0568

BOX:
366
FOLDER:
3436
DESCRIPTION:
Oates, James

DATE:
09/06/89

3436

31

Witnesses;

Yee Lung
Off Reagen
6th Precl

Counsel,

Filed 6 day of Sept. 1889

Pleads, Not guilty

THE PEOPLE

34. H'y's & 1, 2, 6 vs.
Latter. 12

James Bates

Burglary in the first degree, and Petit Larceny.

[Section 496, 537, 528 & 532]

JOHN R. FELLOWS,

District Attorney.

Pr Sept 19/89.
Pleads Burg 3 dg'
S.P. 2 1/2 yrs.

A True Bill.

Chas. B. Polhemus

Foreman.

95

0570

Sec. 193—200.

..... District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. James Oates

Question. How old are you?

Answer. 40 years

Question. Where were you born?

Answer. U S

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

Answer. 420 E 26th St 3 mos

Question. What is your business or profession?

Answer. Hatter

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

Answer.

I have nothing to say

James Oates

Taken before me this 17

day of Aug 188 9

Police Justice.

0571

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 Aug 17 188 9 *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.*

0572

1220

Police Court--- 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Yee Lung
203 Austin st
1 James Oates
2
3
4

Offence Burg. Case

Dated 17 Aug 188 9
Daniel O'Reilly Magistrate.
Haggerty Officer.
Precinct.
Witnesses William F Regan
6th Precinct Police
No. Street.
No. Street.
No. Street.
$ 1500.00 to answer G. J.
Committed

RECEIVED
1889
DISTRICT ATTORNEY

BAILED,

No. 1, *by*
Residence *Street.*

No. 2, *by*
Residence *Street.*

No. 3, *by*
Residence *Street.*

No. 4, *by*
Residence *Street.*

0573

Police Court— 1 District.

City and County of New York, } ss.:

Yee Lung

of No. 203 Hester Street, aged 36 years,

occupation Laundryman being duly sworn

deposes and says, that the premises No. 203 Hester Street, 14 Ward

in the City and County aforesaid the said being a Laundry

and which was occupied by deponent as a Laundry

and in which there was at the time a human being, by name Ung Let . . Ah

Ung and deponent

were BURGLARIOUSLY entered by means of forcibly ~~from~~ breaking

open a shutter and window leading from the street into the basement of said

premises

on the 17 day of August— 1889 in the day time, and the

following property feloniously taken, stolen, and carried away, viz:

A quantity of wearing apparel and

good and lawful money of the

United States of the amount and

of the value of Five dollars all of

said property being of the value of

Fifteen dollars

the property of deponent and others in his care and charge

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

James Oates (colored) and another man

whose name is unknown

for the reasons following, to wit: That deponent was awakened

by a noise in said place and got

up and saw said Oates and said

unknown man in said place - That

said unknown man ran away - That de-

ponent called in William F.

Regan an officer attached to the

6th Precinct Police who took said

Oates in custody 裕隆

Sworn to before me this
17th day of August 1889
Police Justice

0574

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Oates

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

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

The said James Oates,

late of the Fourteenth Ward of the City of New York, in the County of New York aforesaid, on the twenty-fourth day of August, in the year of our Lord one thousand eight hundred and eighty-nine, with force and arms, about the hour of Midnight o'clock in the night time of the same day, at the Ward, City and County aforesaid, the dwelling house of one Nyee Young

there situate, feloniously and burglariously did break into and enter, there being then and there some human being, to wit: the said Nyee Young.

within the said dwelling house, with intent to commit some crime therein, to wit: the goods chattels and personal property of the said Nyee Young.

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away; the said James Oates and assisted by unknown confederates, actually present, whose name is to the Grand Jury aforesaid as yet unknown

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,

0575

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said

James Baker

of the CRIME OF LARCENY committed as follows:

The said James Baker,

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, in the daytime of the said day, with force and arms,

two coats of clothing and wearing apparel, of a number, and description to the Grand Jury aforesaid unknown, of the value of ten dollars, and the sum of five dollars in money, lawful money of the United States, and of the value of five dollars,

of the goods, chattels and personal property of one Nyce Bunny,

in the dwelling house of the said Nyce Bunny,

there situate, then and there being found, from 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.

John R. Fellows
District Attorney

0576

BOX:
366
FOLDER:
3436
DESCRIPTION:
O'Boyle, James
DATE:
09/04/89

Witnesses:

Off Munson

12

Counsel,

Filed 4 day of Sept. 188 9

Pleads,

THE PEOPLE

vs.

James O'Boyle

ATTEMPTING SUICIDE.
(Section 174, Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Chas. B. Polhemus

Foreman.

Sept 5/89

Plead Guilty.

Judgt Suspended.

H.C.J.

0578

Police Court, 6 **District.**

City and County of New York, } ss.

Harry Munson

of ~~No.~~ The 33d Precinct Police ~~Street,~~ aged ~~years~~,

~~occupation~~ being duly sworn, deposes and says, that on the 22d day of August 1889, at the City of New York, in the County of New York, James O'Boyle, now here, did wilfully and feloniously attempt to commit against himself an act dangerous to human life, with intent to take his own life, and which act is committed against another and followed by death as a consequence would render the perpetrator liable to prosecution for homicide. At about half past five on the morning of said day deponent, being on duty at Harlem Bridge, saw said O'Boyle jump from the bridge into the water. Deponent rescued said O'Boyle by means of a boat, and said O'Boyle on being taken into the boat said "Oh, let me be. Let me die."

Sworn to before me this
22d day of August 1889

Charles N Tainter
Police Justice

Harry Munson

0579

Sec. 198—200.

6th District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

James O'Boyle ..... 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 yonr name?

Answer. James O'Boyle

Question. How old are you?

Answer. 29 years

Question. Where were you born?

Answer. Pittsville, Pennsylvania

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

Answer. No 222 East 92d st; 2 weeks

Question. What is your business or profession?

Answer. Tinsmith

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

Answer. I am not guilty

James O'Boyle

Taken before me this 22d day of January 1889

Charles A. Flammer

Police Justice.

0580

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named James O'Boyle *guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* Twenty *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. August 22d *1889* Charles N Taintor *Police Justice.*

I have admitted the above-named .....

to bail to answer by the undertaking hereto annexed.

Dated. ..... *18* ..... *Police Justice.*

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

..... *guilty of the offence within mentioned. I order he to be discharged.*

Dated. ..... *18* ..... *Police Justice.*

0581

Police Court--- 6th 1246 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Harry Munson
vs.
1 James O'Boyle
2
3
4

Offence Simple Assault

BAILED,

No. 1, *by*

Residence *Street.*

No. 2, *by*

Residence *Street.*

No. 3, *by*

Residence *Street.*

No. 4, *by*

Residence *Street.*

Dated August 22d 188 9

Taintor Magistrate.

Munson Officer.

33d Precinct.

Witness Said Officer

No. Street.

No. Street.

No. Street.

$ 200- to answer G.S.
C.H.T.

RECEIVED

0582

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James O'Keefe

The Grand Jury of the City and County of New York, by this indictment, accuse James O'Keefe

of the CRIME OF ATTEMPTING SUICIDE, committed as follows:

The said James O'Keefe,

late of the City of New York, in the County of New York aforesaid, on the twenty-second day of August, in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with intent to take his own life, did feloniously rush and throw himself into the waters there, commonly called the Harlem River, and with and by means thereof his body in the waters aforesaid, (

the same being an act dangerous to human life, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0583

BOX:
366
FOLDER:
3436
DESCRIPTION:
O'Brien, James
DATE:
09/18/89

0584

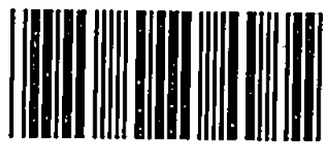
BOX:
366
FOLDER:
3436
DESCRIPTION:
Hill, James
DATE:
09/18/89

0585

BOX:
366
FOLDER:
3436
DESCRIPTION:
Lee, Frank
DATE:
09/18/89

0586

BOX:
366
FOLDER:
3436
DESCRIPTION:
Smith, John
DATE:
09/18/89



Witnesses:

George Clark
Off John Doe

Counsel,

Filed 18 day of Sept 18 89

Pleads, Not guilty

THE PEOPLE

James O'Brien
James Hill
Frank Lee and
John Smith

Grand Larceny Second degree.
[Sections 528, 53 of N.Y. Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Chas. B. Richard
Foreman.

0588

COURT OF GENERAL SESSIONS.

Part III.

The People of the State of New York.	
against	Before Hon. Frederick Smyth, and a Jury.
James O'Brien and James Hill.....	

Indictment filed September 18th, 1889.
Indicted for Grand Larceny in the Second Degree.

New York September, 27th, 1889.

APPEARANCES: For the People: Assistant District Attorneys Fitzgerald and Dawson.

For the defendants: Mr. J. Oliver Keane.

GEORGE CLARK, a witness for the people, sworn testified:

I am the Superintendent of the Cuba Mail Steamship Line. On the 9th of September last one of our steamers was discharging a load of sugar at Harbecks stores in Brooklyn. The bags were marked with our mark. I was off and on while the cargo was being discharged The were some 5000 bags in the cargo. When I came to the dock one day during the discharge of the cargo my attention was called to the fact that it was four bags short. This was on the morning of the 10th. I saw these defendants under arrest in the police boat I identified the bags which were found at the bottom of the river, by the grappler as bags belonging to this cargo. I could tell them by the marks on them.

Cross examination.

There were 5039 bags of sugar discharged from this steamer Manhattan, while the cargo called for 5043. It was mat sugar that was discharged in these bags. The value of this sugar was five and a quarter cents a pound.

