0546

BOX:
179
FOLDER:
1812
DESCRIPTION:
Maisch, Charles

DATE:
06/11/85

1812

Witnesses:

Officer Geo. F. Lewis

21

Selling on Sunday.

Counsel, ...

Filed 11 day of June 1885

Pleads Not guilty (12)

THE PEOPLE

vs.

B

Charles Maisch

384 Pearl

Sent to the Court of Special Sessions for trial, by request of Counsel for Defendant.

Violation of Excise Law.
(Sunday).
[III Rev. Stat., (7th Edition), page 1983 Sec. 21, and page 1989, Sec. 5].

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Foreman.

0548

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Haindl

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

— Charles Haindl —

of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said Charles Haindl,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the Twenty-second day of February, in the year of our Lord one thousand eight hundred and eighty-[illegible], at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to

certain ——— persons whose names are to the Grand Jury aforesaid 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.

SECOND COUNT:

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

— Charles Haindl —

of the CRIME OF GIVING AWAY INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON SUNDAY, committed as follows:

The said Charles Haindl,

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, the same being the first day of the week,

commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did give away as a beverage to

certain ——— persons whose names are to the Grand Jury aforesaid 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.

THIRD COUNT:

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

— Rhoades Hoinsch —

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said Rhoades Hoinsch,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of certain premises at number

384 Grand Street.

in the City and County aforesaid, which said place was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place, so licensed as aforesaid, unlawfully did not close, and keep closed, and on the said day, the said place so licensed as aforesaid, unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, 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.

RANDOLPH B. MARTINE,
District Attorney.

0550

BOX:
179
FOLDER:
1812
DESCRIPTION:
Malloy, Frederick W.

DATE:
06/09/85

1812

No. 93

Witnesses:

Clara J. Malloy

Robert Jackson

9th Precct.

Counsel,

Filed 9 day of June 1886

Pleads Not guilty (o)

THE PEOPLE

vs.

P

Frederick W. Malloy

Grand Larceny in the 2nd degree.
(MONEY.)
(Sec. 528 and 531, Penal Code.)

30. Sureceived

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

A M Kirby
June 9/86

Foreman.

Pleads Guilty
S.P. Four years.

1551

0552

Police Court— 9th District. **Affidavit—Larceny.**

City and County of New York, } ss.:

Clarah Jane Mullay

of No. 122 Gansevoort Street, aged 22 years, occupation Housework being duly sworn deposes and says, that on the 6 day of June 188? at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

good and lawful money of the issue of the United States, to the amount and value of Thirty two dollars

the property of Michael C Mullay deponents Father

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 Frederick W. Mullay (nowhere) from the fact that deponent saw him steal said money and when deponent attempted to stop him he threatened to assault deponent

Clarah Jane Mullay

Sworn to before me, this 4 day of June 188?

Thos. J. McMahon Police Justice.

0553

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Frederick W. Malley 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 Frederick W. Malley

Question. How old are you?

Answer 30 years

Question. Where were you born?

Answer. United States Pennsylvania

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

Answer. 122 Rivington Street 3 years

Question What is your business or profession?

Answer Work along shore

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

Frederick W. Malley
+
Mark

Taken before me this 6 *day of* May 1887

Police Justice.

0554

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 Michael W Malloy

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Seven *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 June 7 188 5. John Hyman *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.*

0555

584

Police Court 2 District.

THE PEOPLE, &c,
ON THE COMPLAINT OF
Carol J. Mallay
122 Gansevoort St
vs.
1 Francis W. Mallay
2
3
4

Offence Grand Larceny

Dated June 7 188 1

Gorman Magistrate.

Jackson Officer.

9 Precinct.

Witnesses Ann J. Mallay

No. 122 Gansevoort Street.

No. Street.

No. Street.

$ 700 to answer GJ

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street

No 4, by

Residence Street.

0556

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frederick W. Malloy

The Grand Jury of the City and County of New York, by this indictment accuse Frederick W. Malloy of the crime of GRAND LARCENY IN THE second DEGREE, committed as follows:

The said Frederick W. Malloy,

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the sixth day of June, in the year of our Lord one thousand eight hundred and eighty-five, at the Ward, City and County aforesaid, with force and arms, in the day time of the same day, one promissory note for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars; three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each; six promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each; sixteen promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each; thirty-two promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each; one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars; three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each; six promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each; and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of thirty two dollars,

of the proper moneys, goods, chattels, and personal property of one ~~on the person of the said~~ Michael C. Malloy, then and there being found, ~~from the person of the said~~ 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.

RANDOLPH B. MARTINE,

District Attorney.

0557

BOX:
179
FOLDER:
1812
DESCRIPTION:
Maus, George

DATE:
06/09/85

1812

Witnesses:

Anna Amelia Karlein
Rev. Chas. E. Bergen
Lena Maus

No. 9 J. O. Owen
140 Nassau
~~Oscar J. Hochheimer~~
~~206 Broadway~~
Counsel,

Filed 9 day of June 1885

Pleads, Not guilty (16)

THE PEOPLE

vs.

George Maus

Bigamy — 293 Penal Code.

[Sections

RANDOLPH B. MARTINE,

District Attorney.

June 12 85

Plead guilty

A True Bill.

S. P. Dog years 6.

J. M. Kirby

Foreman

June 16 85

June 12th

9 P.M.

0559

Police Department of the City of New York.

Precinct No......

New York,.....188

Complainant,
Mrs. Lena ~~Gastens~~ Maus
can be found at
52 Sherman Ave.
C/o Mr. Witterschlage
Jersey City Heights

0560

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

Third District Police Court.

age 19 yrs

of No 83 East Fourth Street, Agna Amelia Karlin being duly sworn, deposes and says, that on the 18th day of February 1885 at the City of New York, in the County of New York, one George Mans

did unlawfully and feloniously intermarry deponent and did take deponent to wife ~~her said deponent~~, he said Mans well knowing at the time that his lawful wife Lena Mans was then living and in full life. That deponent was married to said George Mans on the 18th day of February 1885 in the city of New York by the Rev. Charles E. Beyer a minister of the Gospel, at said ministers residence No 312 East 6th Street in the city of New York - and deponent thereafter and after her said marriage to him lived and cohabited with him as his lawful wife she being entirely ignorant of the fact of said Mans' former marriage.

