

0604

BOX:

116

FOLDER:

1233

DESCRIPTION:

Marshall, John

DATE:

10/22/83



1233

0605

NOTE

Counsel,

Filed 22-day of Oct 1883

Pleads

Atquell (23)

THE PEOPLE

vs.

R

John

Marshall

Burglary, Second Degree,
Grand Larceny, Goods,
and Receiving Stolen Goods,
(Sections 107, 500, 528, 530, and 530.)

JOHN McKEON,

District Attorney.

A True Bill.

W. W. Clarendon

Ref 23/2 Foreman

W. W. Clarendon
S. P. Foreman

0606

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 Marshall

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

of the CRIME OF BURGLARY IN THE Second DEGREE, committed as follows:

The said John Marshall

late of the Tenth Ward of the City of New York, in the County of New York aforesaid, on the nineteenth day of October in the year of our Lord one thousand eight hundred and eighty-three with force and arms, about the hour of one o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of Siggie Bensinger

there situate, feloniously and burglariously did break into and enter,

whilst there was then and there some human being, to wit, one Josephine Bensinger within the said dwelling house, the said

John Marshall

then and there intending to commit some crime therein, to wit: the goods chattels and personal property of the said Siggie Bensinger in the said dwelling house 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.

0607

SECOND COUNT.

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

John Marshall
of the CRIME OF GRAND LARCENY IN THE First DEGREE, committed as follows:

The said John Marshall

late of the Ward, City and County aforesaid, afterwards, to wit; on the said Six -
teenth day of October in the year of our Lord one thousand eight
hundred and eighty- three, at the Ward, City and County aforesaid, in the
night time of said day, with force and arms, one coat
of the value of three hundred
dollars.

of the goods, chattels and personal property of one Seopold
Adler in the dwelling house of one
August Benninger there situate, then and there being found
in the dwelling house aforesaid, 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.

0608

THIRD COUNT.

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

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

The said John Marshall

late of the Ward, City and County aforesaid, afterwards, to wit: on the said Six-
teenth day of October in the year of our Lord one thousand eight
hundred and eighty Three, with force and arms, at the Ward, City and County
aforesaid, one stack of the value
of three hundred dollars

of the goods, chattels and personal property of Leopold Adler

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before
feloniously stolen of the said Leopold Adler

unlawfully and unjustly did feloniously receive and have (the said John
Marshall)

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

JOHN McKEON,

District Attorney.

0609

BAILED,
No. 1, by _____
Residence _____
Street _____
No. 2, by _____
Residence _____
Street _____
No. 3, by _____
Residence _____
Street _____
No. 4, by _____
Residence _____
Street _____
Witnesses _____
No. _____
Street _____
No. _____
Street _____
No. _____
Street _____
\$ _____ to answer _____

Police Court _____ District. 198.

FILE PEOPLE, &c.,
ON THE COMPLAINT OF

1 John Marshall
2 _____
3 _____
4 _____
Offence Burglary

Dated Oct 16 1883
Gardner Magistrate.
S. J. Gardner Officer.
10 Precinct.

OCT 18 1883

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 Marshall

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 October 16 1883 Henry Gardner 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.

06 10

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

3

DISTRICT POLICE COURT.

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

Question. What is your name?

Answer.

John Marshall

Question. How old are you?

Answer.

39 years

Question. Where were you born?

Answer.

Cum gratia

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

Answer.

25 Orchard Street, 24 years

Question. What is your business or profession?

Answer.

Steamboating

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

John Marshall

Taken before me, this

16

day of

October

188

Hugh Gardner Police Justice.

06 11

CITY AND COUNTY }
OF NEW YORK, } ss.

Harmon E. Fitzpatrick
aged 26 years, occupation Police officer of No.
10th Precinct Police Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Lizzie Bluminger
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 16 }
day of October 1883 } Harmon E. Fitzpatrick

Harmon E. Fitzpatrick
Police Justice.

06 12

Police Court—1 District.City and County } ss.:
of New York,of No. 4 Bayardoccupation FurrierLizzie BensingerStreet, aged 35 years,

being duly sworn

deposes and says, that the premises No 4 Bayard Street,in the 10th ward
in the City and County aforesaid, the said being a Dwelling HouseThe first floor of which~~and which~~ was occupied by deponent as a Dwelling for herself & Childrenand in which there was at the time a human being, by name Joseph Bensingerand Joseph Bensingerwere BURGLARIOUSLY entered by means of forcibly breaking thelatch on the pane light over the front doorleading to said Room, then passing the windowand entering the premises,on the 16 day of October 1883 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:One Sewskin's Cloak of the Value of
Three hundred dollarsthe property of Leopold Adler, and in case and charge of deponent

and deponent further says, that she has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

John Marshall (now here)for the reasons following, to wit: Deponent recently fastened the
above described pane light and on the
Morning of the 16th day of October deponent
discovered that said pane light had
been broken open and that above
described property taken stolen and
carried awayDeponent is informed by officer
Thomas E. Fitzpatrick of the 10th

06 13

Precinct Police there at the hour of about
4 o'clock in the morning of the 16th
day of October 1883 he arrested
John Marshall the within named defendant
in Cherry Street with a Sealskin Coat
in his possession, which property defendant
fully identifies as the property stolen from
her as aforesaid

Sworn to before me this
16th day of October 1883

L. Benning

Hugh Farmer Precinct Police

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Burglary

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.

06 14

BOX:

116

FOLDER:

1233

DESCRIPTION:

Martell, Patrick

DATE:

10/31/83



1233

06 15

316

Counsel,

Filed 31 day of Oct 1883

Pleads *Not Guilty* 31.

THE PEOPLE -

vs.

P

Patrick

Martell

Assault in the Second Degree.
(Section 218, Penal Code.)

JOHN McKEON,
24 Nov 8. / 883, District Attorney.
And acquitted.

A True Bill.

W. J. O'Meara

Foreman.

06 16

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK
against

Patrick Marshall

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

Patrick Marshall

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Patrick Marshall

late of the City and County of New York, on the 22nd day of
October, in the year of our Lord one thousand eight hundred and
eighty-three with force and arms, at the City and County aforesaid, in and upon one

Martha Marshall
in the peace of the people of the said State then and there being, feloniously did
willfully and wrongfully make an assault: and the said Patrick
Marshall

with a certain razor which he the said

Patrick Marshall
in his right hand — then and there had and held, the same being then and there an
instrument likely to produce grievous bodily harm, he
the said Martha Marshall then and there feloniously
did willfully and wrongfully strike, beat, stab, cut, bruise and wound,
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

06 17

BAILED.

No. 1, by _____
Residence _____
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

Matthew Matelli
335 E. 34 St.
Patrick Matelli
Office of the District Attorney

2 _____
3 _____
4 _____

Dated *Oct 2 3* 188 *3*

W. J. Brown Magistrate.

Officer _____
Precinct _____

Witnesses _____

No. _____
Street _____

No. _____
Street _____

No. _____
Street _____

1000 to answer *by*
Cover

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

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. *He is legally discharged*

Dated *October 2 3* 188 *3* *W. J. Brown* 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.

06 18

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK } ss.

4 District Police Court.

Patrick C Martell 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.

Patrick C Martell

Question. How old are you?

Answer.

29 years

Question. Where were you born?

Answer.

Belgium

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

Answer.

337 E. 34th Street

Question. What is your business or profession?

Answer.

Labore

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

Pat Martell

Taken before me this

day of

1883

Wm. C. Conry

Police Justice.

06 19

Police Court— 1st District.

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

of No. 339 East 32^d Street,

being duly sworn, deposes and says, that
on Monday the 22 day of October

in the year 1883 at the City of New York, in the County of New York,

and seriously
he was violently and feloniously ASSAULTED and BEATEN by

Patrick L. Martell (now present)

Who willfully and feloniously
cut and stabbed this deponent
on the right side of
deponent neck with a
razor then another wound
in the hand of the said
defendant

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 23 day
of October 1883

Martha Martell

Wm. C. C.