JOHN JOSE, a witness for the people sworn testified:

I am a police officer attached to the New York Police force. I was on duty in a row-boat in the East River on the night of the 9th of September. Officer Collins was with me . We were patrolling the East River piers. We stayed along the shore from 6 o'clock in the evening untilhalf-pastell. About the hour of half past 11 I saw these two defendants going up the river in two boats. The boats were empty. Around 12 o'clock I saw them coming down and when they got opposite the pier on which officer Collins and I were hiding, we rowed out to them. Officer Collins got into one boat and I got into the other. As we got near one of the boats we saw one of the men dump something into the river. When I got inside of one of the boats I saw a small bag in the back of the boat with 35 or 40 pounds of sugar in it. I took the sugar and these two prisoners to the police boat where the sugar was kept.. The sugar was found in the boat with O'Brien. I saw the men dump the sugar from the boat. I took particular notice of the place where the sugar was dumped into the river and the next day Mr. Clark sent a man

0590

there to grapple for the bags and they were found. When I got the two prisoners on the police boat I asked them where they got the sugar and they said on board a scoon-er. They denied dumping any sugar into the river.

Cross examination:

The was agood deal of light on the river that night. I could identify persons at a good distance. I saw the boats in which these defendants were go into Harbeck's pier where this sugar was on the dock. The boats were only half-an-hour gone when they came back. The only charge I made against these defendants on board of the police Boat was that they were suspicious characters. These men were discharged the next morning in the police court. After the were discharged they came back to the patrol boat to get their row-boat and they were again arrested and held for trial. .

EDWARD COLLINS a witness for the people, sworn testified:

I am a police officer of the City of New York attached to the police boat Patrol. I was on duty on the 9th of September with Officer Jose. I was with him on a pier in Brooklyn a when we both saw the two boats go by with these defendants in them, empty. There were two boats and two men in each boat. They went up the river in the direction of Harbeck's stores. In about half-an-hour I saw the two boats come down and they were loaded. I didn't see anything dumped out of the boats. We rowed out and arrested the men in the boats. In one of the boats we found about 35 pounds

0591

of sugar. We arrested all the men. The other two were discharged. The sugar was left on board the police boat Patrol. They said we didn't have any right to arrest them. I saw O'Brien making an effort to throw some of the sugar overboard and I prevented him. We took all the prisoners to the steamboat Patrol.

Cross-examination. . The river was well lighted that night. The lights on the Brooklyn Bridge shone down as far as we were. The defendants were discharged the following morning in the police Court and appeared [illegible].

JOHN R. CLIFFORD, a witness for the people, sworn testified:

I am a watchman on a pier in Brooklyn. On the 9th of September at about 11 o'clock I saw two row-boats go into Harbeck's pier. I saw two men get out of their boats and creep up the pier. One of the men went up to the watchman who was on Harbeck's pier and says to him "I want a bed". I ran for the police. When I got back to the pier I saw the men rowing off in the boats. The boats went down the river.

CASE ADJOURNED UNTIL SEP. 30th .

0592

New York September 30th, 1889.

T r i a l r e s u m e d .

PATRICK MURPHY, a witness for the people sworn testified:

I am a watchman on the docks in Brooklyn. Between 10 and 12 o'clock on the night of the 9th of September. I saw the two b o a t's come out of Harbeck's dock loaded. I didn't know what was in them. The boats went down towards Wall Street Ferry.

SYLVESTER CURRY, a witness for the people sworn testified:

I am a night watchman on the docks in Brooklyn. On the 9th of September, Clifford the watchman came and told me that two boats had come into Harbecks pier. I ran down and I saw one boat with three men in it going along the river. The boat seemed to be loaded. I didn't indetify the men in the boat. The boats went down the river. .

EDWARD REARDON, a witness for the people sworn testified:

I am a grappler by occupation. On the 11th of Sep. I grappled for this bag at the point where the officer directed me and I found a bag which Mr. Clark identified as belonging to the gargo of the Manhattan.

JAMES FAY, a witness for the people sworn testified:

I am a wharfinger. On the 11th of September Officer Mose accompanied me to Brooklyn and pointed out to me the spot where he saw this sugar thrown into the

river, and I went there and pointed it out to the last witness and was present when the bag was picked up by him. I delivered the bag to Mr. Peck our Superintendent.

GEORGE CLARK, recalled, identified the bag produced by the las t witness as one of the cargo of the Manhattan. .

JOHN D. PECK, testified that the bag which was grappled for and discovered at the bottom of the river was delivered to him by the witness Fay and by him shown to the witness Clark. Also that the number of the bag corresponded to the number of the bags in that cargo.

JOHN PATTERSON, shipping clerk for ~~Jno.~~ F. Ward & Co. testified that the cargo of the Manhattan was three bags short.

CHARLES SMITH, sugar sampler, testified that he examined some of the sugar found in the boats of the defendants and compared it with the sugar found in the cargo of the Manhattan and it was identical.

PATRICK EGAN another sugar inspector testified to the same effect.

OFFICER JOSE, recalled testified: that the sugar found in the boats of the defendants was the sugar that was examined by the two last witnesses. There was no other sugar on board of the Police Boat Patrol.

D E F E N S E .

MICHAEL F. MARTIN, a witness for the defendant testified:

I am a professional accountant. I have known the defendants for a number of years and they both have excellent characters for honesty and integrity. I am acquainted with the piers in Brooklyn and it is impossible for a person to see a boat going into Harbeck's pier standing in the position in which they testified they stood. I went over there this morning and tried to do so but I could not.

+ 58

JAMES HILL, one of the defendants ~~sworn~~ testified:

I am 58 years of age. I live in Brooklyn. My business is a boatman on the river. On the 9th of September I was ~~I~~ was employed cleaning a scooner ~~my~~ at Hunter's Point. The man on the ship gave us for our work a lot of sugar which we found in the hold. We came down the river at about 11 o'clock and as we passed the place where the officers were, we were arrested. I didn't dump or didn't attempt to dump any sugar into the river. We got this sugar honestly for our work.
I was not in Harbeck's pier that night or didn't steal any sugar. I never stole anything. In the Police Court we were discharged, and we went back to the police boat "patrol" for our boats when we were re-arrested.

0595

Cross examination.

I was never charged before with any crime . I positively deny throwing anything out of my boat. I have followed the river for a number of years. I was never in any trouble before. . The reason we waited so late at Hunter's Point was to wait until the tide would turn.

JAMES O'Brien, the defendant testified;

I live at 58 Congress Street Brooklyn. I have followed the river for twelve years as boatman or bookman. On the 8th of September I went with Hill about five o'clock in the afternoon up to Hunter's Point to clean out a scooner. During the job we found some sugar left in the hold of the scooner, and we brought it up, and the mate said we might have it for our trouble in cleaning the boat, We put it in our boat. There were two other young men with us when we came down and when we came near the pier where the officers were we were arrested by them. I think it was molasses sugar that we got from the ship . I was not in Harbeck's pier that night. I never stole any sugar from any place on Harbeck's Pier or any other pier. I didn't throw any sugar into the river. I was never convicted of any crime in my life before.

Cross-examination.

I dont know what became of the other two men that were with us. I never knew them before. I cannot tell you the name of the Captain of the scooner that we

0596

cleaned out. The scooner sailed away the next day. It was between nine and ten o'clock when we left Hunter's point. We waited until the tide began to ebb. I have often taken jobs before to clean out boats and hav have gotten the sweepings.

ROBERT J. LOOMIS testified to the good character of the two defendants.

The Jury returned a Verdict of Guilty of Grand Larceny in the Second Degree, with a recommendation to the mercy of the Court.

Indictment filed Sept. 18;89

COURT OF GENERAL SESSIONS

Part III.

T H E P E O P L E &c.

against

James O'BRien and James H

HILL.

Abstract of testimony on

trial New York, September

27th 1889.

0598

VI.

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

January 11, 1890.

Sir:

Application for Executive clemency having been made on behalf of **James Hill,** who was convicted of **Grand Larceny 2d degree** in the county of **New York** and sentenced **Sept. 30, 1889,** to imprisonment in the **Sing Sing Prison** for the term of **two years.**

I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

I am,

very respectfully yours,

T. S. Williams,
Private Secretary.

Hon. Frederick Smyth,
New York City.

0599

VI.

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

January 11, 1890.

Sir:

Application for Executive clemency having been made on behalf of **James Hill,** who was convicted of **Grand Larceny 2nd degree** in the county of **New York** and sentenced **Sept. 30, 1889,** to imprisonment in the **Sing Sing Prison** for the term of **two years.** I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

I am,

very respectfully yours,

J. S. Williams,

Private Secretary.

Hon. J. R. Fellows,

District Attorney,

New York City.

0690

Chronopolis
Oct 1989
J.O.#

0601

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 2d DISTRICT.

William O-Hara

of ~~No.~~ the 15th Police Precinct Street, aged 30 years,

occupation Police Officer being duly sworn deposes and says

that on the 5th day of February 1889

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

(now here) did feloniously carry concealed upon his person a weapon commonly known as a Dirk or Dagger while on Bleecker Street in said City.

Deponent further says that he, deponent, arrested said defendant on suspicion of his being an accomplice and with having assisted two other men, in committing a Robbery on the aforesaid day, and when deponent searched said defendant, deponent found said Dirk or Dagger concealed in the upper

Sworn to before me this 1st day of [illegible] 188[illegible]

Police Justice.

0602

left hand pocket of the vest then and there worn upon the said defendants person Dependent therefore charges said James Smith with feloniously carrying said Dirk or Dagger concealed upon his person, in violation of Section 410 of the Penal Code of the State of New York and asks that he may be dealt with as the law may direct. William O'Leary

Sworn to before me this 6th day of February 1889

Police Justice

Police Court--

District.

AFFIDAVIT.

THE PEOPLE, ON THE COMPLAINT OF

vs.

188

Magistrate.

