

0604

BOX:

116

FOLDER:

1233

DESCRIPTION:

Marshall, John

DATE:

10/22/83



1233

0605

*NOTE*

Counsel,

Filed 22-day of Oct 1883

Pleads *Attquely-23*

THE PEOPLE

vs.

*R*

*John Marshall*

*By*

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

JOHN McKEON,

*District Attorney.*

A True Bill.

*W. W. Anderson*

*Feb 23/83 Foreman*

*Wm. G. Guy Boy 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 Bausinger

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

whilst there was then and there some human being, to wit, one Josephine Bausinger 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 Bausinger 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 stack  
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 Sixteenth 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 provided, and against the peace of the People of the State of New York and their dignity.

**JOHN McKEON,**  
*District Attorney.*

0609

Police Court No. 3 District 198

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Wm. Brennan*  
*W. B. Reynolds Sr.*

1 *John Marshall*

Offence *Burglary*

Dated *Oct 16* 188*3*

*Gardner* Magistrate.

*W. J. ...* Officer.  
10 Precinct.

Witnesses

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

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

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

\$ \_\_\_\_\_ 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 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* 188*3* *Joseph 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, 2 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*8*

*Henry Gardner* Police Justice.

05 11

CITY AND COUNTY }  
OF NEW YORK, } ss.

Harold E. Fitzpatrick  
aged 26 years, occupation Police officer of No.

10<sup>th</sup> Precinct Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Lizzie Bussinger

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 } Harold E. Fitzpatrick

Harold E. Fitzpatrick  
Police Justice.

0612

Police Court— 1 District.

City and County } ss.:  
of New York,

of No. 4 Bayard  
occupation Furrier

Lizzie Bensinger

Street, 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 House

The first floor of which  
was occupied by deponent as a Dwelling for herself & Children  
and in which there was at the time a human being, by name Joseph Bensinger  
and Joseph Bensinger  
were BURGLARIOUSLY entered by means of forcibly breaking the  
latch on the pane lights over the front door  
leading to said Room, then passing the window  
and 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 dollars

the property of Leopold Adler, and in care 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 lights and on the  
morning of the 16th day of October deponent  
discovered that said pane lights had  
been broken open and that above  
described property taken stolen and  
carried away  
Deponent is informed by officer  
Thomas E. Fitzpatrick of the 10th

0613

Precinct Police there at the hour of about  
4 o'clock in the morning of the 16<sup>th</sup>  
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 16<sup>th</sup> day of October 1883  
L. Benning  
Hugh J. Gardner 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*  
*Marshall*

*Assault in the Second Degree.*  
(Section 219, Penal Code.)

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

*Pris & acquitted.*

A True Bill.

*J. J. O'Rourke*  
 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. 822

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Mattha Mattell  
335 E 32 St  
Patrick Mattell

Office of Felonous Assault

Dated Oct 23 1883

M. J. Power Magistrate.

Witnesses \_\_\_\_\_ Precinct \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_

No. \_\_\_\_\_ Street \_\_\_\_\_  
to answer \_\_\_\_\_  
\_\_\_\_\_



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 Adenman

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 23 1883 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

05 18

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK } ss.

4 District Police Court.

Patrick C Martell 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. 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. Laborer

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. Conroy

Police Justice.

0619

Police Court— 1<sup>st</sup> District.

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

Martha Martell aged 25-

of No. 339 East 3<sup>rd</sup> Street,

being duly sworn, depose 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,

she 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 head in the hand of the said deponent

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

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

Sworn to before me this 23 day of October 1883

Martha Martell

[Signature] POLICE JUSTICE.

0620

BOX:

116

FOLDER:

1233

DESCRIPTION:

Martin, Francis

DATE:

10/04/83



1233

POOR QUALITY ORIGINAL

0621

24  
Filed 4 day of Oct 1883  
Pleady *[Signature]*

THE PEOPLE

vs. *F*  
*Francis*

*Martin*

Assault in the First Degree.  
(Firearms.)  
(59217 and 218)

JOHN MCKEON,  
District Attorney.