POLICE JUSTICE.

0620

BOX:

116

FOLDER:

1233

DESCRIPTION:

Martin, Francis

DATE:

10/04/83



1233

POOR QUALITY
ORIGINAL

0621

47
Filed 4 day of
1883
Pleady
THE PEOPLE
vs.
F
Martin
Assault in the First Degree.
(Firearms.)
(53217 and 218)

JOHN McKEON,

District Attorney.

A TRUE BILL.

W. H. Prudden
Foreman.
Nov 14/83.

Shude Assembly 3 day

Notify Mr. Prudden several days
before putting this calendar. A plea
of insanity is interposed. & an ex-
amination must be had. J.C.H.

14th Nov. 83

0622

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Francis Martin

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

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

The said *Francis Martin*

late of the City of New York, in the County of New York aforesaid, on the *twenty eighth* day of *September* in the year of our Lord one thousand eight hundred and eighty *three* with force and arms, at the City and County aforesaid, in and upon the body of *Grace G. Crolius* in the peace of the said People then and there being, feloniously did make an assault.

with a certain *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which the said *Francis Martin* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, *with* intent *to kill* the said *Grace G. Crolius* 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

Francis Martin

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

The said *Francis Martin*, *late of the City and County aforesaid*

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 *Grace G. Crolius* then and there being, feloniously did, wilfully and wrongfully, make an assault, *with*

a certain *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which *he* the said

Francis Martin in *his* right hand, then and there had and held, the same being an instrument likely to produce grievous bodily harm,

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.

0623

BAILED.

No. 1, by _____
Residence _____ Street _____

No. 2, by _____
Residence _____ Street _____

No. 3, by _____
Residence _____ Street _____

No. 4, by _____
Residence _____ Street _____

Police Court District 7

THE PEOPLE, &c.,

VS.

Charles J. Smith

221 East 126th St.

Francis Martin

Offence Felonious Assault

Dated Sept 29 1883

Magistrate

Officer

12 Precinct

Witnesses

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

\$ 10.00 to answer

Crime

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 Francis Martin

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 Sept 29 1883 R. J. 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.

0624

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

Fifth District Police Court.

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

Question. What is your name?

Answer. Francis Martin

Question. How old are you?

Answer. 27 years.

Question. Where were you born?

Answer. Connecticut

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

Answer. 129 Varick Street. - 3 months

Question. What is your business or profession?

Answer. Druggist

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

Answer.

I am not guilty of the charge.

Francis Martin

Taken before me this

29

day of

Sept

1883

Richard J. [Signature] Police Justice.

0625

Police Court— 5th District.STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.Grace J. Crolius, age 24 years,
of No. 221 East 126th Street,married being duly sworn, deposes and says, thaton Friday the 28th day of Septemberin the year 1888 at the City of New York, in the County of New York,he was violently and feloniously ASSAULTED and BEATEN by Francis

attempted to be
Martin, now here, from the fact that
 this deponent whilst in the dis-
 charge of her duty in her store
 No. 110 East 110th Street in the City
 of New York the said Francis
 Martin did willfully and fe-
 liciously aim the revolving
 pistol, now here shown, and one
 chamber of which loaded with
 powder and ball, at and against
 the person of this deponent in
 this deponent's store aforesaid
 at about the hour of 5 o'clock
 P.M. on the date aforesaid.

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

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

Sworn to before me, this 29th day
 of September 1888

Grace J. Crolius

P. H. Morgan POLICE JUSTICE.

N.Y. General Sessions

The People &c.

- vs -

Francis Martin

Affidavit of Dr. Hardy

filed Oct 19. 1883

0626

Court of General Sessions
in and for the City and County of New York

The People of the State
of New York

— agst: —

Francis Martin

City and County of New York ff:

William L. Hardy being
duly sworn says that he is Physician
of the City Prison in which the
above named defendant is now
confined under an indictment
for felony. That he has carefully
examined said defendant as to his
sanity and finds him suffering
from alcoholic insanity. He imagines that
electric wires were applied to him and
they endeavored to kill him in the prison
and he still holds to the same delusion.
Deponent is therefore of opinion that
said defendant is insane and incapa-
ble of making his defense on trial
under said indictment.

Sworn to before me

this 19th day of October 1893 } William L. Hardy md.

John Vincent

Notary Public City &

0628

WM. L. HARDY, M. D.,

OFFICE HOURS:
Morning from 8 to 10 o'clock,
Afternoon, " 1 to 2 "
Evening, " 5 to 8 "

386 West 27th Street,
NEW YORK.

Oct 4

1883

This is to certify that
Francis Martin charged
with felonious assault
and battery is insane
and should be sent
to an asylum

Dr. Hardy
Examiner in Lunacy
for the Department of
Charities & Corrections

0629

Department of
Public Charities and Correction,

HENRY H. PORTER, Pres't, THOMAS S. BRENNAN, JACOB HESS, Com's.

Office of City Prison, Co'r Franklin and Centre Streets,

JAMES FINN,
Warden.

New York, Oct 16th 1883.

Dear Sir -

I have the honor to
acknowledge the receipt of the
several copies of the
report of the inmates of the Prison
in New York and the
prisoners of the State -
and the report of the
Commissioners of the
Prison Department -
and the report of the
Commissioners of the
Prison Department -
and the report of the
Commissioners of the
Prison Department -

0630

Department of
Public Charities and Correction,
HENRY H. PORTER, Prest., THOMAS S. BRENNAN, JACOB HESS, Com's.
Office of City Prison, Cor. Franklin and Centre streets,
JAMES FINN, Warden. New York, Oct 16 1888.

Hon. John McKim
Dist Attorney
Sir

Herewith please
find list of prisoners confined in
City Prison.

Ryan Sumner Oct 3 Duffy GR
John A. Henry Sept 25 H. A. B
Francis P. Martin Oct 5 Morgan F. A. B

All above please find docket
Certificate

Very Respectfully

James Finn
Warden

Cell Crime
See 655, 657

POOR QUALITY
ORIGINAL

0631

*Appointed and Confined
Henry*

New York General Sessions of the Peace.

THE PEOPLE

OF THE STATE OF NEW YORK,

against

Francis Martin

Dated

Dec 10

18

83

Filed Dec 10. 1883

At a Court of General Sessions of the Peace,

holden in and for the City and County of New York, at the
City Hall of the said City, on *Mon* day, the *Tenth*
day of *December*, in the year of our Lord One Thousand
Eight Hundred and *Eighty three* -

PRESENT,

The Honorable *Frederick Smyth*
Recorder of the City of New York,

Justice of the
Sessions.

The People
vs *Francis Martin* *In confinement on indictment for*
Assault in the first degree
filed Oct 14. 1883

The Jurymen appointed by the Court
Just. Joseph M. W. O'Donnell
Thomas Allison, to inquire into the
sanity of said Francis Martin, and
the degree of mental capacity possessed
by him, and to report thereon to this
Court, having concluded their inquiry,
and having made to this Court a written
report now on file, setting forth that
the said Jurymen having examined
said Francis Martin, and inquired
into the facts of the case by the evidence
of sworn witnesses before them, find and
report that the said Francis Martin
is now sane, and of sufficient capacity
to undertake his defense, and capable
of advising his counsel.

After reading & filing
this Report, it is ordered that
said Report be & the same
be filed in all this matter

0633

POOR QUALITY
ORIGINAL

N.Y. General Sessions of the Peace

*The People of the
State of New York*

vs.