Officer.

Dated

Witness,

Disposition,

0603

Police Court— District. **Affidavit—Larceny.**

City and County of New York, } ss.:

George Clark

of No. Hoboken New Jersey Street, aged 40 years, occupation Superintendent Wood S.S. Line being duly sworn deposes and says, that on the 9th day of September 188 9 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property, viz:

seven hundred pounds of molasses sugar of the value of ~~so~~ five and one half cents a pounds but being together of the value of Thirty eight and fifty one hundredths dollars.

the property of various consignees and in the care custody and possession of this deponent

Sworn to before me this day of 188

Police Justice.

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by James O'Brien, James Hill (both not arrested) and Frank Lee and John Smith (both not arrested) for the following reasons, to wit, on September 9th, 1889, there was in the possession of this deponent on the pier of the Harbeck Stores in this City of Brooklyn, certain sugar of a particular quality and brand and at said time there was there no other sugar of this quality and brand. Deponent is informed by officer John Jose and believes that on the night of September 9th, 1889, at about half past eleven o'clock he saw the above named O'Brien, Hill, Lee and Smith in two boats upon the East River and that said boats were then empty that thereafter he saw the said O'Brien, Hill, Lee and Smith in the said boats come from between the piers of the Watson and Harbeck stores in this said City of Brooklyn

0604

and that their said boat contained over seven hundred pounds of sugar. ~~that~~ that he the said Jesse seized said sugar. Deponent is further informed by John Richard Clifford that on the night of September 9th, 1889, he saw said O'Brien, Hill, Lee and Smiette at about half past eleven o'clock in two boats at the pier of the Harbeck Stores in this city of Brooklyn and they then and there were loading into said boats certain goods from said pier. Deponent is further informed by Charles Smiette, an expert as the subject of sugars that he examined the sugar found as aforesaid in the boats of the said O'Brien, Hill, Smiith and Lee and also the sugar in the possession of this deponent above referred to as being on September 9th, 1889, on the pier of the Harbeck Stores and that these sugars are identical in quality and classible grade and the same lot. That said sugar seized as aforesaid was seized in the county of New York in the possession of said O'Brien, Hill, Smiith and Lee as deponent is informed by said officer Jesse Caldwell

Subscribed and sworn
before me this
11th Day of September 1889

Police Justice.

0605

CITY AND COUNTY OF NEW YORK, } ss.

John R. Clifford

aged 51 years, occupation Watchmaker of No. 384 ~~388~~ Prospect Avenue Brooklyn Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of George Clark and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 11th day of September 1889

John R. Clifford

Police Justice.

0606

CITY AND COUNTY OF NEW YORK, } ss.

Charles Schmitt

aged 49 years, occupation Sugar Refiner of No. 264 17th Street, Brooklyn being duly sworn deposes and says, that he has heard read the foregoing affidavit of George Clark and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 11th *day of* September 1889

Chas Schmitt

Police Justice.

0607

CITY AND COUNTY OF NEW YORK, } ss.

John Jose

aged 30 years, occupation Police Officer of ~~No.~~

Police Borat Patrol ~~Street~~, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of George Clark

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 11th day of September 1889

John Jose

Police Justice.

0608

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. James O'Brien

Question. How old are you?

Answer. 33 years

Question. Where were you born?

Answer. United States

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

Answer 53 Jauger & 8 Bldg 6 years

Question. What is your business or profession?

Answer. Batman

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

Answer. I am not guilty

James O Brien

Taken before me this 1 *day of* October 188

Police Justice.

0609

Sec. 198—200.

11th District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. James Neil

Question. How old are you?

Answer. 57 years

Question. Where were you born?

Answer. United States

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

Answer. 353 West 52d. Between 9th & 10th Aves.

Question. What is your business or profession?

Answer. Longshoreman

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

Answer. I am not guilty

James Neil
X
mark

Taken before me this 11th day of October 188

Police Justice.

0610

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 Ten Hundred Dollars, Each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Oct 11th 188 9 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.

0611

1370

Police Court--- 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Eagle Clerk

vs.

1 James O'Neill
2 James Kelly
3 [illegible]
4 John Smith

Offence Disorderly

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street

Dated Sept 11th 188 9

Keegan Magistrate.

Jose Officer.

Precinct.

Witnesses, John A. Clifford
384 Professor Bayes
No. Lincoln Place Street.
264 17th St Brooklyn
John Rose
No. Bergen Street.
Edward Riordan
No. Thorn Street.

$ 1000. to answer.

Comd

0612

Sec. 198—200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. James Smith.

Question. How old are you?

Answer. 33 years

Question. Where were you born?

Answer. Virginia

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

Answer. No 11 Cannine Street about 6 months

Question. What is your business or profession?

Answer. Rail-road Porter

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 and demand an examination

) James Smith

Taken before me this 6th day of Nov 188 3

Police Justice.

0613

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 Three *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 February 6 188 9 *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.*

0614

105 B O

Police Court--- 2 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF
William O'Hara
vs.
1 James Smith
2 Assault & B. & P.
3 for Robbery
4 Larceny & Embezzlement

Offence Summons Warrant Assaulted Deputy

Dated Feby 6 1889
D. O'Reilly Magistrate.
6 Heard Officer
15 Precinct.

Witnesses
$1000 & Feby 7 2 P M Street.
No. Street.
No. Street.
$ 1000 to answer

RECEIVED DISTRICT ATTORNEY'S OFFICE FEB 11 1889

2/3 Pris. in

Acc Pay

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street

0615

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against.

James O'Brien, James Hill
Frank Lee and John Smith

The Grand Jury of the City and County of New York, by this indictment, accuse James O'Brien, James Hill, Frank Lee and John Smith of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed as follows:

The said James O'Brien, James Hill, Frank Lee and John Smith, all late of the City of New York, in the County of New York aforesaid, on the ninth day of September in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms, seven hundred pounds of molasses sugar of the value of five and one half cents each pound

of the goods, chattels and personal property of one George Clark

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

0616

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said James O'Brien, James Hall, Frank Lee and ~~Charles~~ John Smith, all of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said James O'Brien, James Hall, Frank Lee and John Smith, all 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, seven hundred pounds of molasses sugar of the value of five and one half cents each pound

of the goods, chattels and personal property of one George Clark

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said George Clark

unlawfully and unjustly, did feloniously receive and have; the said James O'Brien, James Hall, Frank Lee and John Smith

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried 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 R. FELLOWS,
District Attorney.

0617

BOX:
366
FOLDER:
3436
DESCRIPTION:
O'Brien, William
DATE:
09/25/89

06 18

BOX:
366
FOLDER:
3436
DESCRIPTION:
Riley, Thomas
DATE:
09/25/89

Witnesses:

Off Guard & Trial
Central Office

150

Boes

Counsel,

Filed 25 day of Sept 1889

Pleads, Not guilty

THE PEOPLE

vs.

P
William O'Brien
and
P
Thomas Riley

Attempt Grand Larceny 1st Degree.
(From the Person.)
[Sections 528, 531 Penal Code].

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Chas. D. Wheelock

Foreman.

Part III October 1. 1889.
Both tried and acquitted.

0620

Police Court— 2 District. **Affidavit—Larceny.**

City and County of New York, } ss.:

Kate Mehagan

of No. 56 Varick Street, aged 48 years,

occupation ~~Housekeeper~~ Domestic being duly sworn

deposes and says, that on the 2nd day of September 188 9 at the City of New York, in the County of New York, was feloniously ~~taken~~ attempted to be taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz: person

One Handkerchief of the Value of the Value of Forty Cents

and good and lawful Money of the United States of the Value of Twenty five Cents

said property being in all of the Value one Dollar & fifteen Cents

1.15/100

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously ~~taken~~ attempted to be taken, stolen, and carried away by William O'Brien and Thomas Reilly (both present here) from the fact that deponent was at the Corner of 14th Street & Broadway when deponent had said Handkerchief in the pocket of the dress then worn upon deponents person and deponent had said Money in the pocket of her dress,

Deponent is informed by Edward Ford of the Central office police that he saw said two defendants in company of each other that he saw said O'Brien place his hand in deponents pocket and that at the time said Reilly was standing

Sworn to before me, this 2nd day of September 188

Police Justice.

along side of said defendant covering said O'Brien

Defendant believes and charges that said defendants did intend to steal defendants property and pray that they be held to answer. said charge

Sworn to before me
this 3rd day of September 1884
John Hinman
Police Justice

his
Kate X Meehagen
mark

0622

CITY AND COUNTY OF NEW YORK, } ss.

Edward C Freel

aged 28 years, occupation Detective of No.

Central office Police Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Kate Mehegan

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 3
day of September 188-

Edward C Freel

John J Gorman

Police Justice.

0623

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. William O'Brien

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. Kingston

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

Answer. refuse to answer.

Question. What is your business or profession?

Answer. Painter

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

Answer. I am not guilty

William J. O'Brien

Taken before me this 3 *day of* December 188 9

Police Justice.

0624

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Thomas Reilly

Question. How old are you?

Answer. 38 years

Question. Where were you born?

Answer. Dublin England

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

Answer. 61 West 11 Street 3 months

Question. What is your business or profession?

Answer. Painter

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 know nothing about the occurrence of the alleged larceny

Thomas Reilly

Taken before me this 3 *day of* October *188*

Police Justice.

0625

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 Defendants

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 Sept 3 188 9 John J. Moran *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.*

0626

Police Court--- 2 1332 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Kate Mehegan
36 Varick st
1 Wm O'Brien
2 Thomas Reilly
3
4

Assault
Disorderly

BAILED,

No. 1, by .....
Residence ..... Street.

No. 2, by .....
Residence ..... Street.

No. 3, by .....
Residence ..... Street.

No. 4, by .....
Residence ..... Street.