*[Signature]*

A TRUE BILL.

*[Signature]*  
Foreman.

*[Signature]*  
3 day

Notify Mr. [Name] several days before putting this calendar. A plea of insanity is interposed, & an examination must be had. J.C.F.

*[Signature]*

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, willfully 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 7 District 7

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Shaul Berlin*  
*221 Bay 126 Ave*  
*Francis Martin*

Offence *Reckless Assault*

Dated *Sept 29* 1883

*Morgan* Magistrate.  
*Morgan* Officer.

12 Precinct.

Witnesses

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

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

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

\$ 1000 to answer *Shaul Berlin*  
*Morgan*

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 1000 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 B. 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

Fifth District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Francis Martin

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. me; that the statement is designed to  
enable h. me if h see fit to answer the charge and explain the facts alleged against h. me  
that he is at liberty to waive making a statement, and that h. U. waiver cannot be used  
against h. me 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 1888

Richard W. [Signature]  
Police Justice.

0625

Police Court— 5<sup>th</sup> District.

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

Grace J. Crolius, age 24 years,

of No. 221 East 126<sup>th</sup> Street,

married being duly sworn, deposes and says, that  
on Friday the 28<sup>th</sup> day of September

in 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

Martin, now here, from the fact that  
this deponent whilst in the dis-  
charge of her duty in her store  
No. 110 East 110<sup>th</sup> Street in the City  
of New York the said Francis  
Martin did willfully and felo-  
niously 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 29<sup>th</sup> day  
of September 1888

Grace J. Crolius

P. H. Morgan POLICE JUSTICE.

0626

N.Y. General Sessions

The People &c.

- vs -

Francis Martin

Affidavit of Dr. Hardy

filed Oct 19. 1883

0627

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 19<sup>th</sup> day of October 1893 } William L. Hardy M.D.

In Witness

Natamus Public Clerk

0628

WM. L. HARDY, M. D.,

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

366 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



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.

Ryanin Sumoulin Oct. 3 Duffy GR  
John A. Steeny Sept 25 J. A. B  
Francis P. Martin Oct 5 Morgan F. A. B

All above please find docket  
Certificate

Very Respectfully

James Finn  
Warden

Case Crim No  
See 655, 659

POOR QUALITY  
ORIGINAL

0631

*Appointed and Confined  
Lent*

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 *Monday*, the *Tenth*  
day of *December*, in the year of our Lord One Thousand  
*Eight Hundred and eighty three* -

PRESENT.

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

Justice of the  
Sessions.

*The People vs*  
*Francis Martin* *Assault in the first degree*  
*(filed Oct 14. 1883)*

The Jurymen appointed by the Court  
*Joseph M. W. D. and*  
*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 this 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.

Now reading & filing  
his Report, it is ordered that  
said Report be & the same  
truly is in all this wrapped

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, 1883*

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 25<sup>th</sup> 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 19<sup>th</sup> and again on the 22<sup>nd</sup> of October. (22<sup>nd</sup>) -  
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?

0638

- 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~~ <sup>it goes</sup> 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~~ <sup>words about which</sup> there, if the man had been in the habit of spelling properly before. ~~Anything~~ <sup>Anything</sup> opinion based on this would ~~be with~~ <sup>be with</sup> a comparison ~~of~~ <sup>with</sup> his writing before.
- Q. When did you first examine the prisoner?
- A. My first examination was on or about the 19<sup>th</sup> of this month.
- Q. If on the 29<sup>th</sup> 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 13<sup>th</sup> 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 <sup>it</sup> bearing upon his mental condition was concerned.

0539

- 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 <sup>he</sup> 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 <sup>was</sup> 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?