Agna Karlin

Sworn to before me this 22nd day of May 1885

John J Norman
Police Justice

City and County of New York } ss. Lena Mans, of No 511 Vine Street in the city of Philadelphia State of Pennsylvania being duly sworn says that on the 5th day of February AD 1880 deponent was married to George Mans by the Rev W. J. Mann Pastor of the German Lutheran Church on Franklin Street between Race and Vine Streets in the city and State of Philadelphia Pennsylvania, and lived with said George Mans as his wife -

Sworn to before me this 22nd day of May 1885

John J Norman
Police Justice

Lena Mans.

0561

Sec. 151. **Police Court** 3 **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 Anna Amelia Karlein of No. 83 East 4th Street, that on the 18 day of February 1885 at the City of New York, in the County of New York,

George Means did unlawfully and feloniously intermarry with Complainant and did take Complainant to wife he well knowing at the time that Rena Means was then living and in full life

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said *Sheriff, Marshals and Policemen,* and each and every of you, to apprehend the said Defendant, and bring him forthwith before me, at the 3rd *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 22 *day of* May 1885.

Thos. J. Mangan POLICE JUSTICE.

0562

Police Court 34th District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Annie Amelia Karlin

vs

George Mann

Warrant—General.

Dated May 22d 1885

Gorman Magistrate.

Weis Officer.

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

Weis Officer.

Dated May 26th 1885

This Warrant may be executed on Sunday or at night.

Geo. F. Gorman Police Justice.

REMARKS.

Time of Arrest, 8 P.M. May 25/85

Native of Germany

Age, 34

Sex, Male

~~Complexion,~~

Color, White

Profession, Bartender

Married, Yes

Single, No

Read, Yes

Write, Yes

105 Attorney Place

0563

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

George Maus 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 George Maus

Question. How old are you?

Answer 37 years

Question. Where were you born?

Answer. Germany

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

Answer. 105 Clinton Place (resided there 3 months)

Question What is your business or profession?

Answer. Bar Tender

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

Answer. Innocent guilty

George Maus. 105 Clinton Place.

Taken before me this 26 *day of* [illegible] 188[illegible]

[illegible] *Police Justice.*

0564

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 George Mann

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 May 26 188 5 P. H. Duffy *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.

0565

91 330

Police Court 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anna G. Harlein
~~83 E. 6 St.~~
410 E. 6 St.

1 George Mans
2
3
4

MAY 27 1885

Offence Burglary

Dated May 27 1885

Goreman Magistrate.
Weis Officer.
A Precinct.

Witnesses Lena Mans
No. 311 Vine Street.
Philadelphia Pa
resides in 52nd Kensington
No. George Weis Street, Jersey City
Cent Squad
No. Street.
Left by Judge Duffy
Lord to answer Sessions.
Rev. Chas E. Beyer
312 E 6 St.

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

0566

District Attorney's Office.

PEOPLE

vs.

George Mann

Burglary

0567

OWNED BY TWO WIVES.

Mr. Maus's Good Looks Got Him into a Heap of Trouble.

Handsome George Maus is not a Mormon, but there are two beautiful women in this city who claim to be his better halves. He was arrested yesterday on a warrant and a summons issued on their complaints.

From the story told yesterday in Essex Market Court these alleged facts were gleaned: Maus was married to Miss Lena Gaschew, on February 5, 1880, by the Rev. W. J. Mann, pastor of the German Lutheran Church in Franklin street, Philadelphia, where the bride resided.

She said that Maus abandoned her three years ago and came to this city. Recently she made up her mind to get a divorce, and came on here from Philadelphia for that purpose.

Last Wednesday she, it is alleged, learned that Maus was married to Miss Annie A. Karloil last February by the Rev. Charles A. Beyer, of No. 312 East Sixth street. She found Mrs. Maus No. 2 at No. 83 East Fourth street. The latter, who is a modest and very pleasing young blonde, was surprised when No. 1 walked in.

She told her that four days after being married to Maus she learned from him that he had a wife in Philadelphia. She left him then. Wife No. 1 swore out a warrant for Maus's arrest and wife No. 2 procured a summons for him.

Both women appeared against the prisoner in Essex Market Court and made affidavits to the facts alleged above. He was held in $2,000 to answer.

Maus says the reason he left his first wife was that she was stingy and domineering. Regarding his second wife, he said she never left him until last Wednesday, when she took every cent he had under the pretext that she needed new clothes.

0568

der of Prime Vizier [illegible]

Secret as a Spanish Inquisition for the suppression of political heresy, the session lasted from 11 o'clock in the morning until 4 o'clock in the afternoon. But, as is always, or almost always, the case in meetings of this kind, there was one who spoke "out of meetin'." In recognition of the manifest service he has done for THE JOURNAL readers his name will not be divulged.

With all the subtlety of his Oriental mind, Sultan Gould absented himself from this consultation of his minions, simply giving them to understand, with cutting politeness, that they were to put an immediate stop to the ruinous war that is even now sapping the imperial treasury. The penalty which his royal pleasure might impose should they ignore his protocol he left for their imagination to conjure by simply referring to the mournful fate of Henry Villard.

After smothering their superstitious fears one man displayed remarkable heroism. John Newell, president of the Lake Shore province, mounted the dictatorial dais in the absence of Prime Vizier Fink, and the twelve remaining rulers of hostile provinces crouched upon the damask divans and took Oriental refreshment. The rose-water gurgled within twelve jewelled chibouques and liquid incense dropped musically into the fountain that typified the mystic pool of reconciliation.

After a painful and protracted pause, the chief conspirator announced in a deep voice the ostensible object of the gathering and read the message from the Sultan, who therein gave in diplomatic language a command that the blood-stained cimeter be buried too deep for resurrection.

