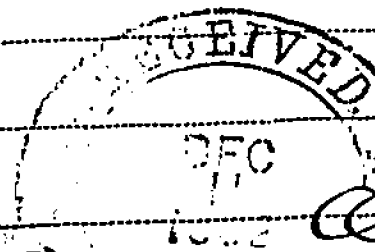
John Heard
No. _____ Street,
No. _____ Street,

No.

\$-

200 to answer

Walter



0487

B. E. D.

1-13-18-51

4945

20,0

0488

COURT OF GENERAL SESSIONS
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

James Murray

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

James Murray

of the CRIME OF "Vending and Selling to another what are commonly known as and called Lottery Policies," committed as follows:

The said

James Murray

late of the *Seventeenth* Ward, in the City and County aforesaid,
on the *eighth* day of *December* in the year of our Lord one
thousand eight hundred and eighty *two* at the Ward, City and County aforesaid,
with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply, to one

John Deard

and did procure and cause to be procured for the said

John Deard

a certain paper, instrument, and writing, commonly called a lottery policy, which said paper, instrument, and writing, called a lottery policy, is as follows, that is to say:

B Ex De

1 - 13 - 18 - 51

4295

(a more particular description of which said instrument and writing so commonly called a lottery policy, is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

0489

SECOND COUNT—

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

James Murray
of the CRIME OF "Vending and Selling to another what is commonly known as and called Lottery Policies," committed as follows :

The said

James Murray
late of the Ward, City and County aforesaid, afterwards, to wit : On the day and in year aforesaid, and on divers other days and times between that day. and the day of the taking of this inquisition, was and yet is a common gambler ; and that he the said

James Murray
on the day and in the year aforesaid, and on said other days and times between that day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, at and in a certain room in a building, known as number *ninety*

Four East Houston Street

in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply to divers persons (whose names are to the jurors aforesaid unknown and cannot now be given), and did procure, and caused to be procured, for the said divers persons (whose names are to the jurors aforesaid unknown), certain instruments and writings, commonly known as and called lottery policies (a more particular description of which is to the Grand Jury aforesaid unknown and cannot now be given), against the form of the statute in such case made and provided, and against the Peace of the People of the State of New York and their dignity.

THIRD COUNT—

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

James Murray
of the CRIME OF "Vending and Selling to another, what are commonly known as and called Lottery Policies," committed as follows :

The said

James Murray
late of the Ward, City and County aforesaid, on the day and in the year aforesaid, and on divers other days, was and yet is a common gambler :

And that he the said

James Murray
afterwards on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, at and in a certain room in a certain building, known as number *ninety*

Four East Houston Street

in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply to one

John Heard
and did procure and cause to be procured for the said

John Heard
a certain instrument and writing, commonly known as and called a lottery policy, which said instrument and writing commonly called a lottery policy, is as follows, that is to say :

B. Ex De
1-13-18-51
4 2 5

(a more particular description of which said instrument and writing so commonly called a lottery policy, is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

0490

FOURTH COUNT—

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

James Murray
of the CRIME OF "Selling and Vending a paper and writing, in the nature of a bet and wager upon the drawn numbers of a Lottery," committed as follows:

The said

James Murray
late of the *Seventeenth* Ward, in the City and County aforesaid,
on the *eight* day of *December* in the year of our Lord one
thousand eight hundred and eighty *two* at the Ward, City and County aforesaid,
with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply, to one

John Deard
and did procure and cause to be procured for the said

John Deard
a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain Lottery, wherein certain monies were set up for distribution by lot or chance, a more particular description of which said lottery is to Grand Jury aforesaid unknown, and cannot now be given, which said paper and writing, is as follows, that is to say:

B. Ex De
1-13-18-51
4 2 5

(a more particular description of which said paper and writing, is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

FIFTH COUNT—

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

James Murray
of the CRIME OF "Vending and Selling a writing, paper and document in the nature of an insurance upon the drawing of a Lottery, committed as follows:

The said

James Murray
late of the Ward, City and County aforesaid, afterwards, to wit: On the day and in year aforesaid, and on divers other days and times between that day, and the day of the taking of this inquisition, was and yet is a common gambler; and that he the said

James Murray
on the day and in the year aforesaid, and on said other days and times between that day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, at and in a certain room in a building, known as number *ninety four*

East Houston Street
in said Ward, City and County, with force and arms, did unlawfully and knowingly vend, sell, barter, furnish and supply to one

John Deard

0491

John Deard

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain Lottery wherein divers monies were set up to be distributed by lot and chance, a more particular description of which said Lottery is to the Grand Jury aforesaid unknown, and cannot now be given, which said paper, writing and document is as follows, that is to say :

BE x DE
1-13-18-51
4 E 75

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in such case made and provided, and against the Peace of the People of the State of New York and their dignity.

JOHN McKEON

District Attorney

Day of Trial, _____
Counsel, _____
Filed 15 day of Dec 1882
Pleads Not Guilty

THE PEOPLE
v.s.