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 <sup>you</sup> 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 spirits 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 <sup>the</sup> 17<sup>th</sup> day  
the nineteenth day of October in the year of  
our Lord one thousand eight hundred and ~~eighty~~ eighty three

Present,

The Honorable *Pedrick 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<sup>th</sup> 1883)

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 pursuant to the  
Court doth hereby appoint Joseph  
Nieuw Physician & Thomas  
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. B. Clark  
Clerk

New York General Sessions of the Peace.

THE PEOPLE

OF THE STATE OF NEW YORK,

vs.

Francis Martin

Dated

187

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. Spencer  
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 forewarned }  
this 25 day of Feb 1883 } Thomas M. Allen  
Fred Wright  
100<sup>th</sup> St

0647

BOX:

116

FOLDER:

1233

DESCRIPTION:

McCarthy, John

DATE:

10/15/83



1233

0648

112  
M. H. Simpson

Counsel,

Filed 15 day of Oct 1883

Pleads *Not guilty* (6)

THE PEOPLE

vs.  
John McKeon  
(2 cases)

INDICTMENT.

Grand Larceny in the 1st degree.

(39528 & 530)

JOHN McKEON,

Is Oct 24/83 District Attorney.

And + charged. 24,

A True Bill.

*W. A. Muddon*

*Wm. H. ... Foreman*

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 *ninth* 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 No. 183 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

James Levenhoid  
681 W 8th St.

John M. Carthy  
Officer

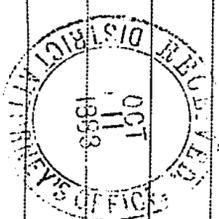
Offence Larceny from Person  
Penalty

Dated Oct 23 1883  
Magistrate.

Officer  
Precinct. 20

Witnesses  
No. 474 St. Ave. Street.

No. \_\_\_\_\_ Street \_\_\_\_\_  
 No. \_\_\_\_\_ Street \_\_\_\_\_  
 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 23 1883 [Signature] 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.

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 if he see fit to answer the charge and explain the facts alleged against him  
that he is at liberty to waive making a statement, and that his waiver cannot be used  
against him on the trial.

Question. What is your name?

Answer. John M. 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

day of

1883

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 Vernebeck  
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 1883 } Bartholomew La Virgini  
+ La Virgini

P. H. Sully  
Police Justice.

0653

e d

District Police Court.

Affidavit—Larceny.

CITY AND COUNTY OF NEW YORK, ss

of No. 681 Eighth Avenue Street, 28 years, Frank Perentrichy, Fruit Store.

being duly sworn, deposes and says, that on the 7th day of October 1883

at 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

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. Parthy (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. Parthy 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

188 POLICE JUSTICE.

0654

was attached to a chain <sup>and</sup> in the right hand rear pocket of deponent's coat then <sup>was</sup> taken by him <sup>and</sup> ran away with the said property; when deponent attempted to run after said unknown person, said M<sup>r</sup>. Parthy put out his foot <sup>and</sup> tripped this deponent who fell to the sidewalk; <sup>and</sup> 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 <sup>and</sup> who took <sup>and</sup> stole <sup>and</sup> carried away the said property

Sworn to before me <sup>of</sup> <sup>the</sup> 5<sup>th</sup> day of October 1883 <sup>at</sup> <sup>St. Mary's</sup> <sup>in</sup> <sup>the</sup> <sup>County</sup> <sup>of</sup> <sup>San</sup> <sup>Francisco</sup> <sup>California</sup>  
P. H. Duffy  
Police Dept

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

AFIDAVIT—Larceny.

vs.

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

Pleas Mr. Gully Med by

THE PEOPLE  
 vs.  
 Jofan P  
 Mc Cormick

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

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

JOHN McKEON,  
District Attorney.

A True Bill.

*W. H. Amdeson*  
Foreman.

*Samy J. ... of ...  
March 27/84  
Discharged by Court*

*March 27th 1884  
I am convinced from an ex-  
amination of the facts in  
this case that it is unlikely  
that the Defend 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.  
J. H. McGinnis  
Ct. 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 *seventh* 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 McMorrough*

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, *him* the said *John McMorrough* then and there feloniously did willfully and wrongfully strike, beat, *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.