Sir Edward Tyler, ambassador from the impoverished English subjects of Sultan Gould, broke the sullen silence by a speech that elicited cries of "Treason" from twelve throats.

The English stockholders, he said, were being [illegible]

0569

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

George Mauss

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

of the CRIME OF Bigamy,

committed as follows:

The said George Mauss,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the Fifth day of February, in the year of our Lord one thousand eight hundred and eighty, ~~, at the Ward, City and County aforesaid,~~ at the City and County of Philadelphia, in the State of Pennsylvania, did marry one Lena Gaschew, and her the said Lena Gaschew did then and there have for his wife; and the said George Mauss, afterwards, to wit: on the eighteenth day of February, in the year of our Lord one thousand eight hundred and eighty-five, at the Ward, City and County first aforesaid, with force and arms, did feloniously marry and take as his wife one Anna A. Karlein, and to the said Anna A. Karlein was then and there married, the said Lena Gaschew being then living and in full life; against the form

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

Randolph B. Martine,
District Attorney.

0571

BOX:
179
FOLDER:
1812
DESCRIPTION:
McCabe, Mary

DATE:
06/08/85

1812

No 83

Witnesses:

Daniel Driscoll

Officer Jas. J. Major

7 Prct

Counsel,

Filed 8 day of June 1885

Pleads,

THE PEOPLE

vs.

P

Mary McCabe

Grand Larceny, First Degree,
(DWELLING HOUSE.)
[Sections 528, 530, 550 Penal Code].

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

A M Kirby
June 9/85 *Foreman.*

Pleads Guilty
Sent. Three years.

0573

Police Court— 3 District.

Affidavit—Larceny.

City and County of New York, } ss.:

Daniel Driscoll

of No. 81 Allen Street, aged 56 years, occupation Boatman being duly sworn deposes and says, that on the 1 day of June 188 5 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:

three dresses value fifty dollars
one shawl value five dollars

Call of the value of fifty five dollars

the property of Complainant and his wife Ellen Driscoll

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 Mary McCabe (now present) from the fact that deponent carry it said Mary in the area of said premises with the property as above described in her possession

his
Daniel X Driscoll
mark

Sworn to before me, this 2 day of July 188 8

Police Justice.

0574

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

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

Question What is your name?

Answer Mary McCabe

Question. How old are you?

Answer 30 years

Question. Where were you born?

Answer. New York

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

Answer. 28 James St (resided there 2 years)

Question What is your business or profession?

Answer Wash & Iron

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

her
Mary X McCabe
mark

Taken before me this 7 *day of* May *188*9

Police Justice.

0575

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

Mary McCabe

guilty thereof, I order that she be held to answer the same and she 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 she give such bail.

Dated June 2 188 [illegible] *Police Justice.*

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

to bail to answer by the undertaking herein 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.*

0576

83 572

Police Court — 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Daniel Driscoll
81 Munroe St
Mary McCabe
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 June 2 1885

J. Duff Magistrate.
James J. Mayer Officer.
Precinct.

Witnesses
No. Street.

No. Street,

No. Street.

$ 500 to answer Sessions.

RECEIVED JUN 1885 DIST. ATTY'S OFF.

0577

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Mary McCabe

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

Mary McCabe

of the CRIME OF GRAND LARCENY in the FIRST degree, committed as follows,

The said Mary McCabe,

late of the Seventh Ward of the City of New York, in the County of New York, aforesaid, on the first day of June, in the year of our Lord one thousand eight hundred and eighty-five, in the night time of the same day, at the Ward, City and County aforesaid, with force and arms

three dresses of the value of seventeen dollars each, and one shawl of the value of five dollars,

of the goods, chattels and personal property of one Daniel Driscoll,

in the dwelling-house of the said Daniel Driscoll,

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.

0578

SECOND COUNT—

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

Mary McCabe

of the Crime of CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said Mary McCabe,

late of the Seventh Ward of the City of New York, in the County of New York aforesaid, on the first day of June, in the year of our Lord one thousand eight hundred and eighty-five, at the Ward, City and County aforesaid, with force and arms,

three dressers of the value of seven ten dollars each, and one shawl of the value of five dollars,

of the goods, chattels and personal property of one

Daniel Driscoll,

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

Daniel Driscoll,

unlawfully and unjustly did feloniously receive and have; the said

Mary McCabe,

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.

RANDOLPH B. MARTINE,
District Attorney.

05 79

BOX:
179
FOLDER:
1812
DESCRIPTION:
McCarthy, Timothy

DATE:
06/04/85

Counsel

Filed 4th day of June 1885.

Pleads Not Guilty June 5

THE PEOPLE

vs.

B

Timothy McCarthy

"Cons"

(original misclass)

RAPE.

1st Deg

Randolph B. Martine

~~JOHN McKEON~~,

District Attorney.

A True Bill.

Foreman.

New Trial granted by Judge Cullen July 7 1885

Indicted of Rape

70.

0858

0581

State of Pennsylvania,
COUNTY OF PHILADELPHIA, ss.

(*Affidavit.*)

I, WILLIAM B. MANN, *Prothonotary of the Courts of Common Pleas of said County, the same being a Court of Record, DO CERTIFY that* Owen W. Barron *Esquire, before whom the annexed affidavit was made, was at the time of so doing a NOTARY PUBLIC for the Commonwealth of Pennsylvania, residing in the County of Philadelphia, duly commissioned and qualified to administer oaths and affirmations and to take acknowledgments, &c., and to all whose acts, as such, full faith and credit are and ought to be given, as well in Courts of Judicature as elsewhere; and that I am well acquainted with the handwriting of the said NOTARY PUBLIC, and verily believe his signature thereto is genuine, and that said affidavit purports to be taken in all respects as required by the Laws of the State of Pennsylvania.*

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 10 *day of* July *in the year of our Lord one thousand eight hundred and eighty-five.*

William B. Mann **Prothonotary.**

years of age who spoke openly of having for months been in the habit of having sexual intercourse with her and from whom it was understood she stole his mothers wedding ring.-

I have seen her frequently on the Streets Endeavoring to engage in Conversation with strange men.- Have frequently seen her in the Streets of Philadelphia drunk - On one occasion I saw her on Front Street between Arch and Market streets in this City on the pavement with a man lying on top of her.-

She was considered by all her neighbors a grossly immoral woman, and among them her character for veracity was so very bad that I would not believe her under her oath.-

The instances and occurrences as to her conduct which I have above mentioned took place in the years 1882 and 1883.- The neighbors finally complained to the Police about her and had her arested and committed to the House of Correction.