Francis Martin

*Report of Commissioners
in Lunacy*

Filed Dec. 10, 1863

0634

Court of General Sessions
of the Peace holden in and
for the City & County of
New York

The People of the State
of New York
against
Francis Martin

To the Court of General Sessions of the Peace
holden in and for the City and County of
New York;

We Joseph Weiner M.D. and Thomas
Allison, Counsellors at Law, appointed by
an order of this Court, dated the nineteenth
day of October 1883 a Commission to examine
said Francis Martin and to report to the
Court as to his sanity at the time of the
examination a copy of which order is
hereto attached do respectfully report to
this Honorable Court.

That on the 25th day of October 1883
we the said Commissioners were duly sworn
as required by law and the oaths taken by
us are hereto attached.

On the same day we were attended by
the Counsel for the prisoner, Mr. Berlinger,

and by the prisoner, Francis Martin, and by Assistant District Attorney, James M. Brady Esq. for the people and the prisoner was inspected by us and no witnesses being present the further hearing in the matter was adjourned to October 27 1883.

After such adjournment we the said Commissioners went to the "Gomb's" where the prisoner was, and there made observations of him.

That on the 27 day of October 1883 we were again attended by the said Council, prisoner, and Assistant District Attorney and by A. E. Macdonald M.D. and Martin A. McGovern M.D. as witnesses. That said Macdonald and Martin were duly sworn and were orally examined by the Assistant District Attorney and by the Council for the prisoner and by us and we also examined the physical condition and appearance of the prisoner and conversed with him.

Thereafter the examinations and testimony of said Macdonald and McGovern were printed and they respectively subscribed their depositions and the same are hereto attached

And we do hereby find and report that at the times of the several examinations

0636

made by us as aforesaid the prisoner
Francis Martin was sane and in a
mental condition to undertake his defense
and capable of advising his counsel
All of which is respectfully submitted

Joseph Wiener M.D.

Thomas Allison
Commissioner

0637

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

-----x
The People of the State of New-York :
- against - :
Francis Martin. :
-----x

New-York, Oct. 25', 1883.

APPEARANCES:

DR. JOSEPH WIENER and THOMAS ALLISON, ESQ., Commissioners
in Lunacy.
JAMES M. BRADY, ESQ., for the People.
MR. BERLINGER for the Prisoner.

The Commissioners are duly sworn by Recorder Smyth., and
the hearing of the matter is adjourned, owing to the
absence of witnesses, to Saturday, October 27', 1883,
at 3 o'clock P. M.

Pursuant to adjournment.

New-York, Oct. 27', 1883.

Same appearances. A.E. MACDONALD.

DR. A. E. MACDONALD is duly sworn, and testifies as follows:

I have examined Mr. Martin twice at the request of the
District Attorney, the examination lasting half an hour, per-
haps, each time, with a view to ascertain his mental condi-
tion at the present time. My judgment as formed upon these
two examinations is that his mental condition is normal, and
I believe him to be sane and capable of conducting his defence
and advising his counsel.

- Q. When did you first examine him, doctor?
A. On the 19th and again on the 22nd of October. (22nd) -
Q. Did you from the examination you made form any opinion, doc-
tor, as to whether or not at the time of the commission of the
offense the prisoner was in a normal mental condition?
A. My examination was not directed especially to that point.
Q. From all he said to you and you to him were you able to form
an opinion as to whether or no he had been at any time prior
to your examination insane?
A. I had no reason to think at any time he had been insane.
Q. The prisoner is now present that you allude to?
A. Yes, sir.
Q. You don't see anything in the change of his condition to
cause an alteration of your opinion as to what it was before?
A. I do not.
Q. Assuming that the prisoner was on the 27' of September insane,
or in such a condition, as to be irresponsible for his acts,
is it probable in your opinion that he could on the day you
first saw him have so far recovered as to be in the condition
he was in then?
A. That would not be in consonance with my experience.
Q. In your opinion he could not have recovered in that period
of time?
A. I should say not.
Q. Did you find anything in his condition or in any statements
he made to you that would show a predisposition to his in-
sanity?

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- A. There was a statement made by him as to insanity in the family on the part of his mother, which, so far as ~~I know~~ ^{it goes}, would indicate a predisposition.
- Q. That is the only evidence of any predisposition you found?
- A. That's all, sir.
- Q. Did he tell you whom he got this information from as to the insanity of his mother?
- A. No, sir.
- Q. Did he tell you he had any other relatives?
- A. Not in that connection, not in connection with that statement.
- Q. Did he tell you he had a sister?
- A. I don't recollect that he did, sir.
- Q. He told you that his mother was insane, as I understand you?
- A. That is my recollection.
- Q. Did he tell you where she was?
- A. He told me that one member of his family, I think it was his mother, was in an insane asylum.
- Q. Was then or is now?
- A. My recollection is that she had been.
- Q. Insanity is hereditary is it not, doctor?
- A. The predisposition is, not the disease itself.
- Q. You had two conversations with the defendant you say?
- A. Yes, sir.
- Q. From his appearance the first time you had a conversation with him did you find any evidence of hard drinking?
- A. No, sir, I did not observe that at either time.
- Q. Did you make any other examination outside of merely conversing with him, or did you examine him?
- A. Simply by inspection. I saw that he was in a reduced condition.
- Q. Can you tell outside of an examination, merely from an inspection, if he had been drinking hard and brought himself to such a state of ill health as to render him incapable of knowing the difference between right and wrong?
- A. At the time? Yes, sir, I can do that. My observation of him was, however, at least a fortnight after the occurrence.
- Q. Without any knowledge of who was the sender of that postal card to me, sir - if a postal card of that kind was sent to you what would be your conclusion as to the condition of the sender? (showing witness postal card).
- A. I don't think I would form an opinion on simply the inspection of this postal card. The first opinion I would form would be that it had been detained somewhere.
- Q. Would you know if the sender of that postal card was in his right mind?
- A. I can't give an opinion without some knowledge as to his previous condition. I see some misspelled words there, ^{but don't know} if the man had been in the habit of spelling properly before. ^{Anything} ~~Anything~~ ^{opinion} based on this would ~~be with~~ ^{be with} a comparison of his writing before.
- Q. When did you first examine the prisoner?
- A. My first examination was on or about the 19th of this month.
- Q. If on the 29th of September a man had so excessively used alcohol and other stimulents as to render him on that day incapable of knowing the difference between right and wrong could he, say on the 13th of October, fourteen days following, have recovered without the aid of stimulents or alcohol?
- A. I think he could.
- Q. Did you have a conversation with him about his case?
- A. I did so far as ^{it} bearing upon his mental condition was concerned.

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- Q. Did he tell you minutely of a great many things?
A. So far as he could remember. He claimed to have some failure of memory.
Q. Well, that is some times an adjunct of insanity?
A. Yes, sir.
Q. It shows itself in that way at times, does it not?
A. Yes, sir.
Q. Well, from his loss of memory you didn't come to any conclusion as to his health?
A. I did not. He had no loss of memory. I say he claimed to have a failure of memory as to circumstances ^{he} learned elsewhere, but he did claim to have a perfect memory as to what occurred on the day of the assault.
Q. You didn't examine his eyes?
A. Only by inspection.
Q. Did you examine his pulse?
A. No, sir, only so far as I could see.
Q. And you consider him a healthy man now?
A. At the time of my two examinations and to-day; I don't think he is insane; I think he is run down; apart from that I see no evidence of ill health, certainly none of insanity.
Q. Insanity shows itself in that shape at times does it not?
A. In physical changes? yes, sir, but not unless connected with mental changes.
Q. You think he is able to go to trial?
A. I think he is mentally and bodily able to advise his counsel.
Q. You have very frequently examined persons with a view to determining their mental capacity?
A. Yes, sir.
Q. In your judgment did you make such an examination as ^{was} sufficient and called for by the circumstances to form a judgment as to whether or not at the time he was a sane person, responsible for his acts?
A. Yes, sir.
Q. This postal card and such failures of memory as you have mentioned were entirely and perfectly consistent with a sane condition?
A. Yes, sir. They don't affect my judgment, after what I saw myself, in the absence of other facts.
Q. Doctor, in cases of recurrent insanity are there any traces left of the insanity after the spell - that is, directly, or how long after the insanity ceased itself?
A. It depends entirely on the recovery.
Q. This insanity I speak of is it curable or incurable?
A. There are several kinds. Recurrent insanity is chronic; it returns.
Q. Supposing a man was insane at four o'clock and had this chronic disorder, this recurrent insanity, is it not possible that at five o'clock he could be as sane and rational as any other man?
A. No, sir, my experience says not.
Q. How long would it take him?
A. It depends on the individual case.
Q. Take the case of Martin, or of a man of the physical temperament of Martin, how long would it take him to be sane and rational after being insane?
A. I can't tell; I don't think he has been insane. In order to answer that I would have to have some knowledge of the duration and form of the insanity.
Q. Is it your opinion that this man is subject to recurrent insanity?