0658

Police Court

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

1 John W. Brunner  
2 John W. Brunner  
3 John W. Brunner  
4 John W. Brunner  
Offence, *1st. assault & battery*

Dated July 11 1883

Magistrate

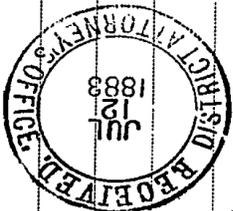
Officer

Clerk

Witnesses

No. Street

No. Street



No. Street

\$ 500 to answer

*MP 1. Curly*

*MP 2. Brunner*

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

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 W. Brunner*

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 *July 11* 1883 *J. Phillips* 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 *John Curly* guilty of the offence within mentioned, I order h to be discharged.

Dated *July 11* 1883 *J. Phillips* Police Justice.

0659

POOR QUALITY ORIGINAL

Sec. 198-200. 3 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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 11<sup>th</sup> Street 24 years

Question. What is your business or profession?

Answer. I work at doing 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  
of the Walter

John Curley

Taken before me this 10  
day of July 1884

J. J. [Signature]  
Police Justice.

0560

Police Court 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John W. Marry

John W. Bernward

John Curley

John Curley

Offence, Fel. answer

Dated July 10 1883

Wilberta Magistrate.

Weyen Officer.

Witnesses, \_\_\_\_\_ Clerk.

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

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

No. Walker a D G Street,

No. July 11 at 2 pm Street,

\$ 100 to answer

St for July 10  
CP 3 P. M.

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 \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ 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 \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

0551

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

~~John B. McCormick~~  
I am not the complainant  
with a knife or any other  
instrument

John Mc Cormick

Taken before me this

10

day of

July 1889

[Signature]  
Police Justice.

0662

Police Court— 3 District.

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

John Mc Morrow  
28 years of age a Laborer  
of No. 506 East 14<sup>th</sup> Street,

being duly sworn, deposes and says, that  
on Tuesday the 10<sup>th</sup> 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 Mc Cormack & Walter H. Friel

(both workmen) that said Mc Cormack

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,~~ <sup>injure</sup> 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 Morrow

[Signature] POLICE JUSTICE.

0663

City & County of New York &c

John Mc Murrage being cross examined says, I know the defendants Curley 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 affidavits as to him pointing a Revolver at me is not true, he did not ~~show~~ <sup>show</sup> a Revolver, I think I kicked Mr McCormack before I was struck I was intoxicated at the time Curley and I were having a few words when McCormack came up and struck me.

Sworn to before me this John Murrage

11<sup>th</sup> day of July 1883

J. Killbuck  
Police Justice

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

Sworn before me

this 11 day of July, 1883 J. Killbuck. Police Justice

District.

Police Court

THE PEOPLE, ETC.,  
ON THE COMPLAINT OF

AFFIDAVIT-A. & B.  
FELONIOUS.

vs.

188

Magistrate.

Officer.

Timothy Keys

Witness,

0664

COURT OF GENERAL SESSIONS

The People, &c.

vs.

*John McCormick*

*Attorney*

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. & 14<sup>th</sup> Street New York City. I was at the time under the influence of liquor and was attacked by a man named Hurley and believed the defendant McCormack was in company of this Hurley. 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, and therefore earnestly request that the charge be withdrawn and the said John McCormack be discharged.  
Dated New York March 25<sup>th</sup> 1884

Witness:-

John M. Harrough

Chief Clerk  
Rudolph L. Scharf

POOR QUALITY  
ORIGINAL

0666

|   |  |
|---|--|
| <p>Continued to March<br/>Term<br/><u>Samuel H. Smith</u></p> | <p>John W. Hymers<br/>413 E 14th St.</p> |
|---|--|

POOR QUALITY ORIGINAL

0667

Court of General Sessions, Part One

THE PEOPLE

INDICTMENT

vs.