Sworn & Subscribed to before me this 16th day of July A. D. 1885

John T. Barron
Notary Public

Thomas F. Filan

Exhibit
Monday July 20/85

0583

The People &c
against
Timothy Mc Carthy } New York Court of General Sessions.

State of Pennsylvania
City & County of Philadelphia } S.S.

I, Thomas F. Nilan being first duly sworn do depose and say as follows:

I am 29 years of age, am married and reside with my wife at No. 5 Jenkins Place in the City of Philadelphia, State of Pennsylvania -

I am a Police Officer in the employ of said City.-

I am well acquainted with Catharine Barrow alias Kate Fisher who formerly resided in my neighborhood, at No. 1 Jenkins Place in the City of Philadelphia and who is as I am informed and verily believe the Complainant in the above mentioned case.- I have known her since 1882. She was reputed by all her neighbors to be a common prostitute - She was constantly visited by men who called on her for immoral purposes. - I know of one young man who lived in the same neighborhood, who is now only about twenty one

0584

The People &c
against -
Timothy Mc Carthy } New York Court of General Sessions

State of Pennsylvania —
City & County of Philadelphia. } S.S.

I, Sherman DeLange being first duly sworn do depose and say as follows:

I am between twenty and twenty one years of age and reside at No. 9 Jenkins Place in the City of Philadelphia, State of Pennsylvania. – I reside there with my brother.

I am well acquainted with Kate Fisher alias Barrow who resided at No. 1 Jenkins Place Philadelphia in the years 1882 and 1883 and who I am informed and believe is the Complainant in the above mentioned case. –

She bore a very bad reputation among her neighbors and was considered by them a dissolute woman. – Among them her character for veracity was so bad that I would not believe her on her oath. – I have frequently seen her drunk – In the year 1882 I had sexual intercourse with her at least four times at her room in said

0585

house No. 1 Jenkins Place.—
At one time while I was at her house she requested me to allow her to examine or look at my mothers wedding ring which I then had in my possession (my mother being dead.) — I handed the same to her to look at.— She kept it and refused to return it to me.—
While residing at No. 1 Jenkins Place she was arrested on complaint of the neighbors and committed as I believe to the House of Correction.
Sworn & Subscribed to
before me this 18th
day of July A. D. 1885

S. M. Edwards

J. Edwin Barnes
Notary Public
Philada

Exhibit 3

Monday July 20/85

5985

0587

New York General Sessions
of the Peace.

The People v. Timothy McCarthy	Indicted for Rape.

City and County of New York ss.

I, George Blankley,
Lieutenant of the 21st Police District,
Philadelphia, in the State of Pennsylvania,
being first duly sworn make oath
and say:—

I know Catherine Barrow, alias
Catharine Fischer, the prosecutrix in
the case of The People v. McCarthy.

I know that said Catharine Barrow
was arrested by me in the 21st Police District
of Philadelphia on September 15th 1883 —
for the crime of drunkenness and
Disorderly Conduct. She has also
at different times been arrested for Vagrancy.

She is known by the Police of Phil=
adelphia as a thief, a prostitute, a
notorious liar and a drunken worth=
less character. — She has been arrested
several times on charges of larceny
and was charged with larceny from
the residences of people who had

her in their employ as a servant.

She was known to the Police force as Catharine Fisher, and the last time she was arrested was March 14th 1885.

She then gave her age as thirty years, but has given different ages at other times.

She claimed to have a child in the Philadelphia Alms House, and said she had been an inmate of that Institution herself.

She made her general stopping place with a man named Bradley at No. 3425 Woodland Avenue, a house of bad repute, the proprietor of which was killed in a brawl last January.

She gets the name of Barrow from an old man of that name who was a resident of Fernwood, Delaware Co. Pa.

This old man used to stop at Bradley's tavern and, being an old man and a widower, he was in some manner prevailed upon to marry this woman - now in the House of Detention in this City, who was then known as Kate Fisher,

and he took her to his farm and attempted to reform her, but the attempt was fruitless.

In the early part of this year Mr. Barrow died and this woman got hold of some money which was given her out of the Estate. She was sent to the House of Correction from Philadelphia while she was Barrows' wife.

Her reputation for truth and veracity in the neighboorhood in which she resided, and amongst the Police and all respectable people, is so bad, I would not believe her under oath, nor would she be believed in any Court in Philadelphia where she is known.

I have been on the Police force in Philadelphia for the past thirteen years, and knowing the vile character of the woman Catherine Barrow, whom I saw by the newspapers described as an Emigrant girl recently arrived in New York, I felt it my duty as a Police-Officer to inform Judge Gildersleeve

of the foregoing facts, which I did by letter dated July 8th 1885, unsolicited and unasked by any person.

I came on to New York this 14th day of July, 1885, accompanied by Thomas Randall, Esquire, Police Magistrate of Philadelphia, at the request of Howe & Hummel, attorneys for the Defendant McCarthy, who informed me that Judge Gildersleeve had sent them my letter to him.

I have this day seen the said Catherine Barrow in the House of Detention in the City of New York, and fully identify her as the Catherine Barrow and the Catherine Fisher referred to by me in the foregoing portions of my Affidavit.