Dated Sept 3 188 9

Goreman Magistrate.
Engel Officer.
Murphy Precinct.
Witnesses Case affirmed

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ 500. to answer .....

Case

RECEIVED
DISTRICT ATTORNEY'S
OFFICE.
SEP
5
1889

0627

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William O'Brien and Thomas Riley

The Grand Jury of the City and County of New York, by this indictment, accuse William O'Brien and Thomas Riley of the crime of attempting to commit the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said William O'Brien and Thomas Riley, both late of the City of New York, in the County of New York aforesaid, on the second day of September in the year of our Lord one thousand eight hundred and eighty-nine, in the day time of the said day, at the City and County aforesaid, with force and arms, one silver coin of the United States of the kind called half dollars of the value of fifty cents, two silver coins of the kind called quarter dollars of the value of twenty-five cents each, four silver coins of the kind called dimes of the value of ten cents each, seven nickel coins of the kind called five cent pieces of the value of five cents each and ten coins of the kind called cents of the value of one cent each, and one handkerchief of the value of forty cents

of the goods, chattels and personal property of one Kate Mehagen on the person of the said Kate Mehagen then and there being ~~found from~~ the person of the said Kate Mehagen attempt to 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 R. Fellows
District Attorney

0620

BOX:
366
FOLDER:
3436
DESCRIPTION:
O'Connell, John
DATE:
09/11/89

Witnesses:

John McDougal
Off James J. Perkins
Off Patrick J. Berry
7th Precn

Counsel,

Filed 11 day of Sept. 1889

Pleads, Not guilty

THE PEOPLE

vs.

John O'Connell

Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code).

JOHN R. FELLOWS,
District Attorney.

A True Bill.

Chas. B. Reichard
Foreman.

Sept 11/89
Pleads
Assault 2 deg
S. P. Jones

82096

0630

Police Court— 9 District.

City and County of New York, } ss.:

John McDougal

of No. 64 Rutger Street, aged 37 years,

occupation Butcher & Cook being duly sworn

deposes and says, that on 29th day of August 1889 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John O'Connell (another) who attempted to stab deponent with a knife, the said defendant held then and there in his hand, deponent only escaped by retreating

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

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

Sworn to before me, this 30th day of August 1889. } John McDougal

Police Justice.

The WARDEN and KEEPER of the CITY PRISON of the City of New York, will **RECEIVE** and safely keep for **EXAMINATION** the body of

.....

.....

.....

.....

Charged with .....

.....

District Police Court, New York, ... 188

.....

Police Justice.

1E90

0632

The District attorney's attention is especially called to the case. This defendant was a companion of the man McElvaine Quinlan and Dineen, who killed the grocer in Brooklyn while committing a burglary in his premises — He was present and Shot one of the principals ~~then~~ in the Cherry Hill Homicide when Bergen killed a Sergt defense this mans Companion who with him and others were committing an assault on Bergen

0633

Sec. 198—200.

3rd District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John O'Connell 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 O'Connell

Question. How old are you?

Answer. 20 years.

Question. Where were you born?

Answer. New York City

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

Answer. No 220 Cherry Street, twenty years

Question. What is your business or profession?

Answer. Driver of a Truck

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 O'Connell

Taken before me this 20 *day of* Dec *1889*

Richard Barrett

Police Justice.

0634

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

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

Dated August 30th 188 9 ..... *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 he to be discharged.*

Dated ..... 188 .....

Police Justice.

0635

1299

Police Court — 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John M. Donegan
64 Rutger place
John O'Connell
2
3
4

Offence Assault & Battery

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated August 30 1889

Power Magistrate

Perkins Officer.

7 Precinct.

Witnesses Moses Rodh

No. 64 Rutger Place Street.

Patrick Berry

No. 7th Precinct Station House Street.

No. Street.

$ 1000.00 to answer

RECEIVED
SEP 3 1889
DISTRICT ATTORNEY'S BUREAU

0636

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 O'Connell

The Grand Jury of the City and County of New York, by this indictment, accuse John O'Connell of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said John O'Connell late of the City of New York, in the County of New York aforesaid, on the twenty-ninth day of August in the year of our Lord one thousand eight hundred and eighty-two with force and arms, at the City and County aforesaid, in and upon the body of one John McDougal in the peace of the said People then and there being, feloniously did make an assault, and him the said John McDougal with a certain knife which the said John O'Connell in his right hand then and there had and held, the same being a deadly and dangerous weapon then and there wilfully and feloniously did attempt to strike, beat, cut, stab and wound, him with intent him the said John McDougal thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said John O'Connell of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said John O'Connell 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 John McDougal in the peace of the said People then and there being feloniously did wilfully and wrongfully make another assault, and him the said John McDougal with a certain knife which the said John O'Connell in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully attempt to strike, beat, cut, stab 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 R. Fellows,
District Attorney.

0637

BOX:
366
FOLDER:
3436
DESCRIPTION:
O'Donovan Rossa Jeremiah
DATE:
09/11/89

0630

BOX:
366
FOLDER:
3436
DESCRIPTION:
Hendrickson, Wilbur H.
DATE:
09/11/89

Witnesses:

Patrick J. Reidy

Police Court 2nd. District.

- -

The People on the complaint of
Patrick S. Cassidy,
against
Jeremiah O'Donovan Rossa and Wilbur
H. Hendrickson.

- -

Patrick S. Cassidy being duly sworn, says that he resides 223 West 22nd. St. in this City being duly sworn, says that there was issued a certain paper known and called ''The United Irishman'' and which was published on or about the 8th. day of June, 1889, although bearing the imprint of June, 15th 1889. Yours deponent further says, that there was also issued on or about the 15th. day of June, 1889 a certain other number of the said ''The United Irishman'' bearing the date or imprint of June 22, 1889. That both of said papers were published in this county and within the jurisdiction of this Court. That one Jeremiah O'Donovan Rossa was and is the Editor and Publisher of said newspaper and one Wilbur H. Hendrickson is the printer thereof. That the said Jeremiah O'Donovan Rossa did falsely, maliciously and scandalously frame, make, write, compose in a certain false, scandalous and libellous writing of and concerning and against the said Patrick S. Cassidy to the purport and effect, following, to wit. and the said Wilbur H. Hendrickson did falsely, scandallously and libellously print of and concerning and against the said Patrick S. Cassidy to the purport and effect following to wit: in an article in the said'' The United Irishman'' so published and printed as aforesaid bearing the heading of '' The Death of Dr. Cronin'' the following false, scandalous and libellous words were

printed and published as aforesaid of and relating to and against your deponent

Exp No 11

What was Dr. Cronin killed for? Was he killed for being an English spy, or was he killed for being too zealous in hunting up money that belonged to the Irish cause? That is a question we cannot decide upon. There is a question under our own observation now that is somewhat analogous to some of the Chicago questions in dispute. We collected money for the Irish cause, and we spent some of it for the Irish cause.

At conventions of the societies we belonged to, our accounts were audited by committees, and we paid up everything the auditing committees charged us with. After doing this at the Convention of the Fenian Brotherhood in New York in 1866, we retired entirely from the Fenian Brotherhood, because we believed—and it was the belief of our associates in the council of the UNITED IRISHMAN, and it was the belief of the skirmishing missioners we were assisting—that there was an English spy in the council of the Fenian Brotherhood. JAP.

Then what did this spy do when he by our retirement, had lost his "pull" in association with us? He set to work and publibly attacked us in the papers on the head of misappropriating money. He occupied himself writing letters to all he knew or saw sending us assistance for the Irish cause. He sowed distrust and killed confidence; he paralyzed the work that was paralyzing England. For doing work of that kind England pays well. We have traced our spy into the receipt of money at the office of the English Legation of New York, and into the receipt of letters from the chiefs of detectives in New York, introducing him to the chiefs of the English detectives in Dublin and London.

Is there any trace or track of things that way in connection with Dr. Cronin?

0642

Printed and published as aforesaid of and relating to and against your deponent

What was Dr. Cronin killed for? Was he killed for being an English spy, or was he killed for being too zealous in hunting up money that belonged to the Irish cause? That is a question we cannot decide upon. There is a question under our own observation now that is somewhat analogous to some of the Chicago questions in dispute. We collected money for the Irish cause, and we spent some of it for the Irish cause.

At conventions of the societies we belonged to, our accounts were audited by committees, and we paid up everything the auditing committees charged us with. After doing this at the Convention of the Fenian Brotherhood in New York in 1866, we retired entirely from the Fenian Brotherhood, because we believed—and it was the belief of our associates in the council of the UNITED IRISHMAN, and it was the belief of the skirmishing missioners we were assisting—that there was an English spy in the council of the Fenian Brotherhood.

Then what did this spy do when he, by our retirement, had lost his "pull" in association with us? He set-to work and publibly attacked us in the papers on the head of misappropriating money. He occupied himself writing letters to all he knew or saw sending us assistance for the Irish cause. He sowed distrust and killed confidence; he paralyzed the work that was paralyzing England. For doing work of that kind England pays well. We have traced our spy into the receipt of money at the office of the English Legation of New York, and into the receipt of letters from the chiefs of detectives in New York, introducing him to the chiefs of the English detectives in Dublin and London.

Is there any trace or track of things that way in connection with Dr. Cronin?

And in the same issue of said United Irishman was published and printed as aforesaid of an in relation to your deponent ~~ad~~ and against him another ~~whole~~ acticle headed "England's Game in America."

June 12
Ex 12

England's Game in America.

"England's game here these late years was to get Irishmen to put up dynamite jobs for her in America, then get them to "sell" the men who was engaged by them to go to England; then get printed in the papers in America the story of how dynamite work was carried on against England in America. That would be evidence for the English Government to lay before the Ameriean Government in order to get laws or treaties made in Washington that would play into the hands of England. That is the work that we caught McDermott, Phelan, and Cassidy engaged in."