0640

- A. I have seen no evidence of it; I have no information regarding the matter except at the times I saw him and the information he furnished me at those times.
- Q. But that is not the question I asked you. I don't know as I understand you. Will you swear that this man Martin to-day is sane and not subject to the malady called recurrent insanity.
- A. I will simply swear that I have not discovered the symptoms.
- Q. Do you consider that you have made a sufficient examination of this man to be able to swear decidedly that he is not?
- A. I have already stated that the object of my examination was to determine his condition at the time of my examination.
- Q. And from that you don't believe you have examined him thoroughly enough to swear whether he is subject to recurrent insanity or not?
- A. I can't swear whether he will be ^{insane} in the future.
- Q. Doctor, can you swear now whether he is sane or insane?
- A. I swear from the best of my information that he is sane and capable of advising his counsel as to his defense to this indictment.
- Q. How long is it since you have seen him before he came into this room to-day?
- A. On the 12th day of this month.
- Q. By Dr. Wiener - We understand you to say, doctor, that from the two examinations you made and from what you now see of the prisoner you see no evidence of the insanity of the prisoner?
- A. No, sir, I do not.
- DR. MARTIN A. MC GOVERN is duly sworn, and testifies as follows:
- I examined Mr. Martin on the 11th and 18th of the present month to ascertain his condition mentally, and I came to the conclusion that he was sane.
- Q. Do you believe him to be capable of intelligently advising his counsel?
- A. I think so.
- Q. By Counsel for Prisoner- Have you any doubt on that subject?
- A. I have no doubt.
- Q. Doctor, were you alone with the prisoner when you examined him?
- A. I was not; there was another physician with me, Dr. Hardy.
- Q. He is connected with the prisons and is the examiner in lunacy, is he not?
- A. Yes, sir, for the city.
- Q. On both occasions did you visit Martin with Dr. Hardy?
- A. I think I did, yes.
- Q. Dr. Hardy is not here?
- A. He is not.
- Q. At the time you examined Martin at the Tombs did you have a conversation with Dr. Hardy in reference to his condition?
- A. I did. We simply talked the matter over after we left the Tombs, on our way up.
- Q. That was at the last time, the 18th?
- A. The first time, to the best of my recollection.
- Q. Did Dr. Hardy in that conversation express an opinion as to the condition of Martin?
- A. He expressed an opinion, yes, sir; he said that he believed that Martin was insane. He based the opinion on certain delu-

0641

- sions that Mr. Martin told him he was troubled with.
- Q. Did you hear him tell Dr. Hardy about his delusions?
- A. I heard him; he told them to myself too.
- Q. What was his general demeanor on this occasion?
- A. His general demeanor was this: Mr. Martin is a medical man by profession. We spoke to him in regard to his condition under liquor, about liquor he had taken while in the employ of druggists; and he said he would go on these sprees and that that was the cause of his broken condition of health.
- Q. Did you examine him physically, doctor?
- A. No, sir; made an inspection of him and examined his eyes.
- Q. You have had a good many cases of lunacy?
- A. Yes, sir.
- Q. Examined into them?
- A. Yes, sir.
- Q. Am I right when I say, doctor, that the first idea that a doctor can get from a patient as to the question of lunacy is examining the eye?
- A. No, not necessarily.
- Q. But it is apt to show itself more apparent in the eye?
- A. No, not necessarily, but that ought to be observed very closely.
- Q. How long since you saw the prisoner last before to-day?
- A. On the 18'.
- Q. And from what you see of him now and what you saw of him before you consider him in his sane senses?
- A. Yes, I do, but very much reduced in health..
- Q. Did you disagree with Dr. Hardy at the time you made the last examination with him?
- A. I don't recollect whether we agreed or disagreed. I was capable of passing an opinion myself.
- Q. You know Dr. Hardy has made a certificate in this case?
- A. I can't swear he has; I saw him in Mr. Brady's office; we had occasion to examine three or four at the Tombs, and I don't know whether that is the particular case or not.
- Q. Are you familiar with the malady called recurrent insanity?
- A. Yes, sir, or periodical insanity, the same thing.
- Q. Can a man be insane under that malady at one moment and an hour after be perfectly sane and rational?
- A. I would not like to express an opinion on that; I would like to know something about the case.
- Q. From what you have seen of Martin are you prepared now to say that he is not subject to recurrent insanity?
- A. So far as I have examined him; I have seen him but twice.
- Q. Well, do you consider the examination you then made sufficient to enable you to give an opinion either as to his sanity or insanity as to this particular kind called recurrent insanity?
- A. I think so.
- Q. Will you swear that he is not subject to recurrent insanity?
- A. I would not swear that.
- Q. By the Commissioner- I understood you to say that Dr. Hardy was of opinion that certain hallucinations existed in this man's mind?
- A. Delusions and hallucinations both.
- Q. Now, did you find any evidence that satisfied ^{you} that those delusions and hallucinations existed?
- A. None whatever.. Dr. Hardy being the examiner for the City might have examined him before I did and might possibly have got other facts that I would not be likely to get.

0642

- Q. By Counsel for Prisoner- Doctor, did Martin tell you what particular kind of stimulent he had been in the habit of taking?
- A. To the best of my recollection whiskey.
- Q. Did he tell you what kind of whiskey and where he had been getting it?
- A. I think to the best of my recollection I asked him whether he was in the habit of drinking the whiskey in this drug store, and I think he said he had been in the habit of drinking large quantities of it.
- Q. From an excessive use of these spirits that is sold in drug stores can a man from the excessive use of the same render himself incapable of knowing the difference between right and wrong?
- A. I have got a drug clerk at the present time that is just in that condition from the excessive use of spitits sold in drug stores.
- Q. If on the 29' day of September a person had so rendered himself incapable by the excessive use of these spirits as not to know the difference between right and wrong could he thirteen days afterwards be in a good and perfect condition without the aid of any stimulent in the meantime?
- A. I would like to know the previous history of the case before I would pass any opinion on it.
- Q. If a man were on a given day irresponsible for his acts, unable to judge between right and wrong from the use of stimulents or drugs, could he in thirteen days thereafter, having been deprived of them during that time, by the mere recuperation of his own nature and without medical aid or assistance, have recovered his sane condition.
- A. Yes, sir.
- Q. If a person had drank a quart of sherry, between two and a half and three quarts of whiskey and a half an ounce each of bromide of potassium and chloride in the interim of a week, what effect would that have in your opinion on a man like the defendant Martin at the end of the week?
- A. He might or might not be in a bad condition, that is, in a position in which he would be incapable.
- Q! Would it not so clog his mind that he would not know the difference between right and wrong?
- A. Not necessarily so, because I think it would depend upon the person's capacity to drink, or his previous history.