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

0558

District Attorneys Office,  
City & County of  
New York.

People

vs  
Jno M<sup>e</sup> Connors

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

Subscribed before me  
This 29th day of Sept 83

John A. Fenner  
Notary Public  
New York County.

John M<sup>e</sup> Morrow  
Deft

0669

BOX:

116

FOLDER:

1233

DESCRIPTION:

McGee, Frank

DATE:

10/17/83



1233

Wm. Chenier  
Amey Peas  
Zyler. Rammle  
Poon. He also  
Larriester. King  
Mr. Officer  
Ed

23<sup>rd</sup> 1883

Counsel,  
Filed 17 day of  
Pleads 17th July 1883

THE PEOPLE

vs  
Wm. Chenier  
Wm. Peas  
Wm. Zyler  
Wm. Poon  
Wm. Larriester  
Wm. King  
Wm. Officer  
Wm. Ed

BURGESS—Third Degree, and  
Recent Larceny.  
25 498-506-518-532

JOHN McKEON,  
District Attorney.  
22 Oct 1883  
Yuba Co. Cal.

A True Bill.  
J. H. Anderson  
Foreman.

Verdict of Guilty should specify of which count.  
Sen. J. M. S.

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 force and arms~~ 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 *Peek 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.

0572

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

Police Court No. 104 194  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Frederick [unclear]*  
*Edward [unclear]*

1 *Frank M. [unclear]*  
2  
3  
4  
5  
6  
7  
8  
9  
10

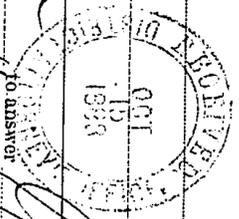
Offence *Burglary*

Dated *October 14th 1888*

*White* Magistrate  
*Maguire* Officer  
*W. [unclear]* Precinct

Witnesses *Amos J. [unclear]*  
*Blum*

No. \_\_\_\_\_ Street \_\_\_\_\_  
No. \_\_\_\_\_ Street \_\_\_\_\_  
No. *1500* Street *4th*  
\$ *1000* to answer *April*



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 1888* *Andrew [unclear]* Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ 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 \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

0673

Sec. 198-200

CITY AND COUNTY OF NEW YORK, ss.

1st 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.

*Union 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 *April* 188*7*  
*James 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

14  
October 1883

day of

Annie Dowdell

Aurora J. White

Police Justice.

0675

Police Court 4th District...

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

of No. 203 Elm Street, aged 29 years,

occupation Musician being duly sworn

deposes and says, that the premises No 203 Hotberry Elm Street,  
in the City and County aforesaid, the said being a Dwelling

and which was occupied by deponent as a Dwelling  
and in which there was at the time no human being, by name

were **BURGLARIOUSLY** entered by means of forcibly forcing the  
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 Deponent  
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 here  
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

From before me this 11th of October 1888  
Public Justice

0676

BOX:

116

FOLDER:

1233

DESCRIPTION:

McGrain, Bridget

DATE:

10/15/83



1233

POOR QUALITY ORIGINAL

0677

79 P. M. 1883  
W. H. Coffman  
Counsel,  
Filed 15 day of Oct 1883  
Pleads *Not guilty - (66)*

MURDER IN THE FIRST DEGREE.  
(Section 189.)  
THE PEOPLE  
vs.  
*R*  
Bridges  
McGinn  
D. G. H.

*Part II*  
JOHN McKEON,  
District Attorney.

A True Bill.  
*J. P. Muller*  
Foreman.  
Subscribed Nov. 16, 1883  
in 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 21<sup>st</sup> 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 Lyons

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 Lyons did make an assault.