And in another article in the same issue of the said United Irishman was published and printed as aforesaid in and concerning your deponent ~~and~~ and against him headed Catholic papers talking of Giving England Dynamite in Ireland."

Ex No 13

Catholic Papers Talking of Giving England Dynamite in Ireland.

We must protest against this kind of work, we must protest against papers carrying the name of "Catholic," threatening to use dynamite for the purpose of destroying England in Ireland. John Mitchel said he would use the fires of hell for that purpose; he said if he could get at them he would seize them and hurl them into the face of his country's enemy. John Mitchel is dead and the fires of hell are dead—dead upon earth at least—and England in Ireland is not afraid of them. But dynamite is a come-at-able commodity, and England is really more afraid of it than she is of the fires of hell. It is because she is afraid of it that she employs the Labouchères and the La Carons and the Nagles and Corydons and Cassidys and Red Jim McDermott's to run to earth or to prison or to death those who are in favor of using it against her.

And in the same issue of said United Irishman was published and printed as aforesaid of an in relation to your deponent ~~as~~ and against him another ~~whole~~ article headed England's Game in America."

England's Game in America.

England's game here these late years was to get Irishmen to put up dynamite jobs for her in America, then get them to "sell" the men who was engaged by them to go to England; then get printed in the papers in America the story of how dynamite work was carried on against England in America. That would be evidence for the English Government to lay before the Ameriean Government in order to get laws or treaties made in Washington that would play into the hands of England. That is the work that we caught McDermott, Phelan, and Cassidy engaged in.

And in another article in the same issue of the said United Irishman was published and printed as aforesaid in and concerning your deponent ~~[redacted]~~ and against him ~~[redacted]~~ headed Catholic papers talkin of Giving England Dynamite in Ireland."

Catholic Papers Talking of Giving England Dynamite in Ireland.

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Your deponent further says, that in the said "United Irishman" published and printed as aforesaid bearing date June 22nd. I889 but issued on or about June I5th. I889- the following article appeared in said paper of an concerning Your deponent and against him.

Plaintiff's No 1.
April 1890
Exh 14.

"

We have been saying for years that the Fenian Brotherhood was in the hands of English spies—that Cassidy was an English spy, that Labouchere in asking in the English Parliament if O'Donovan Rossa was not getting secret service money—was doing special work for England, to kill out the work against England O'Donovan Rossa was calling upon Irishmen to do.

JAP

Every one around us knew we got a cheque from McDermott the morning of the day he was shot at; Pat Joyce knew it; Rocky Mountain O'Brien knew it: the council of the UNITED IRISHMAN knew it. It was "diamond cut diamond" that time between McDermott and Rossa. McDermott working to find out if Rossa had any suspicion of him, and Rossa working to get positive proof of the scoundrel's treachery, and at the same time to conceal from him that there was any suspicion of his baseness.

Red Jim was caught. Cassidy then took his place and has been on duty for England since. We offer to go before a committee of men—one from every newspaper in New York—we are satisfied to go before the members of the Press Club of New York, take our papers and our witnesses before them, and prove to their satisfaction that this Patrick S. Cassidy, a member of the Press Club of New York, is another English Le Carron—McDermott spy. And more than that, we will produce as witnesses members of that same Press Club who warned us years ago against association with this Cassidy, because he was an English spy.

× × × × ×

Now Cassidy, whom I have charged with being a confederate of Red Jim's and another spy, comes forward and convicts himself of being in collusion with Labouchere and Red Jim McDermott.

"He produces Red Jim's check in court, which he could not get from the bank without Red Jim's order, and he produces Labouchere's letter in court, which fully satisfies me it was Cassidy and Red Jim who got Labouchere to start the question in the English Parliament that O'Donovan Rossa was in receipt of English secret service money.

Your deponent further says, that in the said "United Irishman" published and printed as aforesaid bearing date June 22nd, 1889 but issued on or about June 15th, 1889- the following article appeared in said paper of an concerning Your deponent and against him.

"We have been saying for years that the Fenian Brotherhood was in the hands of English spies—that Cassidy was an English spy, that Labouchere in asking in the English Parliament if O'Donovan Rossa was not getting secret service money—was doing special work for England, to kill out the work against England O'Donovan Rossa was calling upon Irishmen to do.

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And that with the intention to Scandalize, and disgrace the said Patrick S. Cassidy- they, the said Jeremiah O'Donovan Rossa and Wilhur H. Hendrickson at the City and County of New York and within the Jurisdiction of the Court did afterwards on or about the two several days aforementioned and in the year aforesaid, openly delivered published, printed and circulated the said false, scandalous, and libellous matter in that the said Hendrickson printed the said matter and the said Rossa did publish the same in this Country and within the Jurisdiction of this Court.

Sworn and subscribed to before me this 26 day of June I889.

Patrick S. Cassidy

E. Fagan

Notary Public

Warrant

~~Albert Police~~

Court

~~Patrick's Cassidy~~

The People &c

ag't

Jeremiah O'Donovan Sewell

Rossa + ano.

Affidavit

JOHN O'BYRNE,

Attorney for Complainant

280 BROADWAY,

NEW YORK.

096

0649

Sec. 15.

Police Court ..... **District.**

CITY AND COUNTY OF NEW YORK, } ss.

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

Whereas, Complaint in writing and upon oath, has been made before the undersigned, one of the *Police Justices* for the City of New York, by Patrick S. Cassidy

of No. 223 West 22nd Street, that on the 15th day of June

188 9 at the City of New York, in the County of New York, Jeremiah O'Donovan Rossa and Wilbur H. Hendrickson did unlawfully, unjustly and maliciously make, write, compose, print, publish and circulate certain false, scandalous and libellous matter of and concerning the said Patrick S. Cassidy and intend to bring said Patrick S. Cassidy into public scorn and contempt and to injure and degrade him in the estimation of the Public- that said libellous matter composed in part of the following, to wit: "this Patrick S. Cassidy, a member of the Press Club of New York, is another English Le Caron- McDermott spy," And this, to wit; "Now Cassidy whom I have charged with being a Conspirator of Red Fein and swindler off comes forward and Convicts himself of being in Collusion with Labouchere and Red Fein McDermott"

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

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said *Sheriff, Marshals and Policemen,* and each and every of you, to apprehend the said Defendants and bring them forthwith before me, at the First DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 21st *day of* June 188 9

Police Justice.

0650

POLICE COURT 1 DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Patrick J. Cassidy

vs.

Jer. O'Donovan Rossa
Wilbur H. Hendrickson

Warrant—General.

Dated June 20 188 5

Hogan *Magistrate.*

Handley & Doran *Officer.*

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

Officer.

Dated 188

This Warrant may be executed on Sunday or at night.

Police Justice.

59 Bedford
5th Floor

0651

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Wilbur H Hendrickson 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. Wilbur H. Hendrickson

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. New York

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

Answer. 388, 3rd Street, Bklyn. 12 years

Question. What is your business or profession?

Answer. Painter

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.

W H Hendrickson

Taken before me this 3

day of July 188 9

Police Justice.

0652

Sec. 198—200.

First District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Jeremiah O'Donovan Rossa

Question. How old are you?

Answer. 67 years

Question. Where were you born?

Answer. Ireland

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

Answer. 32 Prince Street Brooklyn 7 years

Question. What is your business or profession?

Answer. Journalist

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

Jeremiah O'Donovan Rossa

Taken before me this 1st

day of July 188

Police Justice.

0653

Sec. 192.

/ District Police Court

Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before Edward Hogan Esq. a Police Justice of the City of New York, charging Jeremiah O'Donovan Rossa Defendant with the offence of Libel

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

We, Jeremiah O'Donovan Rossa Defendant of No. 39 Bruyea Street; by occupation a Journalist

and Edward Le. Carey of No. 48 Pitt Street, by occupation a Coal Dealer Surety, hereby jointly and severally undertake that the above named Jeremiah O'Donovan Rossa Defendant shall personally appear before the said Justice, at the First District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Five Hundred Dollars.

Taken and acknowledged before me, this 21st *day of* June 1889.

Edward Hogan

POLICE JUSTICE.

Jeremiah O'Donovan Rossa

Edward Le. Carey

0654

CITY AND COUNTY OF NEW YORK, } ss.

Edward L. Carey

the within named Bail and Surety being duly sworn, says, that he is a resident and free holder within the said County and State, and is worth ten Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of Lot No. 52 Cherry Street New York City, of the value of $5000. over and above all incumbrances

Sworn before me this 21st day of June 188

Police Justice.

Undertaking to appear during the Examination.

Edward L. Carey

Edward C. Brown

Taken the 21st day of June 188

Hogan Justice.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Alfred Hubert

vs.

Edward C. Brown

0655

Sec. 192. 1 District Police Court. Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before Edward Hogan Esq. a Police Justice of the City of New York, charging William H. Hendrickson Defendant with the offence of Libel

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

We, William H. Hendrickson Defendant of No. 388 Third Brooklyn Street, by occupation a Printer

and Edward L. Carey of No. 44 Pike New York Street, by occupation a Coal Dealer Surety, hereby jointly and severally undertake that the above named William H. Hendrickson Defendant shall personally appear before the said Justice, at the First District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Five Hundred Dollars.

Taken and acknowledged before me, this 21st day of June 1889.

W H Hendrickson

Edward L. Carey

Edward Hogan

POLICE JUSTICE.

0656

CITY AND COUNTY OF NEW YORK, } ss.

Edward L. Carey

the within named Bail and Surety being duly sworn, says, that he is a resident and freeholder within the said County and State, and is worth ten Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of Lot No. 52 Chenney Street in the City of New York of the value of $5000. over and above all incumbrances

Edward L. Carey

Sworn to before me this 7th day of June 1889

Police Justice.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Patrick Reid Police Officer

vs.