W. A. M. Govey, M.D.

0643

At a Court of General Sessions of the Peace,

Holden in and for the City and County of New York,
at the City Hall of the said City on ^{the} 11th day
the ~~fourteenth~~ day of October in the year of
our Lord one thousand eight hundred and ~~seventy~~ eighty three

Present,

The Honorable Frederick Smyth } Justice
Recorder of the City of New York, } of the
Sessions.

The People vs
Francis Martin

In confinement on indictment for
Assault in the First Degree -
(filed in Sessions Oct 4/883)

It appearing to the Court from the
affidavit of William J. Hardy M.D.
that Francis Martin the defendant
therein is insane and not in a
mental condition to undertake his
defense and this being a proper case
for the exercise of the power con-
ferred upon the Court by Section
658 Chapter V of the Code of Criminal
Procedure.

It is thereupon ordered
pursuant to the provisions of said
law that inquiry be summarily
made into the sanity of said
Francis Martin as to the degree
of mental capacity possessed
by him and that for purpose the
Court doth hereby appoint Joseph
Meyer Physician & Thomas Allison
Counsellor at Law as a Commission
to examine said Francis Martin

0644

and to report to the Court as
to his sanity at the time of the
examination

Exhibit

True extract from the minutes
of the Court
J. C. C.

New York General Sessions of the Peace.

THE PEOPLE

OF THE STATE OF NEW YORK,

vs.

Francis Martin

Dated

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Order of Court
appointing Court to
examine prisoner
as to mental condition

0645

record of several sessions
of the Peace holden in
for the City & County of
New York

The People of the State
of New York
against
Francis Martin

City & County of New York fo:

Joseph
Wiener being duly sworn deposes
& says that he will faithfully and
fairly determine the questions
referred to him in the above entitled
matter and make a just and true
report according to the best of my
understanding Joseph Wiener M.D.

Sworn to before me
this 25 day of Oct 1883
J. H. M. M. M.
Receve

City and County of New York fo

Thomas Allison
being duly sworn deposes & says that
he will faithfully and fairly deter-
mine the questions referred to him
in the above entitled matter
and make a just and true
report according to the best of

0646

my understanding
I am to be before me } Thomas Allen
this 25 day of Dec 1883 }
Fred Wright
100.00

0647

BOX:

116

FOLDER:

1233

DESCRIPTION:

McCarthy, John

DATE:

10/15/83



1233

0648

112
McK. Leonard

Counsel,

Filed 15 day of Oct 1883

Pleads *Not guilty* (16)

THE PEOPLE
vs.
John McK. Leonard
(2 cases)
Grand Larceny in the 1st degree.
(44528 & 530)

JOHN McKEON,

22 Oct 24/83 District Attorney.

Read & Approved. 24,

A True Bill.

W. A. Muddon

Wm Howard
Foreman.
W. H.

0649

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 McCarty

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

of the CRIME OF GRAND LARCENY IN THE *First* DEGREE, committed as follows:

The said *John McCarty*

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *seventh* day of *October* in the year of our Lord one thousand eight hundred and eighty-*three*, at the Ward, City and County aforesaid, with force and arms *in the night time of said day, one watch of the value of twelve dollars*

of the goods, chattels and personal property of one *Frank Verenuech* on the person of the said *Frank Verenuech* then and there being found, from the person of the said

Frank Verenuech 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 McKEON, District Attorney.

0650

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

Police Court District 27 1883

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Leuchterich
681 W 8th St.

John M. Carthy
City

Offence Larceny from Person

Dated Oct 26th 1883

Magistrate.

Officer.

20 Precinct.

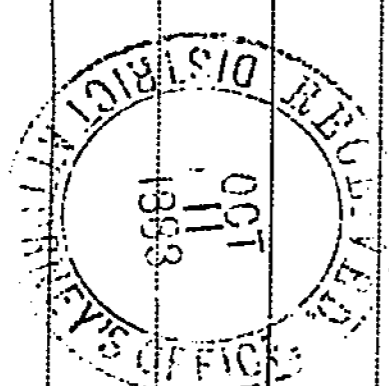
Witnesses Charles Leuchterich & Magistrate

No. 47th St 4th Ave Street.

No. _____ Street.

No. _____ Street.

No. _____ to answer



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

John M. Carthy

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 October 26th 1883

Police Justice.

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

Dated _____ 1883 . Police Justice.

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

Dated _____ 1883 . Police Justice.

0651

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK } ss.

2d. District Police Court.

John M. Parthy 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 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. John M. Parthy

Question. How old are you?

Answer. 20 years.

Question. Where were you born?

Answer. New York.

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

Answer. 423 West 45th Street, about 4 months

Question. What is your business or profession?

Answer. Picklayer

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

Answer. I am not guilty of the charge
John M. Parthy
his mark

Taken before me this 1st

day of October 1883

W. J. Murphy

Police Justice.

0652

CITY AND COUNTY }
OF NEW YORK, } ss.

Bartholomew La Virgini
aged 25 years, occupation Trust Stand. of No.
44th St Avenue Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Frank Greenbach
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this 25th day of October 1888 } *Bartholomew La Virgini*
his

P. H. Duffy
Police Justice.

0653

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }
OF NEW YORK, } ssof No. 681 Eighth Avenue Street, 38 years Irish Stand.being duly sworn, deposes and says, that on the 7th day of October 1883at the 42nd Street the night time in the City of New York, and from

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

of deponent with intent to deprive the true and lawful owner thereof the following property, viz:

One Silver hunting case watch
of the value of
Twelve Dollars

Sworn before me this

day of

the property of Deponent

Police Justice.

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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 M. Carthy (now here)

and two other persons to deponent unknown who were acting in concert together.)

from the fact that at and about the hour of 16 o'clock on the night aforesaid while deponent was walking through 42nd Street; when said M. Carthy and said two other persons unknown to deponent came up to him and one of said unknown persons grabbed said watch which then was shown by deponent and which

0654

was attached to a chain ^{and} in the right hand rest
pocket of deponent's vest then ^{was} ~~was~~ by him
^{and} ran away with the said property; when
deponent attempted to run after said unknown
person, said M^r. Parthy put out his foot.
^{and} tripped this deponent who fell to the
sidewalk; ^{and} attempted to run away, when
he was caught by Bartholomew La Virgin
Deponent fully identifies the said
McCarthy as one of the persons who
was acting in concert with said
two unknown persons ^{and} who took
stole ^{and} carried away the said property

Sworn to before me ^{on} the 5th day of October 1883 ^{at} ^{San Francisco} ^{Calif}
P. J. Duffy
Police Dept

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFIDAVIT-Larceny.

Dated

188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0655

BOX:

116

FOLDER:

1233

DESCRIPTION:

McCormick, John

DATE:

10/26/83



1233

POOR QUALITY
ORIGINAL

0656

209

Counsel,

Filed 26 day of Dec 1883

Pleads Wm. G. Kelly Dec 17

THE PEOPLE

vs.

John

McCormick

Sum. & Com. L.
Mch. 17/84

Assault in the Second Degree.
(Section 218, Penal Code).

JOHN McKEON,

District Attorney.

A True Bill.

W. H. Amudon

Foreman.

Henry J. Kelly at

March 27/84

Discharged by Court

March 27th 1884

I am convinced from an examination of the facts in this case that it is unlikely that the Defendant can be convicted, and in view of that, and by reason of the statements of the Complainant filed herein, I advise that Defendant be discharged on his own recognizance.

W. H. Amudon
Dist. Atty.

0657

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 McCormick

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

John McCormick

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said John McCormick

late of the City and County of New York, on the tenth day of
July, in the year of our Lord one thousand eight hundred and
eighty-three with force and arms, at the City and County aforesaid, in and upon one

John McCormack

in the peace of the people of the said State then and there being, feloniously did
willfully and wrongfully make an assault: and the said

John McCormick

with a certain knife which he the said

John McCormick

in his right hand then and there had and held, the same being then and there an
instrument likely to produce grievous bodily harm, then
the said John McCormack then and there feloniously
did willfully and wrongfully strike, beat, cut, bruise and wound,
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.