Selling Lottery Policies.

JOHN MCKEON,

District Attorney.

A True Bill.

Geo. A. Moore
 James C. Chapman.
 Henry D. Gentry.
 Fined \$100.

Fined \$100.

In this case I am
informed by the officer
that it is a matter of mere
chance whether I will ever
be able to find the com-
plaining witness. He depts,
however, is willing to plead
guilty to have the matter
disposed of. He has left
the business and never
intends to commence
it again. Under these
circumstances, I receive
no money.

May 22. 1883 J. W. B. J. W. B.

May 22. 1983

12.8.83.

0492

BOX:

87

FOLDER:

950

DESCRIPTION:

Mulligan, James

DATE:

12/20/82



950

0493

214
Filed 20 day of Dec 1882
Pleeds *Not guilty - (21)*

THE PEOPLE

vs.

B
James M. McKeon
Assault and Battery - Felonious.
Firearms.

JOHN McKEON,
District Attorney.

A True Bill

W. W. Wagon

Foreman.

Dec 21 1882
February Term
Off. Court July 15 8 1/2 1882
Recd Feb 11 1887

0494

Police Court— 2d District.

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

Franz Chum

of No. 57 Seventh Street,

being duly sworn, deposes and says, that
on the 18th day of October

in the year 1882 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by James Mulligan
(now here) who wilfully pointed aimed
and discharged a pistol loaded
with powder and ball at deponent
in saloon no 75 West Houston
Street in said City.

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, etc., and be dealt with according to law.

Sworn to before me, this 19 day
of Oct 1882 }

Franz Chum.

R. W. Brady

POLICE JUSTICE.

0495

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

2d

District Police Court.

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

Question What is your name?

Answer. James Mulligan

Question. How old are you?

Answer. 22

Question. Where were you born?

Answer. New York

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

Answer. 280 Mott St. Two mos

Question. What is your business or profession?

Answer. Plumber

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

Answer. I was going through Houston St and some parties had a fight in a saloon and Harvey came out with his head cut. I never was in the saloon or fired a pistol or had one

James Mulligan

Taken before me this

19

day of Oct

188

Police Justice.

0496

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

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

Dated Oct 19 1882 R W Murphy Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0497

I have carefully examined the facts & believe that \$500 bail is sufficient

Oct. 24. 82

H. C. Allen

Acting after H. C. Allen
recommends

BAILED,

No. 1 by Frederick A. Rankin

Residence 116 North Street,

No. 2, by _____

Residence _____ Street,

No. 3, by _____

Residence _____ Street,

No. 4, by _____

Residence _____ Street.

Bail fixed at
\$500.

L.S.

Police Court 2d District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Frank Churn

vs. James Mulligan

2 _____

3 _____

4 _____

Office, Telephone

Dated October 19 188 2

B. O. Bixby Magistrate.

James Cunningham 8th Officer.

Clerk.

Witnesses: Adolph Stephenson

No. 59 N 12th Street,

Reuben Boehm

No. 75 W Houston Street,

No. _____ Street,

\$ Canon to answer



0498

Not found
PART I
THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK
If this Subpoena is disobeyed, an attachment will immediately issue.
Bring this Subpoena with you, and give it to the Officer at the Court-Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

The People of the State of New York,

To *Frank Ohm*

of No. *575* *7"* Street,

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *15* day of *Feb* instant, at the hour of eleven in the forenoon of the same day, to testify the truth, and give evidence in our behalf, against

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

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

JOHN McKEON, District Attorney.

0499

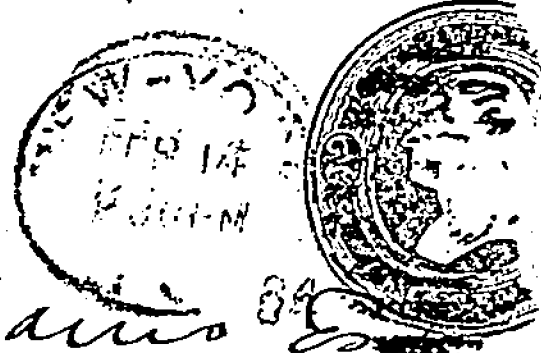
Compliment
June to Europe
July 15, 1884
G. H. A.

0500

If not called for in Five Days, return to

EUGENE CRUGER, Secretary,
No. 25 MAIDEN LANE,
NEW YORK CITY.

George T. Adams Esq.
35 Wall St.
N.Y. City



0501

District Attorney's Office.

Part One
PEOPLE

vs.

James Mulligan

Friday

Feb 15

Served

0502

COURT OF GENERAL SESSIONS OF THE PEACE
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Mulligan

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

James Mulligan

of the CRIME OF "Shooting at another with intent to kill," committed as follows:

The said

James Mulligan

late of the City of New York, in the County of New York, aforesaid, on the ~~eighteenth~~ day of ~~October~~ in the year of our Lord one thousand eight hundred and eighty ~~two~~ with force and arms, at the City and County aforesaid, in and upon the body of *Franky Chun* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *Franky Chun* a certain ~~pistol~~ then and there loaded and charged with gunpowder and one leaden bullet, which the said *James Mulligan* 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

Franky Chun

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

SECOND COUNT.