And the said Bridget McGrain, her

the said Mary Lyons

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

aforesaid, in and upon the head

of her the said Mary Lyons 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 Lyons at the City, and County aforesaid, from the day first aforesaid, in the year aforesaid, 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 Lyons 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 Lyons* \_\_\_\_\_ 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 Lyons* \_\_\_\_\_  
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.

*W. L. Green*

*Papers in  
Dr Messer's  
possession*

POOR QUALITY ORIGINAL

0681

BAILED.

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street \_\_\_\_\_

79  
Police Court - 1st District. 792

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Stamora Fitzgerald*  
22 *Cherry St.*  
*Bridget McGrain*

Offence *Homicide*

Dated *Oct 6th* 188*3*

*Swuch* Magistrate.  
*Thos Banetti* Officer.  
*H* Precinct.

Witnesses *Kate Gilbey 206 Wm St.*  
No. *Wm W. Brown* Street.  
No. *20 Elm St.* Street.  
No. *J.P. Messinger M.A.S.* Street.  
*Edmond O'Brien* 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 *Bridget McGrain*

guilty thereof, I order that *She* 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 *She* give such bail. *Be legally discharged*

Dated *Oct 6th* 188*3* *John B. Spruit* 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.

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 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. *Budget Waldman*

Question. How old are you?

Answer. *35 Years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *22 Chem St. 2 Year*

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  
Waldman*

Taken before me this 11th day of 1931  
*John J. Smith*  
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 |

Died in Belleme Hosp  
St. Garmoy Howth Dublin

Struck  
by  
Widely  
M.P. M.M.  
False men  
under Burn  
male

Struck on the head  
with an axe on  
August 20<sup>th</sup> /83  
at St. Garmoy Dr  
Of short stature  
rheumatic, broad back  
and chicken breast  
Cicatrix over the  
middle of the skull  
on cutting through  
the scalp and looking  
at the under side there  
found that the axe  
cut had penetrated  
right down to the  
skull. Distention  
came right off with  
with scalp. Fracture  
of skull one inch behind  
frontal bone running

across the entire  
parietal suture  
One and a quarter  
inches in extent  
and extending  
completely through  
the different parts  
of skull. There was  
evidence of the brain  
and slight meningitis  
No formation of  
Hemat only two  
small red areas  
of three centimeters  
of the back of the  
vertebrae - Coccyx in  
Abdomen Peritonitis  
Free fluid with some  
lungs well down with  
All pleuritic adhesions  
Fracture of the vertebrae  
Compression of vertebrae  
Abscess of vertebrae

P. M.  
J. S. Pyg  
1883

AN INQUISTION

On the view of the BODY of  
Mary Lyons

whereby it is found that he came to  
his death by Strain side  
On Inquisition  
Residence of the  
Father of the dead  
Thomas Dwyer  
Apprentice of Howth  
Dublin  
By Macdonald  
Inquest taken on the 22<sup>d</sup> day  
of Sept  
1883

PHILIP MERRILL, CORONER.



0685

Coram Felix

May 20 1893

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 dyspnoea and  
examination revealed a double  
aortic murmur.

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

She died Sept 10th from heart failure.

Autop 11<sup>th</sup> 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 Meerkle, *Carum*, *Asper*, *Germany*

0587

TESTIMONY.

Dr. W. J. D. Mersemer being sworn  
said 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 Nephritis, and Pulmonary  
Tuberculosis hastened by fracture  
of the Skull.

W. J. D. Mersemer M.D.

William K. O'Brien being sworn said  
reside at 20 Cherry St. Cal.

September 20th 1883 between half  
past four and five o'clock in  
the afternoon the mother of deceased  
got fighting with Bridget McCann. The husband  
of Mrs. McCann is named Pat Gillean.  
~~I think she got under her arms.~~ Pat Gillean

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 rancy 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 22<sup>nd</sup> day of September 1883

Philip Morde

CORONER.