Sworn to before me this 16th day of July 1885
Joseph Moss
Commissioner of Deeds
New York City

George Blunkly
Lieut of Police 21 Dist

Court of General Sessions

E 4. 10

The People &c

v

Timothy McCarthy

Affidavit of Lieutenant Blaubly.

1659

0592

District Attorney's Office.

Part One

PEOPLE

vs.

Timothy McCarthy et al

Nov. 16 - 1883

Bail & Counsel
notified
Subpoenas issued
P. 78

0593

The People vs
against
Timothy Mc Carthy } New York Court of General Sessions

State of Pennsylvania -
City & County of Philadelphia } S.S.

I Francis Hand being first duly sworn depose and say as follows -

I am 32 years of age and reside at 3404 Market Street in the City of Philadelphia, State of Pennsylvania -

In the year 1883 I was connected with the Police Department of Philadelphia, occupying the position of House Sergeant at the 21st District Police Station in said City. -

I have Known since that time Catharine Fisher alias Catharine Barrow who is as I am informed and believe the Complainant in the above mentioned case.

In the year 1883 I saw her in company with an intoxicated man enter a well Known "Lounge House" (used for immoral purposes) in West Philadelphia. - A few days after she was brought to said Station House drunk and was locked up for the night. -

Subsequently and in said year 1883 She was arrested by Sub-Police officer William Mahoney charged with the larceny of a watch which he caught her in the act of pawning. She was brought to said Station House and at the hearing when asked what she had to say in reference to the charge prefered against her stated to the Magistrate that she had agreed to "stay all night" with the owner of the watch and he was to have paid her five Dollars for doing so. - That she "Stayed with him" as agreed but that he had failed to pay her the Five Dollars and she took his watch from him to hold as security for the payment of this money. — The Magistrate then committed her for trial to answer the charge of larceny. -

On another occasion she was brought into said Station House intoxicated - She had been found lying in the yard of a house occupied by a colored man. She was so drunk that she had to be carried into the Station House and the Magistrate committed her to the House of Correction for the term of

0595

3

State of Pennsylvania,
COUNTY OF PHILADELPHIA, ss. } I, WILLIAM B. MAN
Courts of Common Pleas of said County, t
Record, DO CERTIFY that [illegible]
whom the annexed affidavit was made, was at the time of so doing a
for the Commonwealth of Pennsylvania, residing in the County of Phil
sioned and qualified to administer oaths and affirmations and to take
and to all whose acts, as such, full faith and credit are and ought to be
of Judicature as elsewhere; and that I am well acquainted with the
NOTARY PUBLIC, and verily believe his signature thereto is genuine,
purports to be taken in all respects as required by the Laws of the State
IN TESTIMONY WHEREOF, I have hereunto set my hand
said Court, this [illegible] *day of* [illegible] *in th*
thousand eight hundred and eighty-five

William B. Mann

three months.-
Whenever she was brought to said Station House and asked to state her residence, she mentioned a well known house of ill fame on Woodland Avenue above 34th street in West Philadelphia.-
She was considered a very dissipated woman.-

Sworn & Subscribed to before me this 15th day of July A.D. 1885

Francis Hardy

John W. Barrow
Notary Public
Phila Pa

Exhibit 1

Monday July 20/15

1657

0598

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

The People of the State
of New York on Complaint of
Catherine Barrows
against
Timothy McCarthy

City and County of New York. I Thomas
Randall, being duly sworn do
depose and say: I am fifty six
years of age and reside at No:
223 South 3rd Street in the
City of Philadelphia, State of
Pennsylvania. I am Magistrate
of Court No 24 in said City of
Philadelphia, and have been
a Magistrate and Alderman since 1865 with
the powers to examine into
offences and commit offenders.
As such Magistrate
and in the performance of my
judicial duties I became
acquainted with Catherine
Barrows the Complainant in
the case of Timothy McCarthy.
I saw said Catherine Barrows

0599

this fourteenth day of July 1885
at the House of Detention for
Witnesses in Mulberry Street in
the City of New York. I certify
recognized said Catherine
Barrows as the Catherine Barrows
whom I had from time to
time brought before me on
charges of drunkenness and
Vagrancy in my Court No.
3240 Chestnut Street in the
City of Philadelphia. I first
saw said Catherine Barrows
on the 16th day of September
1883 when she was brought
before me on a charge of
drunkenness. From said 16th
day of September 1883 to the
18th day of October 1884 said
Catherine Barrow was brought
before me no less than fourteen
times on separate and
distinct charges of drunkenness
and Vagrancy and I have
committed her to Moyamensing
Prison, the Almshouse and
the House of Correction in
Philadelphia for various

periods from twenty four hours to fifteen months. I append hereto a transcript from the Docket of my Court, copied by me yesterday in Philadelphia marked Exhibit "A", ~~and~~ showing the record of the arrests, the charges and the termination of the same in the cases of said Catherine Barrow. Said Catherine Barrow was also known by the alias of Kate Fisher, and it was from the fact that on the day after the conviction of said McCarthy I read in the City Item a Philadelphia newspaper, that a Catherine Barrows was asked whether she was not Kate Fisher as shown by an Envelope found in her trunk, that my attention was first called to the present case, and I thereupon wrote the letter to McCarthy's lawyer William F. Howe solely in the interests of Justice and to prevent a

miscarriage of justice.

I know Catherine Barrow to be a wicked, artful, designing lying and drunken woman. She is likely to deceive any person, and her reputation for truth and veracity amongst the police and those who know her in Philadelphia is so bad that I would not believe her under oath.

The paper marked Exhibit "B" is a transcript of the criminal proceedings had against Kate Fisher alias Kate Barrow on the 16th of October 1884. The Kate Fisher alias Kate Barrow and the Catherine Barrow seen by me this day at the House of Detention is one and the same person, and this last complaint was preferred against the said Catherine Barrow by Michael Barrow her step son and the son of Michael Barrow, Senior her deceased husband. When I went to

0602

Criminal Transcript.
No. 51.—Printed and sold by S. Yeo, 613 Walnut St.