Dated July 11 1883 J. H. K. K. K. Police Justice.

POOR QUALITY
ORIGINAL

0659

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

3 District Police Court.

Walter H. Friel 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. *Walter H. Friel*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *East 11th Street 24 years*

Question. What is your business or profession?

Answer. *I work at booting goods*

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*
Walter H. Friel

John Curley

Taken before me this

10

day of

July

1881

Police Justice.

0560

BAILED,
No. 1, by _____
Residence _____ Street,

No. 2, by _____
Residence _____ Street,

No. 3, by _____
Residence _____ Street,

No. 4, by _____
Residence _____ Street,

Police Court-3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John W. Mearns

John W. Mearns

John W. Mearns

John W. Mearns

Offence, Fel. assault

Dated July 10 1883

Magistrate.

Officer.

Clerk.

Witnesses,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

No. _____ Street,

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

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 _____ 1883 _____ Police Justice.

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

Dated _____ 1883 _____ Police Justice.

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

Dated _____ 1883 _____ Police Justice.

0661

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

3rd District Police Court.

John Mc Cormack 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. John Mc Cormack

Question. How old are you?

Answer. 30 years

Question. Where were you born?

Answer. New York

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

Answer. Brooklyn one year

Question. What is your business or profession?

Answer. Conductor

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

I am not the complainant
with a knife or any other
instrument

John Mc Cormack

Taken before me this

10

day of

July 1889

Police Justice.

0662

Police Court— 3 District.

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

28 years of age a Laborer
of No. 506 East 14th Street,

John Mc Murrough

being duly sworn, deposes and says, that
on Tuesday the 10th day of July

in the year 1883 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

John Hurley
John McCormack & Walter H. Enid

(both now here) That said McCormack

Cut and stabbed deponent in the

left eye with a knife he held in

his hand, and said Hurley struck

deponent in the face with his fist

and pointed a revolver at deponent

and deponent was so assaulted

with the felonious intent to ~~take the life of deponent, or to~~ ^{injure} 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 10 day
of July 1883

John Mc Murrough

J. H. Smith POLICE JUSTICE.

0663

City & County of Murray & Co

John Mc Murrough being cross
examined says, I know the defendant
Curly all my life, I had never any
quarrell with him, and did not have
any quarrell with him the night
the assault was committed,
the statement made in the affidavit
as to him pointing a Revolver at me
is not true, he did not ~~show~~ ^{show} a
Revolver, I think I kicked
Mc Cormack before I was struck
I was intoxicated at the time
Curly and I were having a few words when McCormack came
up and struck me.

John Mc Murrough
Sworn to before me the
11th day of July 1883

J. J. Kilbuck
Police Justice

Timothy Keys of 17. Precinct
Police being duly sworn says that on the
evening above named he arrested the prisoners
Curly & McCormack, McCormack had in
his possession a knife, but defendant found
no pistol or other weapon on the person
of Curly.

Sworn before me
this 11 day of July 1883 J. J. Kilbuck. Police Justice

Police Court

District.

THE PEOPLE, ETC.,
ON THE COMPLAINT OF

AFIDAVIT-A. & B.
FELONIOUS.

vs.

188

Magistrate.

Officer.

Timothy Keys

Witness,

0664

COURT OF GENERAL SESSIONS

The People, &c.

vs.

John McCormick

Attorney

OFFENSE

PETER B. OLNEY,

District Attorney.

Withdrawal of Complaint.

0665

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

John McCormack

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

to myself. The assault alleged was committed corner Avenue B. & 14th Street New York City. I was at the time under the influence of liquor and was attacked by a man named Burley and believed the defendant McCormack was in company of this Burley. I do not remember the statement I made in reference to the charge before the Police Justice, as I was then affected with a trouble of my brain and I have no recollection of what happened, it is my belief that the said John McCormack was innocent of the charge and think I would be doing an injustice to further press this charge, ~~as~~ I therefore earnestly request that the charge be withdrawn and the said John McCormack be discharged.

Dated New York March 25th 1884

Witness:-

John M. Horrough

Chas. K. Ryan
Rudolph L. Scharf

POOR QUALITY
ORIGINAL

0666

Continued to March
Term

Cambridge

John Wignall
413 E 14th St.

POOR QUALITY
ORIGINAL

0667

Court of General Sessions, Part One

THE PEOPLE

vs.

INDICTMENT

For

John McCormick

To

Mr John Wymore

No.

413

E

14

Street.

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *Trial* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on *Friday* the *15th* day of *Feb*, instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

JOHN McKEON,

District Attorney.

POOR QUALITY
ORIGINAL

0668

District Attorneys Office.
City & County of
New York.

People

vs
Jno M^cLeannick

I John M^c Morrow being duly
Sworn Depose and say that
the injuries ~~to~~ received by me, at
the hands of the Deft ~~were~~ grew
out of a drunken brawl and I
was as much to blame as deft.
I ask therefore the Clergy of the
Court, and I hereby withdraw
the Complaint.

Subscribed before me

This 29th day of Sept 83

Jos A. Penney

Notary Public

New York County.

John M^c Morrow

0669

BOX:

116

FOLDER:

1233

DESCRIPTION:

McGee, Frank

DATE:

10/17/83



1233

Sept. Chencen
Amey Peach
Decees. Name
Poon. He also
Sancusew. King
Mr. Officer

Ed

23 1883

Counsel, E. P. O.
Filed 17 day of Oct 1883
Pleads Nov 18

THE PEOPLE

vs. H. H. O.
Unw. Plaintiff

Frank

McKeon

BURGLARY—Third Degree, and
Larceny.

25 498-506-515-532

JOHN McKEON,
22 Oct 1883 District Attorney.
Madison.

A True Bill.

W. H. Anderson

Foreman.

Verdict of Guilty should specify of which count.

Sen. Q. Mas.

Ed

0670

0671

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

THE PEOPLE OF THE STATE OF NEW YORK
against

Frank McGe

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

Frank McGe
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows :

The said *Frank McGe*

late of the *Fourteenth* Ward of the City of New York, in the County of New York aforesaid, on the *eleventh* day of *October* in the year of our Lord one thousand eight hundred and eighty *three* with force and arms, about the hour of *twelve* o'clock in the *day* time of the same day, at the Ward, City and County aforesaid, the dwelling house of

Rocco Santucci
there situate, feloniously and burglariously did break into and enter, ~~by means of force~~ he the said

Frank McGe
then and there intending to commit some crime therein, to wit : the goods, chattels and personal property of *the said Rocco Santucci* in the said dwelling house 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.

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

Frank McGe
of the CRIME OF *Pocket Larceny* committed as follows :

The said *Frank McGe*

late of the Ward, City and County aforesaid, afterwards, to wit, on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, *one coat of the value of seven dollars and one overcoat of the value of ten dollars*

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

JOHN McKEON, District Attorney.

0672

BAILED.

No. 1, by _____
Residence _____
Street _____

No. 2, by _____
Residence _____
Street _____

No. 3, by _____
Residence _____
Street _____

No. 4, by _____
Residence _____
Street _____

Police Court 1st District 194

THE PEOPLE, &c.,
vs. Frederick
203 East 10th St.
Manhattan
City of New York

1 Charles M. McFadden
2 Charles M. McFadden
3 Charles M. McFadden
4 Charles M. McFadden

Dated October 14th 1889

Magistrate White
Offence Burglary

Witnesses Charles M. McFadden
Charles M. McFadden
Charles M. McFadden
No. 203 Street East 10th St.

No. _____ Street _____

No. 1500 Street 1st St.
to answer Charles M. McFadden

RECEIVED
OCT 19 1889
CITY OF NEW YORK

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 Fifteen 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 October 14th 1889 Charles M. McFadden 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.