0688

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the Coroner's Office No. 13 575. Chatham Street in the 4th Ward of the City of New York, in the County of New York, this 22nd 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, I 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 Bridgett McEranu 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. Keller  
E. Beckmann  
E. Jacobs  
Ben B. Heywood  
E. Baumann  
Harry Franze

No 19 Ave C  
53 Ave C  
61. Ave C  
68 Ave C to 5th St  
60 Ave C  
55 Avenue C  
32 Ave C  
73 Ave C  
Philip Merkle CORONER, N. Y.

0689

Coroner's Office.

TESTIMONY.

herself and I think she was in fear of being again assaulted, so she took the bill by the horns and assaulted Mary Lyons with the cooper's hatchet. Then she threw the hatchet across the stoop into the yard where Mrs Davis picked it up. A ~~stranger~~ <sup>neighbor</sup> snatched the hatchet out of ~~her~~ <sup>Mrs Davis's</sup> hand and kept it for Officer Barrett of the 4<sup>th</sup> 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 once in a while if anyone said anything to her. They used to keep <sup>old women</sup> lodgers in the house and had many fights.

*John D. Given*

Sworn to before me this 22<sup>nd</sup> day of October 1883

*John D. Smith*  
Police Justice

Taken before me  
this 22<sup>d</sup> day of Sept. 1883.

*Philip Clarke* CORONER.

0690

Coroner's Office.

TESTIMONY.

William H. O'Brien of No 20 Cherry street being sworn says: I am a ~~lawyer~~ <sup>lawyer</sup> by trade. 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 <sup>on the head</sup> Mrs Lyons then walked into the house. 10 or 15 minutes after Officer Barrett came and arrested Mrs Mc Grann.

W. H. O'Brien  
 Sworn to before me this  
 8<sup>th</sup> day of October 1883  
 John O'Smith  
 Police Justice

Taken before me  
 this 22<sup>d</sup> day of September 1883.

Philip Berke CORONER.

0691

Coroner's Office.

TESTIMONY.

Katie Gilday being sworn says I am 16 years old & reside at no. 20 Cherry Street. On August 21<sup>st</sup> I was sitting on the stoop of my home about 4.30 o'clock p.m. when I saw Mrs M<sup>c</sup>Grann came into the yard and ~~struck~~ <sup>strike</sup> 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 to before me this  
 8<sup>th</sup> day of October 1883  
 Colou Smith

Taken before me Police District  
 this 22<sup>d</sup> day of Sept. 1883.

Philip Morke CORONER.

0692

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Coroner's Office.

TESTIMONY.

Hannah Fitzgerald of No 22 Cherry  
 street being sworn says I am  
 the mother of the deceased. On  
 August 21<sup>st</sup> 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.  
~~so~~ I called "police" & officer  
 Barrett came. A doctor also  
 came & dressed my daughter's  
 wound ~~then~~ & then to sent her  
 to the hospital.

Hannah <sup>her</sup> Fitzgerald,  
 mark

Given before me this  
 22<sup>nd</sup> day of October 1883  
 John Bennett  
 Police Justice

Taken before me  
 this 22<sup>d</sup> day of Sept 1883.  
 Philip Herke CORONER.

0693

Coroner's Office.

TESTIMONY.

Thomas Barrett being sworn says  
 I am <sup>an officer</sup> attached to the 4<sup>th</sup> Precinct. On  
 Aug 21<sup>st</sup> I was walking down  
 Cherry street & was told that  
 a woman had hit another with  
 an <sup>hatchet</sup> ~~axe~~ 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  
<sup>the hatchet</sup> ~~the~~ and said that Bridget  
 Mc Gramm 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~~ <sup>the deceased</sup> & said she  
 did it because she had  
 called her out of her name.  
 Mrs Mc Gramm's husband was  
 present when I first saw the  
 deceased.

Thomas Barrett  
 Sporn to before me this  
 8<sup>th</sup> day of October 1883  
 John R Smith  
 Police Justice

Taken before me  
 this 22<sup>d</sup> day of Sept. 1883.  
 Philip Burke  
 CORONER.