Fisher

RETURN OF PROCEEDINGS BEFORE MAGISTRATE'S COURT No. 24,
OF THE CITY OF PHILADELPHIA.

Commonwealth of Pennsylvania,
vs.
Kate Fisher Alias
Kate Barron

Warrant issued on the 16th day of October 1884, on oath of Michael Barron subscribed to by said Affiant.

Defendant charged with Being a Habitual Drunkard
Deft brought up Oct. 18. 84 after hearing
Deft com to house of Correction for 15 Months

After hearing, Defendant required to give bail, in the sum of $....., for.....appearance at the.....Term of the Court of Oyer and Terminer and General Jail Delivery and Quarter Sessions of the Peace, for the County of Philiadelphia,

Defendant.....
and.....
Defendant.....
and.....
Defendant.....
and.....

Bound jointly and severally in the sum of $.....for the appearance of Defendant at the.....Term of the Court of Oyer and Terminer and General Jail Delivery and Quarter Sessions of the Peace, for the County of Philadelphia, and to abide the orders of the said Court.

DEFENDANT.	OCCUPATION.	PLACE OF ABODE.	PLACE OF BUSINESS.

WITNESSES.	OCCUPATION.	PLACE OF ABODE.	PLACE OF BUSINESS.
Michael Barron	Laborer	62 Baltimore av	
Sarah Higgins		Angora	
Maggie Custer		"	
Caleb Jones		"	

BAIL.	OCCUPATION.	PLACE OF ABODE.	PLACE OF BUSINESS.
	Transcript taken for Deft Oct 31/84		

The said.....[bail,] not being a housekeeper, and residing with....., by occupation..... his place of abode being.....

I HEREBY CERTIFY, That the above is a correct return and transcript from the Docket of said Court.

WITNESS our said Magistrate, and the seal of said Court, the 1st day of July A. D. 1885

H. Randall
Magistrate of Court No. 24

.....Term, 188

FROM

Magistrate's Court No. 24

Commonwealth

vs.

Kate Fisher Alias Kate Barron

.....

Charged with Habitual Drunkenness

.....

Returned....., 188

Costs due, $.....

0605

0604

The People &c
vs.
Timothy McCarthy } New York Court of General Sessions. -

State of Pennsylvania
City & County of Philadelphia } S.S.

I William J. Staw being first duly sworn according to law do depose and say:

I am 28 years of age, am married and reside with my wife and family at Number 50 North Second Street in the City of Philadelphia, State of Pennsylvania.

I am a dealer in wines and liquors at the above mentioned place. - My business card I hereto annex.

On Saturday last, July 11th 1885 I saw Catharine Barrow the Complainant in the above mentioned case at the House of Detention in New York City and I positively identify her as the Kate Barrow alias Kate Fisher of Philadelphia whom I well know.

I have known said Catharine Barrow for the past two years.

She formerly resided at No. 1 Jenkins Place, near Market Street in the City of Philadelphia. She leased a basement in the above house (No. 1 Jenkins Place), which basement

while she occupied it was a resort of men who frequently got intoxicated there and behaved indecently. The Character of the place became so bad that the neighbors made complaint to the Police authorities against said Catharine Barrow then Known as Kate Barrow and Kate Fisher and She was arrested and committed to the House of Correction.

I have also seen said Catharine Barrow in the Streets of Philadelphia a number of times drunk and the reputation She sustained in the neighborhood where I reside was very bad. She was considered a very dissolute woman.

Sworn & Subscribed to before me this 14th day of July A.D. 1885

William J. Hare

Philip Lamon
Notary Public
Philada

William J. Hare.
DEALER IN
Wines and Liquors.
Imported Ales, Porter, Fine Brands of Cigars
50 North Second Street,
PHILADELPHIA.

Exhibit 5
Murphy July 22

while she occupied it was a resort of

(*Affidavit.*)

State of Pennsylvania,
COUNTY OF PHILADELPHIA, ss.

I, WILLIAM B. MANN, *Prothonotary of the Courts of Common Pleas of said County, the same being a Court of Record, DO CERTIFY that* John W. Ferrow *Esquire, before whom the annexed affidavit was made, was at the time of so doing a NOTARY PUBLIC for the Commonwealth of Pennsylvania, residing in the County of Philadelphia, duly commissioned and qualified to administer oaths and affirmations and to take acknowledgments, &c., and to all whose acts, as such, full faith and credit are and ought to be given, as well in Courts of Judicature as elsewhere; and that I am well acquainted with the handwriting of the said NOTARY PUBLIC, and verily believe his signature thereto is genuine, and that said affidavit purports to be taken in all respects as required by the Laws of the State of Pennsylvania.*

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this [illegible] *day of* July *in the year of our Lord one thousand eight hundred and eighty-five.*

William B. Mann **Prothonotary.**

0607

(Copy) Exhibit A

St James Church
May 31 1884

The following is a certificate of Marriage to be found in the registry of above Church.

Daniel Barrow (dated) May 31, 84
to
Catherine Barrow

Witnesses { Timothy Lenhan
Mary Lenhan
Jno. H. O'Neill

(signed)
Rev. Jno. H. O'Neill

0608

Commonwealth of Pennsylvania } ss
County of Philadelphia }

Thomas McKelly being duly sworn according to law, deposes and says as follows, viz: I am a member of the Philadelphia Bar and am engaged in the practice of law at Number 506 Walnut Street in the city of Philadelphia. I know Catharine Barrow, the prosecutrix in the above case [State of Pennsylvania vs McCarthy]. I met her in my office in March last. She was accompanied by a lady whom she represented to be her aunt — a Mrs McAbow residing at 113 Craven Street in the city of Philadelphia. She represented herself to be the widow of one Daniel Barrow late of Angora Delaware County, Pa. She showed me what purported to be a certificate of marriage and which she stated was such — a copy thereof is hereto annexed marked Exhibit A.