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

James Mulligan

of the Crime of Shooting and Discharging off a ~~pistol~~ at another, without justifiable or excusable cause, with intent to injure such other, committed as follows:

The said

James Mulligan

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Franky Chun*

Chun then and there being, wilfully and feloniously did make an assault and to, at and against *him* the said *Franky Chun* a certain ~~pistol~~ then and there loaded and charged with gunpowder and one leaden bullet, which ~~he~~ the said

James Mulligan in ~~his~~ right hand, then and there had and held, wilfully and feloniously, and without justifiable or excusable cause, did then and there shoot off and discharge, with intent, thereby *him* the said

Franky Chun

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.

JOHN McKEON, District Attorney,

0503

BOX:

87

FOLDER:

950

DESCRIPTION:

Murray, John

DATE:

12/19/82



950

0504

65P

151
Filed 19 day of Dec 1882
Pleads Not Guilty (20)

THE PEOPLE
vs.
John Draper
Assault in the First Degree.
(Firearms.)

JOHN MCKEON,
District Attorney.

A TRUE BILL.

John Draper
Foreman.
Jury 2/3
Discharge by Court

The Defendant at the
Law of the Court says
that the jury was in
all probability an
accident - hence there
could be no conviction
as there is no other notice
of the accused. I therefore
recommend - discharge of
the juror on his own
recognition. The Court
May 2, 83

0505

Police Court— 2 District.

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

of No. 490 - 10th Avenue Street,

on Tuesday the 15 day of December
in the year 1882 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and ~~BEATEN~~ by

John Murray
now present. who intentionally and
deliberately aimed and dis-
charged at deponent's body.
The contents of one chamber of a
revolver pistol loaded with
powder and lead.

with the felonious intent to take the life of deponent, ~~or to do him bodily harm~~, and with out any justification on the part of the said assailant :

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

Sworn to before me, this

15 day
of December 1882 } Thomas M. Garry

12th Ave POLICE JUSTICE.

0506

Sec. 198-209.

CITY AND COUNTY
OF NEW YORK, ss.

2 District Police Court.

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

Question What is your name?

Answer.

John Murray

Question. How old are you?

Answer.

20 years.

Question. Where were you born?

Answer.

In New York City.

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

Answer.

749-9 Avenue.

Question. What is your business or profession?

Answer.

Bar tender

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

Answer.

I have nothing to say at present.

John Murray

Taken before me this

day of December 1888

Police Justice.

0507

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

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

Dated *15 December* 188*2* *M. W. M. J.* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0508

Police Court--1037 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas McGarry
vs. John Murray

Offence, assault
No. 900

BAILED,

No. 1 by _____
Residence _____ Street,

No. 2, by _____
Residence _____ Street,

No. 3, by _____
Residence _____ Street,

No. 4, by _____
Residence _____ Street.

Dated 15 December 1887

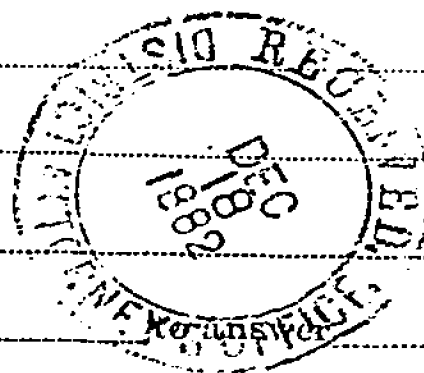
Richard Magistrate.
Harrison Officer.
29 Clerk.

Witnesses, The officers
No. with patrol Street,

No. _____ Street,

No. _____ Street,

\$ _____



0509

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

John Murray

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

John Murray

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

The said *John Murray*

late of the City of New York, in the County of New York aforesaid, on the ~~thirteenth~~ day of ~~December~~ in the year of our Lord one thousand eight hundred and eighty ~~two~~ with force and arms, at the City and County aforesaid, in and upon the body of *Thomas McGarry* in the peace of the said People then and there being, feloniously did make an assault, and to, at and against *him* the said *Thomas McGarry* a certain ~~pistol~~ then and there loaded and charged with gunpowder and one leaden bullet, which the said *John Murray* 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 *Thomas McGarry* thereby then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided. and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

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

John Murray

of the Crime of assault in the second degree, committed as follows:

The said *John Murray*

afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Thomas McGarry* then and there being, feloniously did, willfully and wrongfully, make an assault, and to, at and against *him* the said *Thomas McGarry* a certain ~~pistol~~ then and there loaded and charged with gunpowder and one leaden bullet, which *he* the said *John Murray* in *his* right hand, then and there had and held, the same being an instrument likely to produce grievous bodily harm, feloniously did, willfully and wrongfully then and there shoot off and discharge

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

JOHN McKEON, District Attorney.