0673

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK, } ss.

126 District Police Court.

Frank McGee 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. *Frank McGee*

Question. How old are you?

Answer. *25 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *Wm. Hotel - 2 Months*

Question. What is your business or profession?

Answer. *Shoe 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. *Not Guilty*
Frank McGee

Taken before me this
day of *October* 188*8*
Charles J. Smith
Police Justice.

0674

CITY AND COUNTY }
OF NEW YORK, } ss.

Annie Dowdell
aged 14 years, occupation Pupil at School of No. 203 Mulberry Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Rocco Lambert
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of

October 1883

Annie Dowdell

Andrew J. White

Police Justice.

0675

Police Court—4th District...

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

of No.

occupation

deposes and says, that the premises No

in the City and County aforesaid, the said being a

and which was occupied by deponent as a

and in which there was at the time ^{no} human being, by name

were BURGLARIOUSLY entered by means of forcibly

lock that secured the door of said
apartments, situated in the 14th Ward

on the 11th day of October 1888 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

One Sack Coat and One Overcoat
Valued at Seventeen Dollars

the property of

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Frank Mc Gee, now known

for the reasons following, to wit:

That deponent is informed
by Annie Dowdell that she (Annie)
saw Defendant leaving the premises
on the day set forth with an Overcoat
answering to the description of the one
stolen from Deponent, in the possession
of the Defendant, and about the time deponent
missed said property

Rocco Lamberti

Shore before me this 11th of October 1888
Police Court

0676

BOX:

116

FOLDER:

1233

DESCRIPTION:

McGrain, Bridget

DATE:

10/15/83



1233

POOR QUALITY
ORIGINAL

0677

79 P. A. 1000
Max. Hoffman
Counsel,
4. Krutzy
Filed 15 day of Oct 1883
Pleads *Not guilty - (46)*

THE PEOPLE
vs.
Bridge
McGrain
D. A. H.

Murder in the First Degree.
(Section 189.)

Dist II
JOHN McKEON,
District Attorney.

A True Bill.

W. P. Muller
Foreman.
Subscribed Nov. 16, 1883
on another indictment

0678

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Bridget McGrain

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

Bridget McGrain
of the CRIME OF MURDER IN THE FIRST DEGREE, committed as follows:

The said Bridget McGrain

late of the City and County of New York, on the 21st day of August
in the year of our Lord one thousand eight hundred and eighty-three at the
City and County aforesaid, with force and arms, in and upon one Mary
Sugars

in the peace of the People of the State then and there being, willfully, feloniously, and
with a deliberate and premeditated design to effect the death of her the said
Mary Sugars did make an assault.

And the said Bridget McGrain, her

the said Mary Sugars

with a certain hatchet

which she the said Bridget McGrain

in her right hand then and there had and held, in and upon the head

of her the said Mary Sugars
then and there willfully, feloniously, and with a deliberate and premeditated design to
effect the death of her the said Mary Sugars
did strike, cut and wound, giving unto her the said Mary
Sugars then and there with the hatchet

aforesaid, in and upon the head

of her the said Mary Sugars one mortal wound of
the breadth of one inch and of the depth of six inches, of which said mortal
wound she the said Mary Sugars
at the City, and County aforesaid, from the day first aforesaid, in the year afore-
said, until the tenth day of September
in the same year aforesaid, did languish, and languishing did live, and on which
said tenth day of September
in the year aforesaid, she the said Mary Sugars at the
City and County aforesaid, of the said mortal wound did die.

0679

And so the Grand Jury aforesaid do say: That the said Bridget
Mc Grain, her _____
the said Mary Syons _____ in the manner and form
and by the means aforesaid, at the City and County aforesaid, on the day and in the
year aforesaid, willfully, feloniously, and with a deliberate and premeditated design to
effect the death of her the said Mary Syons _____
did kill and murder, against the form of the Statute in such case made and provided,
and against the peace of the People of the State of New York, and their dignity.

JOHN McKEON, District Attorney.

0680

Grand Jury Room.

PEOPLE

vs.

Mr. Green

Papers in
Dr. Messer's
possession

0681

Dated 188 *Police Justice.*

POOR QUALITY
ORIGINAL

0682

Sec. 198-200

CITY AND COUNTY }
OF NEW YORK } ss.

151 District Police Court.

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

Question. What is your name?

Answer. *Budget Waldman*

Question. How old are you?

Answer. *38 Years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *22 Champ St. 2 Years*

Question. What is your business or profession?

Answer. *Housekeeper*

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*
Budget Waldman
uax

Taken before me this
day of *June* 1931
at *151*
Police Justice.

POOR QUALITY
ORIGINAL

0683

MEMORANDA.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
20 Years. — Months. — Days	Ireland	Morgue	Sept 11/83

Struck
by
bridge
MORGAN
Taller median
under beam
male

Died in Bellend Hosp
St. Garmony House, Dublin

Struck on the head
with an axe on
August 20th/83
at St. George's
Of short stature
melancholic, found body
and chest broken
Cicatrix over the
middle of the skull
on cutting through
the scalp and looking
at the under side there
found that the base
of the frontal bone
right down to the
skull was broken.
Came right off with
with scalp, fracture
of skull on each side
frontal bone running

across the entire
parietal bone
One and a quarter
inches in extent
and extending
completely through
the different plates
of skull. There was
evidence of the brain
and slight meningitis
No formation of
Heard only two
acoustic reflexes
of three cerebellum
of the back of the
vertebrae - Cerebellum
Abdomen Pericardial
sac filled with serum
lungs thickened and
all pleuritic adhesions
atrophy of the intestines
congestion of kidneys -
absent of urine

P. M.

Dr. Syg
Dr. Quinn

1883

AN INQUISITION

On the VIEW of the BODY of

Mary Lyons

whereby it is found that he came to
his death by

Strain side
Cerebral

Acute of the
Nucleus of the
Thalamus of the
Cerebrum of the
Substantia nigra
by fracture of skull

Disputed taken on the 22^d day
of Sept
1883

PHILIP MERKLE, CORONER.

POOR QUALITY
ORIGINAL

0684

TESTIMONY.

Dr. M. J. B. Melsemer being sworn says,
On September 11/83 arito Morgue
attached to Bellevue Hospital
made an autopsy on the body
of deceased. She was a run of back
of short stature and very much
emaciated. A cicatrix was found
about the center of the top of the scalp;
(somewhat to the right of the Median line near the vertex)
(On cutting through the scalp it
was found that the Scalp Wound
penetrated down to the Skull.
The Skull immediately under the Scalp
Wound or Cicatrix being denuded
of Periosteum. When the Scalp
was removed from the Skull the entire
Periosteum of the Skull came away
with it. A Fracture of the Skull was found
about an inch behind the Frontal Bone
One and One quarter inches in extent running
across the Inter-Parietal Suture. There
was Oedema of the Brain and slight
Meningitis. ^{all false membrane, lungs, stomach and intestines} Congenital Malformation of the
Heart was found there being only two instead
of three valves of the Aorta. An Aneurysm
of the Arch of the Aorta was discovered
about three inches in diameter. The Pericardial
Sac was filled with Serum. Both Lungs were
tied down by old Pleuritic Adhesions and fluid
was found in the left Pleural Cavity and the Cavity
of the Abdomen. The Pericardium contained six ounces
the Left Pleura eight ounces and the abdomen three
quarts. There was atrophy of the Intestines. Atrophy of the Liver
and Kidneys. ^{congestion of} Death to my opinion Internal. The Aortic
Valves were diseased and the Aorta was atheromatous. There were two
cavities in the apex of the Right Lung and Caseous nodules in the Left Lung.
Sworn to before me,

this 22nd day of September 1883.

Philip Morke

CORONER.