William H. Patterson

Taken the 7th day of June 1889

Justice.

Undertaking to appear during the Examination.

Logan

0657

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 Jeremiah O'Donovan Rossa and William H. Hendrickson guilty thereof, I order that they be held to answer the same and they be admitted to bail in the sum of Five Hundred Dollars, each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until they give such bail.

Dated August 7th 188 9

Police Justice.

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

Dated August 7th 188 9

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.

0658

POOR QUALITY
ORIGINAL

Paroled to June 21/89
at 10 A. M.
Adj'd. by Consent to
July 1st at 2 P. M.
$500. Jer. Sullivan Bail
Adj'd. to July 10 at 10 A. M.
" " August 6th - 2½ P. M.
~~" " September 2nd 2 P. M.~~
BAILED Adj'd to Augt. 7th - 10 A. M.
No. 1, by ~~Edward L. Carey~~
Residence 48 Pike Street.

No. 2, by His own
Residence Recognizance Street.

No. Street.
Residence Street.

No. 4, by Street.
Residence Street.

Yu 21 & 1703

Police Court --- 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Patrick S. Cassidy
vs.
Jer. O'Donovan Rossa
William H. Henderson

3
4

Offence Libel

Dated June 20th 1889
Hogan Magistrate.
Heidelberg & Nolan Officer.
C. Co. Precinct.

Witnesses
No. Street.
No. Street.
No. Street.
$ 500 to answer
Bailed

0659

Patrick Sarsfield Jacoby
aged
Edmund O'Donovan Rossa

Byrne Nar
Edward Hogan
Police Justice
July 1/1869.

John A Paddon being duly
sworn deposes and says:
Examined by Pol. O'Byrne.
Q. Were you acting Asst. Marshal (Observing)
Ans. Yes.
Q. Where?
Ans. 59 Beekman Street
Q. In whose office?
Ans. In the office of the United States Marshal
Q. Did you see any thing (observing)
Ans. Yes.
Q. Did you see more than one (observing)
Ans. Yes.
Q. Will you describe (or see that article which is
now shown to the bearing number initial
cut out of the paper (observing)
A. I saw it cut out.
Q. This one above?
Ans. Yes.

0660

Grand this one ?

Copies sui

I have offer the papers from which
the extracts made out in duplicate

Yours truly

(Illegible)

Mr Allen ! 710 Penn Pennsylvania

(Patrick Sarsfield Gaving being
duly sworn deposes and says.
(By Mr Byrne
(Are you the P.S.P. Gaving spoken of as the
Executor of
(A Yes and I refer to same.
(Is it true.
(A Yes with exceptions as to
(Q Will you kindly look at Exhibit 9 and
Say is this the Estate of the Testator
Richard ?
(A Yes
(Q Is
(A Yes
(Q Is your name on the Probate Grant
Dated ?
(A Yes
(Q Did you send a copy of Probate after the
publication of the estate of the
and reconcile with Bank about
publishing these estates ?
(A Yes)
(Q Will you say how much the Probate of that
paper ?
(Adjourned Sperrits that and Sevenpaid
for it and will put it in more

0662

a Release

(I Richard own Lui to Trap ;
(I Ibid, and also informed him that
Lud would against the Provisions
Provided in the Supreme Court for
Enuf, for Forward a Release, and
Refused me and would to mind
Rent it again.
(Cross Examined)
I Remember day went to you and his mam
Mendacrum ;
(I know on Monday after the Saturday
the first Days, came out.
I Mayor remember the date ;
(I know the Monday before the Saturday
day of the 8th.
I what answer you first that Postponed
date ii from mind ;
(I Sir Drawing my Salary on the
Sunday Monday and came always
do that on Monday, and afraid
I mind came in and told me of
this thing I/W Serve rights owned to
Rachuri.

0663

Barbecue no the conversation with
(Shoulder view)
(Ada his office at farm after Bachman
Barbecue angry leave this room
(Jan two)
(You there were some problem there away
back in the rear
(Someone in there consult)
(Close in not know
(Just tell me specifically all by and
remember are the words last time
Peace between you and him, what you
said and what he said).
(Because in court asked him if his name
was Shoemaker, Jane misspoke
Shoemaker (photo of the paper and
Joseph Lemmo, and Mark then that
he had allowed himself to fruit a
Shoemaker libel against me and
Jane in to tell him to stop it, Mark
him that I had a suit against a
previous fruit, and that to avoid
have to stop all that you will have
to apologize for it and cause a

Resolution after and resumption of
the Council Meeting at
The Council Room
on the 6th September

Present
The Mayor in the Chair
The Councillors

Application from Mr Hendrickson to attend
meeting in person

Agreed

Agreed that the Town Clerk write to
Mr Hendrickson to say that
the Council do not
agree

Agreed that the Town Clerk be instructed
to write to the Ministry of Health
to say that the Council do not
agree to the proposed
Scheme

Agreed that the Surveyor

0665

7

And you see him now?

Yes.

Did you see him before the Crime
Commenced?

(Objection raised to question upon the ground that it was not confined between the two periods)

(Objection withdrawn)

And he referred me to Mr Hammond Brown and asked me to come to the City myself to see any thing to do with, Mr Simmonds and

(

0666

59

Charles Merrill being duly
sworn deposes and says
By Mr Dorsey
Q did you ever have business
Dealings

Q what did he say about the painting
A he said he owned that and was going
to sell it, and had nothing to do with other
men's ~~[illegible]~~ Q he owned paid it again
as long as he was paid for it Saw no
sun of the men to or putting their
and Clays a bout Cassidy Q heard
he knew something about that, and
heard Cassidy offered either to
have turned the thing round not
have accused ~~[illegible]~~ A did to avoid scan-
dal thinking that because he was
paid for it and had one for
Cassidy or anybody else ~~[illegible]~~
as long as getting paid for it he was
Continue it

Q You owned suit if he did not turned that
he was publishing libelous things
about Cassidy ?

0667

9

Agree to recommend the grant known
as Ardath Road Housing Estate
(Cross Examined)

Q. Turning to item specifically did Lewis
Mann write a report "Salmon Mount"
A. He recommended that premium should be divided
Minor and Major one, that was his
decision to the Finance Committee
Q. Can you remember what portion of article
you based his attention to?
A. No. Mr Mahoney

Q. Can you remember what happened with
you based his attention to?
A. No. Mr

Q. Can you remember what you did pay
to him about the article?
A. In general about the article that
was printed against Mr Mahoney
Q. Can you say why did you print
the article?
A. Mr Mahoney did not reply to any portion
of the letter?
A. No. Mr

Gracious and dear Lord give me grace and the courage and strength to do all my duties as a Husband and Father.

Help me to be patient and kind to my dear wife and children and to be a good example to them in all things.

Help me to be honest and true in all my dealings with my fellow men,

Make me more like Jesus every day.

Make me more careful of my actions and words so that I may not offend Thee.

Help me to be obedient to my parents,

Help me to be kind to my brothers and sisters and to all my playmates.

Help me to be diligent in my studies at school and to grow in knowledge.

Help me to be courteous and kind to all I meet.

Help me to always obey the commandments,

Bless my dear Father and Mother,

Amen.

0669

11

of a paper published in Brooklyn, and
stating that he had one of my papers
read in an entertainment, and it
followed in Coney Island that the
United Brethren would like to
have me read to see painting &
Clement Davis and Reed of
them must anything to do with the
paper, and authorized that Dr.
Davis and no other to interview
Reverend Dix to the matter
Dix and Reed knew, to never
and anything about her, & never
paper in me.

That Wednesday.

Clement Adamson has come more
a letter from the state of the
Board Dr. Davis will attend to
this I don't know anything about
it is not my business

Klingen read the article after Mr
Priestly showed it to him

Amen

I Alcock can in no wise put up that paper
(and had evaded) but is carrying that
attached to them

That a Jew recently pointed to Mr Jones
Low Law (Okamura)

I Alcock can have any communication with
Okamura about same (Okamura)
Mentioned them)

Also I accused here wholly fraud dollars
and can no longer associate with Lowrie
Peers and Kings about Okamura
Raven and the Secret and they
must certainly against decoy Tombes
and Sound. Mr Raven is a very
clever man Kennard not known as
out.

I Alcock can have any intention unless you
prohibited this state as any one of
them who are concerned as here
as charged in this complaint to aid
or assist Mr Jeremiah Okamura
Raven to degrade or scandalize
Mrs Cassidy in any way as form
A Notice Serve Lewis first as well and

0672

19

0673

15

Fabián González Previdy came to-
-ward by Ordenance Rivera.

Q what date did you come state for?

A Tonight.

Q did you get that at your Residence?

A Got that name from the Cable Office

M Getting

Q when were you born?

A Nineteen Second.

Q when did you first come to America?

A Really cannot say the date about 1892

Q what was your occupation in America

first?

A Newspaper man

Q what newspaper?

A Was employed with the City Press Association

as artist by-name with the associated

press. Have visited the Sunday Sun

Stat, and to the editorials for the

~~Sunday~~ Illustrated Times; and for the Catholic

News Quer for the Sunday morning

Journal Jesus.

Q Did you ever draw any money

from the Brutish legation?