She called at my office a number

of times. Her condition was invariably one of drunkenness sometimes amounting to a state of bestial intoxication. I ordered her out for this reason upon several occasions. At one time in April she called in company with a young man whom she introduced as her brother for the purpose of obtaining money from the Philadelphia Saving Fund without giving the two weeks notice usually required. On one time afterwards she stated that he was her husband. At one time during the month of April, she lodged with a man on Pine Street below Sixth in this city. She made a complaint at the Central Station and at the Third Police District station that this man robbed her of Seven Hundred Dollars. A warrant was refused her because of her drunken condition. To my knowledge she never had Seven Hundred Dollars. She subsequently complained that another man, one Edward Castor, robbed her of a smaller amount of money and some jewelry. She had no grounds whatsoever upon which to base such a complaint and admitted that she was mistaken

the place where she lodged is in the immediate vicinity of the slums of this city. I know that whilst living there she associated with prostitutes one of whom she brought to my office at the time that she said she had been robbed of $700 - I ordered her out. She formerly lived in the neighborhood of Second and Market streets in this city and about two years ago was arrested upon a charge of larceny — Her reputation among the people who know her for chastity for truth and veracity is very bad. I would not believe her under oath — she made an indecent proposition to me. The last time she called at my office, I had to put her out. Her conduct was such as no decent woman would be guilty of. I read in the New York Herald of Wednesday July 15 1885 that some time since she charged a man named Harley with the larceny of $54 and stated that she received $66 from Lacy & Kelly of Philadelphia out of her brothers estate I never collected any money for her from any estate and have no knowledge of any such money. She is a woman

whom I should judge from what I have seen and heard of her — who would do any thing and resort to any means for the procurement of money.

Sworn & subscribed
before me this 18th
day of July AD 1885
witness my hand and
official seal

William H Fuller
Dep Clerk

Stonewall Cody

12 1/2

Exhibit 8

0612

the House of Detention to day I went there in company with Lieutenant George Bleakley of the Philadelphia Police Force. I saw Catherine Barrow amidst about eight other women and I instantly recognized her and selected her from the others. She is the same Kate Barrow alias Kate Fisher referred to by me throughout this affidavit.

Sworn to before me this 14th day of July 1885

Joseph Mong
Commissioner of Deeds
New York City

J. R. Randall
Magistrate Court No 24

0613

Exhibit A.

Phil July 13/85

Record from the Docket of Magistrate in case of Kate Fisher Alias Kate Barrow

Arrested	Sept 16 83	on charge of Drunkenness	Disch?
	Oct 7 83	" "	Disch?
	Oct 26 83	" "	"
	Nov 6 83	" "	Com 24 hours.
	Nov 9. 83	Sent to Almshouse Sick	/
	~~Nov 22 83~~	~~Drunkenness~~	Com 24 hours
	Jan 4 84	"	Com 24 hours
	Jan 15 84	"	Disch?
	Feb 2 84	Reformatory House of Correction 3 Months	
	May 7 84	Drunkenness	Com 24 hours
	May 23 84	"	Com 24 hours
	June 3. 84	"	Com 24 hours
	June 10 84	Reformatory House of Correction 10 Months	
Kate Fisher alias Barrows	Oct 18. 84	Habitual Drunkenness	15 Months.

Ex 9

Court of General Sessions

The People

— v —

Timothy McCarty.

Affidavit of

Judge Randall.

0615

Form No. 1.

THE WESTERN UNION TELEGRAPH COMPANY.

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after sending the message.
This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

THOS. T. ECKERT, General Manager.
NORVIN GREEN, President.

NUMBER	SENT BY	REC'D BY		CHECK
12 P	[illegible]	[illegible]	[illegible]	[illegible]

Received at [illegible] 188

Dated [illegible]

To [illegible]

Arrived last night all
night [illegible]
[illegible] answer

Kate [illegible]

0616

New York Court of General Sessions.

The People against Timothy Mc Carthy	For Rape.

City and County of New York ss:

I, James Mc Aloon being duly sworn say, I reside at 117 Craven Street, Philadelphia, with my mother. My business is that of a Longshoreman.

I well know Catherine Barrow, the Complainant in this case. I have seen her in the House of Detention in this City this day, the Eleventh day of July 1885, and I positively identify her as the Catherine Barrow of Philadelphia. She has lived in Philadelphia for the past four years.

She was married to a man named Fischer. Three years ago she was locked up in Philadelphia charged with stealing $800.00 from one Maggie Dunn. All the Police authorities there know this. She

was tried for the theft and acquitted.

Kate Barrow then lived at the house of my Cousin Thomas Fischer, Jenkins Place in 2nd Street near Market Street, Philadelphia. She was locked up and I had her bailed out. She was much given to drinking spirituous liquors and was frequently drunk and associated with low and dissolute characters. She was sent to the House of Correction in Philadelphia to my own personal knowledge. — My mother received the telegram hereto annexed after Kate Barrow reached New York City from Philadelphia, on the 16th of April, 1885. She had her trunks in my house for four days before she came to New York on April 15th 1885. She stopped at my house about four or five days before she came to New York.

There are many many people in Philadelphia who can prove she has resided there for the past four years; and that she was in Philadelphia on April 15th 1885, and then

left to come to New York, I positively swear.

I further depose that on the 15th day of April, 1885, the said Catherine Barrow, the person now in the House of Detention in the City of New York, at the City of Philadelphia took from my house at said City of Philadelphia her two trunks, which she then informed me she was then going to take to the City of New York.

Sworn to before me this 11th day of July 1885

Joseph Thoss

James McSalvin

Commissioner of Deeds
New York City

Brooklyn Gen'l Sessions

Exhibit 6

Monday July 20/15

The People

v

Rape

McCarthy

aff. of McAlon

55. R. 4 517

Brennan 7 Hun

171

0619

0620

Police Court— 1 District.

CITY AND COUNTY OF NEW YORK, } ss.