0685

Corvus Feltion

May 1903

0686

9-12-83

Mary Lyons was admitted to Ward 13
Aug 22 '83.

She was suffering from a scalp wound
about two inches long on the right
side of median line near the vertex.

The bone was bare but no fracture
was discoverable.

The complaint of dyspnea and
examination revealed a double
aortic murmur.

Her urine indicated Bright's disease
of a chronic variety.

She died Sep 10th from heart failure.

Autop 11th The internal table of skull
was fissured at seat of injury.
There was a slight amount of ecchy-
mosis at this site and a pachymen-
gitis interna (No symptoms)

The aortic valves were diseased also
the aorta was atheromatous.

The kidneys were the seat of
chronic Bright's (Chronic Diffuse Nephritis)
There were caseous nodules in the
lungs also two small cavities in
the right apex. The lungs were
studded with milium tubercles

Philip Meekle ~~Baron~~ ^{Asper} & Garmany

0687

TESTIMONY.

Dr. W. J. D. Mersemer being sworn says from Autopsy made on the body of deceased I am of opinion death was caused by Exhaustion from Aortic Valvular Disease of the Heart, Chronic Diffuse Hepatitis, and Pulmonary Phthisis Tuberculosis hastened by fracture of the Skull.

W. J. D. Mersemer M.D.

William K. O'Brien being sworn says I reside at 20 Cherry St. On September 20th/85 between half past four and five o'clock in the afternoon the mother of deceased (Mrs. Fitzgerald) got fighting with Bridget McCann. The husband of Mrs. McCann is named Pat. Gillen. ~~I think she got under a table.~~ Pat Gillen is blind and she leads him around. I and others pushed Mrs. Fitzgerald into her room to prevent her from fighting. There is nothing but fighting in the neighborhood where I live. Mary Lyons (deceased) had a hand in the quarrel and struck Bridget McCann in the face with her fist. Mary Lyons was a little hunchback no more than four feet high. She was a very fancy little thing when intoxicated. The whole fight originated through drink. About three quarters of an hour after the quarrel Mary Lyons sat on the back stoop when Bridget McCann came up with a small hatchet, such as cooper's use, and deliberately struck Mary Lyons on the head. I think she was justified in using the hatchet because she was attacked by the mother and step father of Mary Lyons and

Sworn to before me,

this 22nd day of September 1885

Philip Morley

CORONER.

0688

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the Coroner's Office
No. 13 5th Street in the 4th Ward of the City of
New York, in the County of New York, this 22^d day of September
in the year of our Lord one thousand eight hundred and 83 before

PHILIP MERKLE, CORONER,

of the City and County aforesaid, on view of the Body of Mary Lyons

now lying dead at

Eight Upon the Oaths and Affirmations of
good and lawful men of the state of New York, duly chosen and
sworn, affirmed and charged to inquire, on behalf of said people, how and in what manner the
said Mary Lyons

came to her death, do
upon their Oaths and Affirmations, say: That the said Mary Lyons
came to her death by being struck on the head
with a hatchet by Bridget McEran
at 22 Cherry St on August 22/83
and died September 14/83

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

JURORS.

Jacob Martin
H. A. Smith
J. Heller

C Beckmann
E Jacob
Ben B. Heywood
E Bauman

Harry Franze

No 19 Ave C
53 Ave C
61 Ave C

68 Ave C cor 5th St
66 Ave C

55 Avenue D
32 Ave C

73 Ave C
Philip Merkle

CORONER, T. S.

0689

Coroner's Office.

TESTIMONY.

herself and I think she was in fear of being again assaulted, so she took the bull by the horns and assaulted Mary Lyons with the coopers hatchet. Then she threw the hatchet across the stoop into the yard where Mrs Davis picked it up. A ~~stranger~~ ^{neighbor} snatched the hatchet out of ~~her~~ ^{Mrs Davis's} hand and kept it for Officer Barrett of the 4th Prec. The ambulance came and took deceased up to the hospital. Deceased was a hard drinker and was always sickly on that account she would drink as much as she could get a hold of. She looked quite delicate. She would get into a row over in a while if anyone said anything to her. They used to keep ^{old women} lodgers in the house and had many fights.

Wm F O'Brien

Sworn before me this 8th day of October 1883

John B Smith
Police Justice

Taken before me
this 22^d day of Sept. 1883.

Philip Decker CORONER.

0690

Coroner's Office.

TESTIMONY.

William H. O'Brien of No 20 Cherry street being sworn says: I am a ~~two~~ ^{thirty} month. On August 21 I was sitting in front of my residence & saw the prisoner fighting with the mother of the deceased, in the yard. Some ~~the~~ neighbors pushed the deceased's mother into her house. Afterwards the deceased & prisoner quarrelled & the former shoved the latter after which the prisoner procured the hatchet and struck the deceased with it ^{on the head} Mrs Lyons then walked into the house. 10 or 15 minutes after Officer Barrett came and arrested Mrs Mc Grann.

Wm H O'Brien
 Sworn to before me this
 8th day of October 1883
 Solon B Smith
 Police Justice

Taken before me
 this 22^d day of September 1883.

Philip M. Burke CORONER.

0691

Coroner's Office.

TESTIMONY.

Katie Gilday being sworn says
 I am 16 years old & reside at
 No. 20 Cherry Street. On August
 21st I was sitting on the stoop
 of my home about 4.30 o'clock p.m.
 when I saw Mrs M^cGrann came
 into the yard and ~~struck~~^{strike} Mrs
 Lyons on the head with a hatchet.
 The deceased then sat down
 and asked someone for God's
 sake to go for an officer. When the
 blow was struck the prisoner
 was standing on the upper
 step of the stoop while the
 deceased was on the lower
 one. I saw the officer when
 he came & arrested the woman.
 I saw no quarrel between
 the women. I had just come
 down stairs when I saw the
 prisoner appear. She had her
 arms folded & suddenly she
 struck the blow.

Katie Gilday
 Sworn before me this
 8th day of October 1883
 John Smith

Taken before me Police District
 this 22^d day of Sept. 1883.

Philip Morke CORONER.

0692

Coroner's Office.

TESTIMONY.

HANORA FITZGERALD of No 22 Cherry
 street being sworn says I am
 the mother of the deceased. On
 August 21st I had a quarrel with
 the prisoner. My daughter was
 not engaged in the dispute
 and did not interfere in it. The
 prisoner then went into her house
 & came out with a hatchet &
 saying "You humpy back I'll kill
 you" struck her on the head.
 I called "police" & officer
 Barrett came. A doctor also
 came & dressed my daughter's
 wound & then sent her
 to the hospital.

HANORA ^{her} FITZGERALD,
 mark

Taken before me this
 22nd day of October 1883
 John Bennett
 Police Justice

Taken before me

this 22^d day of Sept 1883.

Philip W. Herke CORONER.

0693

Coroner's Office.

TESTIMONY.

Thomas Barrett being sworn says
 I am ^{an officer} attached to the 4th Precinct. On
 Aug 21st I was walking down
 Cherry street & was told that
 a woman had hit another with
 an ^{axe} hatchet in the rear of 22
 Cherry st. I went in and found
 the deceased sitting on the
 stairs bleeding from the head.
 Mother of the deceased gave me
 the hatchet & said that Bridget
 Mc Graw had struck Mary
 Lyons with it. I sent for an
 ambulance & she was taken to
 the Chambers street Hospital
 from there to Bellevue Hospital.
 I arrested the prisoner. She acknowledged
 having struck ~~the~~ the deceased & said she
 did it because she had
 called her out of her name.
 Mrs Mc Graw's husband was
 present when I first saw the
 deceased.

Thomas Barrett
 Spoken before me this
 8th day of October 1883
 Sally Smith
 Police Justice

Taken before me
 this 22^d day of Sept. 1883.
 Philip Burke

CORONER.