Q/ Have you ever seen Mr Nason
A/ No sir
Q Could you ever recognize him by the
sound of [illegible] voice if you heard it
again only as I identify him?
A I do sir
Q Do that you writing? (showing)
A I believe it is
Q Is that your writing (showing)
A I believe it is
Q Did you say it would take time to
be paid?
A I never sent a man to be paid in
my life
Q Did you ever hire to go?
Q What is Mr Nason that you wrote the
letter?
A Jacob Ignace it was I've never sent a
man to be paid except about this
forgery
Q Nothing occurred to cause him
A No sir I had nothing to do with it

17

Q. Now, you said that there was a
fellow who was arrested for
burglary from your house?
A. Yes.
Q. Was that the handwriting of
Martin Johnston upon this
check?
A. I don't know.
Q. Have you ever seen any of his
writing?
A. I don't know.
Q. Do that look like writing?
A. It looks like it.
Q. Look at that check, Mr. Wood (1), and tell
me if you can tell
whether or not Johnston endorsed that check.
A. I don't know.
Q. Is there any reason why you
can't tell?
A. I am not a handwriting
expert.
Q. Will you look at the signature
on the back of that check,
please, sir?
A. Yes, sir.
Q. Is that probably your signature?
A. Yes.
Q. Did you endorse that check?
A. I don't remember.
Q. Do you remember receiving
that check?
A. I don't remember.
Q. Do you remember receiving
any money from Johnston
for that check?
A. I don't remember.
Q. Will you look at the check
dated January 16, 1923,
and see if you can tell
whether or not you endorsed
that check.

0676

18

Sacretly thereon.

Q. Did you

Objection raised to what and ask me

to accept your resignation from the

Federal Bench and if not then why

you might stand convicted in other

words?

Ans. No

Q. Are you a married man?

A. I am.

Q. Do your wife agree with you?

Objected to By the Court Sustained

Q. Do you know where your wife is?

Objected to

By the Court Sustained

Q. Have you written anything to them

after words?

A. Objected to By the Court Sustained

Q. Do you recollect the time Ordered

Rule was shot? Ans. I recollect.

Ques. No

Q. Were you there in the Federal Court

Room?

A. Several times I remember yet

19

Jemmi Buchanan.

Q. Mr Jemmi go to Roswell Georgia the
summer to Ocean a while this was the
the Ocean Jemmi?
Ans Yes
Q. When did you go to Roswell?
Ans. Before I came to the Institution
Q. How long were you there?
Ans. I was there all the time
Q. How many letters of introduction
did you get?
Ans. I had one from Charles Underwood
Q. Connell to some friends of his
Residence
Q. Did you meet this man Hayes in Ireland
A. Yes the first time I met him was

0678

20

at my father's house. I dont think
I ever a party accompanied Mr Lloyd
called on them to come and help
carry it

Q Did you subsequently visit Francis
Shakespeare's house in London?

A Shakespeare's house Francis Shakespeare
in London.

Q Did you have dynamite on that occasion?

A No.

Q Did you attend a meeting in Bridge
at which there was present amongst others
Francis Beard? A I think I made the
report that you and Francis Beard
made Explosives.

A No I don't know Mr Montague
who was over there with her

Mark Jacobs, sworn to
Yesterday I received
Jan 20 and 21 dynamite
Which should before Monday it
again Jones Bros dynamite in
my life
I pledge never to use
Jacobs, Jones or Lewis dynamite.
The same explosion

0680

Patrick Shaw being duly sworn
deposes & says
Examined by
Mr Shaw Roche

Q Are you connected with the Cunard Steamship
Co?
A Yes sir
Q Did Mr Cassidy at any time want
you to do any unnecessary work in
Ireland?
Objected to
By the Court Question Sustained
Q Did Mr Cassidy write you three letters
(Showing)
A Yes sir
Q Will you tell the Court under what circum
stances he wrote those letters to you?
Objected to
By the Court Question Sustained
Q Did he ever speak to you about getting
work
Objected to By the Court Sustained

0681

V 3

James McGuck being duly sworn
deposes and says. Examined by Mr
Rowe.

Question at the meeting of the Brooklyn
Civil Service Reform Association held on
Mr Cassidy returned from Scotland ?
Objected to By the Court Sustained
Question at the meeting in reference
that he attended ?
Answer

Police Court Russia Aug 19th 1904

Sir

By the Ranee

I acquainted the Ranee that
Mr Ranee was
absent

I then proceeded to give your message

Deputation to

Police Court Russia

Mr Ranee desires you to know that is
absent at present.

By the Court

Mr Ranee do you intend to
put these letters that you have shown
to Mr O'Byrne the complainant Court
as evidence,

Mr. Ranee I do not
Byethe Court

I want to inform you that
I have not put them in as proof
them as evidence, and I object

to inform you that it would be better
for you to be represented by counsel.
This would necessitate the initiation
of evidence, as it was
evidence that you did not understand
that you had to withdraw relating to
the introduction of letters & papers.
You do not have the opportunity to
thereby offer evidence for that purpose

0684

56

(Defendant) Rawson being duly sworn
saith and doth (depose as follows)
My domicile has been changed in the
Parish of Orleans, I am a citizen of the
United States, I reside at No
Royal street and I am the
defendant in this cause
By the Court
Mr Rawson you must answer yes or no
distinctly to the charge in question
Mr Rawson,
Mary Moore at the complaint
By the Court / (Distinctly)
Mr Rawson, What is said in that
complaint is true? Have you read the
complaint (or) understood it in that
way. My reply to that is there is
nothing false there, Sworn subscribed &
in due form of law (depose) & the com
plaint
By Mr O Byrne
This is the way that you
meant as being the English of
it that article (depose) & the complain

0685

29.

And Parnell

Expressed there views to the Irish people throughout the country? - I have known to [illegible] that this is true the following letter to the English Liberal papers and Irish Parnellite papers from the Irish secretary, in reply to those letters, and I have nothing to retract in them.

They are the matters referred to, and I feel justified in entertaining them.

By the Court

Mr Parnell Do you intend to offer those letters in evidence?

Mr Parnell

I now offer those letters in evidence bearing dates as viz Dec 7/86 January 3rd/87 May 15/87. June 29/87 July 19 1887 October 21/87 October 26/87 November 17/87 December 2/87 April 19th 1888 June 22/1889

Mr O'Byrne

Subject to the introduction of the letters.

POOR QUALITY ORIGINAL

TORN PAGE

District Attorney's Office.

PEOPLE

vs.

0687

Sec 15. [illegible]

Court of Oyer & Terminer,
Held in and for the City & County of New York.

The People, etc.,	
-vs.-	
O' DONOVAN ROSSA	Libel.

We, the Jurors who sat in judgment in the above case, and convicted the above named defendant for the crime of Libel, with a recommendation that extreme mercy be extended to him by the Court, do most humbly ask the Court that a fine only be imposed upon said defendant, as a punishment.

It was our feeling and sentiment, when deliberating in this case, that the ends of Justice would be properly subserved by the imposition upon said defendant of a fine, without imprisonment.

John Brummond
Charles Fuller
Moses L. Lorsch
T. E. Frothingham
Henry Forrath.
Jamm Hellinger
Frank Barker
J. C. Barker
G. Lange
H. Engelhardt
Wm Bennett

0688

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

.....being duly

sworn, says that he resides at No. .....Street, in the City of

New York; that he is..... years of age; that on the.....day of.....

1890, at Number.....in the City of

New York, he served the within..... on .....

the.....by leaving a copy thereof with.....

.....

.....

.....

Sworn to before me this

day of 1890.

S. H. Oyer vs. Jeremiah O'Brennan

The People &c

Plaintiff,

against

Jeremiah O'Brennan Rose

Defendant.

Petition for Certificate of Naturalization

HOWE & HUMMEL,

Attorneys for Keeper,

87 & 89 CENTRE ST., New York City.

Due and timely service of copy of the within

hereby admitted

this day of 1890.

Attorney.

To.....

Filed April 22. 1890

0689

COURT OF GENERAL SESSIONS OF THE PEACE

of the City and County of New York.

The People of the State of New York

against

Jeremiah O'Donovan Rossa and Wilbur H. Hendrickson.

The Grand Jury of the City and County of New York, by this indictment, accuse Jeremiah O'Donovan Rossa and Wilbur H. Hendrickson of the crime of libel, committed as follows:

The said Jeremiah O'Donovan Rossa, late of the City of New York, in the County of New York aforesaid, and the said Wilbur H. Hendrickson, late of the same place, being persons of an envious, evil and wicked mind, and of most malicious dispositions, and wickedly, maliciously and unlawfully minding, contriving and intending, as much as in them lay, to injure oppress, aggrieve and vilify the good name, fame, credit and and reputation of one Patrick S. Cassidy, and to bring him into public scandal, hatred, infamy and disgrace, on the eighth day of June, in the Year of Our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, of their great hatred, malice and ill will towards the said Patrick S. Cassidy, unlawfully, wickedly and maliciously did print and publish, and cause to be printed and published, in a certain newspaper and publication called the United Irishman, pub-

He set to work and pub[illegible]

0690

lished in the said City and County, a certain false, scandalous, malicious and defamatory libel of and concerning the said Patrick S. Cassidy, containing the false, scandalous, malicious and defamatory words and matters following of and concerning the said Patrick S. Cassidy, that is to say:

"What was Dr. Cronin killed for ? Was he killed for being an English spy, or was he killed for being too zealous in hunting up money that belonged to the Irish cause ? That is a question we cannot decide upon? There is a question under our own observation now that is somewhat analggous to some of the Chicago questions in dispute. We collected money for the Irish cause, and we spent some of it for the Irish cause.

"At conventions of the societies we belonged to, our accounts were audited by committees, and we paid up everything the auditing committees charged us with. After doing this at the convention of the Fenian Brotherhood in New York in 1866, we retired entirely from the Fenian Brotherhood, because we believed --and it was the belief of our associates in the council of the United Irishman, and it was the belief of the skirmishing missioners we were assisting--that there was an English spy in the council of the Fenian Brotherhood.

"Then what did this spy do when he, by our retirement, had lost his 'pull' in association with us ? He set to work and publicly attacked us in the papers

0691

on the head of misappropriating money. He occupied himself writing letters to all he knew or saw sending us assistance for the Irish cause. He sowed distrust and killed confidence; he paralyzed the work that was paralyzing England. For doing work of that kind England pays well. We have traced our spy into the receipt of money at the office of the English Legation of New York, and into the receipt of letters from the chiefs of detectives in New York, introducing him to the chiefs of ~~xxxxxxxxx~~ the English detectives in London and Dublin.

"Is there any trace or track of things that way in connection with Dr. Cronin ?"

And in the same newspaper and publication, so called the United Irishman, as aforesaid, and so published in the said City and County, a certain other false, scandalous, malicious and defamatory libel of and concerning the said Patrick S. Cassidy, containing the false, scandalous, malicious and defamatory words n and matters following of and concerning the said Patrick S. Cassidy, that is to say:

"ENGLAND'S GAME IN AMERICA.

"England's game here these late years was to get Irishmen to put up dynamite jobs for her in America, then get them to 'sell' the men who was engaged by them to go to England; then get printed in the papers in America the story of how dynamite work was carried on against England in America. That would be evidence for the English government to lay before the American

Government in order to get laws or treaties made in Washington that would play into the hands of England. That is the work that we caught McDermott, Phelan, and Cassidy engaged in."

And in the same newspaper and publication, so called the United Irishman as aforesaid, and so published in the said City and County, a certain other false, scandalous, malicious and defamatory libel of and concerning the said Patrick S. Cassidy, containing the false, scandalous, malicious and defamatory words and matters following of and concerning the said Patrick S. Cassidy, that is to say:

"CATHOLIC PAPERS TALKING OF GIVING ENGLAND DYNAMITE IN ENGLAND.

"We must protest against this kind of work, we must protest against papers carrying the name of "Catholic," threatening to use dynamite for the purpose of destroying England in Ireland. John Mitchel said he would use the fires of hell for that purpose; he said if he could get at them he would seize and hurl them into the face of his country's enemy. John Mitchel is dead and the fires of hell are dead--dead upon earth at least--and England in Ireland is not afraid of them. But dynamite is a come-at-able commodity, and England is really more afraid of it than she is of the fires of hell. It is because she is afraid of it that she employs the Laboucheres and the La Carons and the Nagles and Corydons and Cassidys and Red Jim McDermotts to run to earth or to prison or to death those who are in

favor of using it against her."

To the great damage, disgrace, scandal and infamy of the said Patrick S. Cassidy: 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 R. FELLOWS,

District Attorney.

0694

BOX:
366
FOLDER:
3436
DESCRIPTION:
O'Neill, Daniel
DATE:
09/23/89

Bail $1000.
Sept. 9

Witnesses:

Hiram P. Moe
D. H. Wells

Bailed
by Ellen Curtin
757 E. 166th St.

Mr. Hilan Moe
from whom the bag of
coffee was stolen by
Hugh McMillan tells
me that McMillan
was convicted & served
a term — Mr. Moe says
that he thinks this ought
to satisfy Justice — I there-
fore ask that the deft
be discharged on his own
recognizance.

Sept 13 93
D.A.

113

Bail 661.

Counsel,

Filed, 23 day of Sept. 1893

Pleads, Not guilty

THE PEOPLE,

vs.

Daniel O'Neill

RECEIVING STOLEN GOODS.
(Section 550, Penal Code.)

Dismissed Sept 24/93

JOHN R. FELLOWS.
District Attorney.

1st Sept. Defendant discharged
2 Mind action now by order

A True Bill.

Chas. Broderick

May 5 93

Foreman.

Bail Discharged

96

0696

Ans District attorneys office
City & County of New York

City & County } ss
of New York }

Hilair R. Moe. of 67 01
Innes Lane. aged 43 years.
occupation. cartman. in employ
of Steinmenden Stoffregen & Co. being
duly sworn, deposes. and says.
that on the 19th day of July 1889. at
the city of New York. in the County
of New York. Daniel O'Neill. did
feloniously receive. from one Hugh
McMillan. one bag of coffee. of the
value of twenty five dollars. and
fourty four cents. of the goods. and
personal property of the said Sirin
of Steinmenden Stoffregen & Co a
company of Julius Steinmenden
and another) which bag of coffee
was in his charge & which had
been by the said Hugh McMillan
feloniously stolen from defiments
said Daniel O'Neill were knowing the
same to have been stolen as the
deponent is informed and verily
believes.

Hilair R Moe

Sworn to before me
this day 19 Sept 1889
[illegible]
Notary Public N.Y.C.

The
People ve
on the complaint
of Hiland A. Moe

vs

Daniel Oneill

Offence, Receiving
Stolen Goods

Dated Sept 19/1884

Witness
Dt Anderson Wells
111 Wall St

Officers
Sheldon. Heard
Wengartner
Central office

James Byrnes } now in
Hugh McElhiland } Penitentiary

Thomas Madden } Ex Precinct
Andrew Nugent }

96

0698

1434

DISTRICT ATTORNEY'S OFFICE,

City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Hilan R. Moe
1 Jones Lane
vs.

Daniel O'Neill

Offence Assault & Battery

Dated September 19th 1889

Witnesses. D. Henderson Wells

No. 111 Wall Street,

James Byrnes } now in
No. Hugh Mc Millan } Sessions Street,

Officers Sheldon, Heard and Wm Gardner

No. Central Office Street,

Officers Thos Madden } 1st Precinct.
Andrew Nugent }

0699

32 Orlando

DIRECTIONS.

☞ The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

☞ When you arrive at the witness room, hand this Subpœna to the officer or Clerk at the desk.

2072

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

Ask to see Mr. Redmond

At 11½ o'clock A. M.

In the Name of the People of the State of New York.

To Hilary R Mol

of No. 1 Jones Lane Street

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 7th day of March 189 3 at the hour of 10½ in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Daniel O'Neil

Dated at the City of New York, the first Monday of March in the year of our Lord 189 3

DE LANCEY NICOLL, District Attorney.

0700

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Daniel O'Neill

The Grand Jury of the City and County of New York, by this indictment, accuse Daniel O'Neill

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

The said Daniel O'Neill 2

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

one bag of coffee of the value of twenty five dollars and forty four cents

of the goods, chattels and personal property of one Julius Steinmender, by one Hugh Mc Mullen, and

by a certain other person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said Julius Steinmender

unlawfully and unjustly, did feloniously receive and have; the said Daniel O'Neill

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried 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 R. FELLOWS,
District Attorney.

0701

BOX:
366
FOLDER:
3436
DESCRIPTION:
Owen, John
DATE:
09/24/89

Witnesses:

Counsel,

Filed day of 188

Pleads,

THE PEOPLE

vs.

Assault in the First Degree, Etc.

(Sections 217 and 218, Penal Code).

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

2010

0703

Police Court— 2 District.

City and County of New York, } ss.:

Thomas F. McQuade

of No. 5th Precinct Police Street, aged 23 years,

occupation Police Officer being duly sworn

deposes and says, that on the 2nd day of February 1887 at the City of New York, in the County of New York, in Thompson Street

he was violently and feloniously ASSAULTED and BEATEN by John Owens (Number) who wilfully and maliciously cut and stabbed deponent in the face with a razor or some other sharp instrument he the said defendant then and there held in his hand cutting deponent severely.

Deponent further says that such assault was committed while deponent who is a Police Officer and was in full uniform and in the lawful discharge of his duty and about to arrest the defendant on a charge of felony and

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

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

Sworn to before me, this 2d day of August 1887. } Thomas F. McQuade

J. Hummel Police Justice.

0704

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John Owens 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 Owens

Question. How old are you?

Answer. 20 yrs 2 mo

Question. Where were you born?

Answer. Missouri

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

Answer. No Home

Question. What is your business or profession?

Answer. Horse Racing Tout

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 Owen

Taken before me this 2d day of May 1885

Police Justice.

0705

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 Owens

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 Aug 20 188 9 *John F. Hogan 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.*

0706

$1500. bail for G.
Sept 4th G. Flinn

Police Court--- 2 District. 1332

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Thomas J. McQuaid
vs.
1 John Owens
2
3
4

Offence Delinquent Assault

BAILED,

No. 1, by .....
Residence ..... Street.

No. 2, by .....
Residence ..... Street.

No. 3, by .....
Residence ..... Street.

No. 4, by .....
Residence ..... Street.

Dated Aug 30 1889
Magistrate.
McQuaid Officer.
8 Precinct.

Witnesses
No. ..... Street.
No. ..... Street.
No. ..... Street.
$ 1000 to answer GS

RECEIVED
DISTRICT ATTORNEY'S
OFFICE.
SEP 5 1889

The Justice presiding at this Court in my absence will please hear and determine the within case
J. Hennessy
Police Justice

Conn

0707

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 Owen

The Grand Jury of the City and County of New York, by this indictment, accuse John Owen of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said John Owen late of the City of New York, in the County of New York aforesaid, on the second day of February in the year of our Lord one thousand eight hundred and eighty-two, with force and arms at the City and County aforesaid, in and upon the body of one Thomas F. McQuade in the peace of the said People then and there being, feloniously did make an assault, and him the said Thomas F. McQuade with a certain razor, which the said John Owen in his right hand then and there had and held, the same being a deadly and dangerous weapon then and there wilfully and feloniously did strike, beat, cut, stab and wound, him with intent him the said Thomas F. McQuade thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said John Owen of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said John Owen 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 Thomas F. McQuade in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and him the said Thomas F. McQuade with a certain razor, which the said John Owen in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, stab 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.

0708

THIRD COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said John Owen of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said John Owen 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 said Thomas F. McDonald in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and him the said Thomas F. McDonald with a certain Razor which he the said John Owen in his right hand then and there had and held, in and upon the face of him the said Thomas F. McDonald then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said Thomas F. McDonald 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 R. FELLOWS,
District Attorney.