Catharine Barron

of House of Detention Street, aged 25 years,

occupation Servant. being duly sworn, deposes and says, that

on the 25th day of May 1885 at the City of New York,

in the County of New York,

she was violently **ASSAULTED** and **BEATEN** by Timothy McCarthy, Daniel Oberle and Mary Foley (all from here) that said defendants struck deponent several blows on the head and body with their fists knocking her down and while down kicked her several times about the body

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 the above assault, &c., and be dealt with according to law.

Sworn to before me, this 25 day of May 1885 } Catharine her × mark Barron

Samuel C. Ryall Police Justice

0621

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 1 DISTRICT.

Martin O'Keogh

of No. 4 Precinct Police ~~Street~~, aged 31 years, occupation Police Officer being duly sworn deposes and says that ~~on the~~ ~~day of~~ 188~~ ~~at the City of New York, in the County of New York,~~ Catharine Barron (new line) is a necessary and material witness against said defendants That she has no place of abode and is poor and destitute and deponent prays that she may be committed to the House of Detention

Martin O'Keogh

Sworn to before me, this 25 day of February 1885

J. McCullagh Police Justice.

0622

Sec. 198—200

CITY AND COUNTY OF NEW YORK, } ss.

District Police Court.

Timothy McCarthy 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. Timothy McCarthy

Question. How old are you?

Answer. 41 Years

Question. Where were you born?

Answer. Ireland

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

Answer. 41 Oak St. 8 years

Question. What is your business or profession?

Answer. Keeper of Lodging House

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 a trial by jury

Timothy McCarthy

Taken before me this 15 *day of* January 1880

Lewis C. Pulitzer *Police Justice.*

0623

Sec. 198—200

CITY AND COUNTY OF NEW YORK, } ss.

182 District Police Court.

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

Question. What is your name?

Answer. Mary Foley

Question. How old are you?

Answer. 35 years

Question. Where were you born?

Answer. Ireland

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

Answer. 41 Oak St. 6 mos

Question. What is your business or profession?

Answer. Domestic

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 a trial by jury

Mary Foley

Taken before me this 2d *day of* January, 188[illegible]

[illegible] *Police Justice.*

0624

Sec. 198—200

CITY AND COUNTY OF NEW YORK, } ss.

1 District Police Court.

Daniel Oberley being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is h to right to make a statement in relation to the charge against h m; that the statement is designed to enable h m if h 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 waiver cannot be used against h m on the trial.

Question. What is your name?

Answer. Daniel Oberley

Question. How old are you?

Answer. 28 years

Question. Where were you born?

Answer. Texas

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

Answer. 41 Oak St. 3 years

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 and demand a trial by jury Dan Oberle

Taken before me this 7 *day of* March 1889

[illegible] *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 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 [illegible] 10 188 5 [illegible] *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

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

No 36

SL 566

Police Court 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Catharine Barron
vs.

1 Timothy McCarthy
2 Daniel O'Neil
3 Mary Foley
4

Offence Assault

Dated May 25 1885

D O Reilly Magistrate.

Bligh Officer.

Off Groden 4 Precinct.

Defendants plaintiff committed to the House of Detention on default of $300 to appear

No. Off Hogan 15 Street,

" O'Leary 14

No. " Lynch 4 Street.

$ 1000 to answer General Sessions.

Off Baker 4

$1000 for

4 May 27, 10 a M

" June 2 P M

0627

District Attorney's Office.

PEOPLE

vs.

T. McCarty

Witnesses

Annie Freeman
86 Ave D.
Maggie Marrar
Mrs Cohen
Officer Keogh 4th
Capt Wolb 4th
Send subpoenas
to Capt Wolb to
have served G. S. B.

The People &c
against
Timothy Mc Carthy
} New York Court of General Sessions -

State of Pennsylvania
City & County of Philadelphia } S.S.

I, Roland Story being first duly sworn according to law do depose and say:

I am 32 years of age, am a married man and reside at No. 2 Jenkins Place in the City of Philadelphia, State of Pennsylvania -

I was born in the City of Philadelphia and have lived there all my life.

I am a Porter by business and worked for Walter Murphy at Delaware Avenue near Race Street Philadelphia.

On Saturday last July 11th 1885 I visited the House of Detention in New York City in company with William J. Hall of Philadelphia and then and there saw Catharine Barrow the Complainant in the above mentioned case and I identify her as the Catharine Barrow of Philadelphia who lived at No. 1 Jenkins Place next door to where I reside. - She was then known by the name "Kate Fisher".

I have Known her for the past two years. – She leased a basement at said place No. 1 Jenkins Place and the same was visited by men (while she occupied it) a half a dozen at a time, who were intoxicated and conducted themselves in a disorderly manner at very late hours in the night. These occurrences took place in the apartment occupied by her.

The place was of such a bad character that my neighbors made a complaint to the Police and said Catharine Barrow then Known as Kate Fisher was arrested and committed to the House of Correction.

On a number of occasions I have seen her drunk in the Streets of Philadelphia. – Her neighbors considered her a very dissolute woman and so bad was her reputation for truth and veracity among her neighbors that I would not believe her under her oath. –

Sworn & Subscribed to before me this 14th day of July A. D. 1885

John W. Barron
Notary Public
Philadª

Roland. Stacey

Exhibit 4
Monday July 20/85

0630

I have known her for the past two years. — She is

State of Pennsylvania,
COUNTY OF PHILADELPHIA, ss.

(*Affidavit.*)

I, WILLIAM B. MANN, *Prothonotary of the Courts of Common Pleas of said County, the same being a Court of Record, DO CERTIFY that* John W. Barron *Esquire, before whom the annexed affidavit was made, was at the time of so doing a NOTARY PUBLIC for the Commonwealth of Pennsylvania, residing in the County of Philadelphia, duly commissioned and qualified to administer oaths and affirmations and to take acknowledgments, &c., and to all whose acts, as such, full faith and credit are and ought to be given, as well in Courts of Judicature as elsewhere; and that I am well acquainted with the handwriting of the said NOTARY PUBLIC, and verily believe his signature thereto is genuine, and that said affidavit purports to be taken in all respects as required by the Laws of the State of Pennsylvania.*

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 14 *day of* July *in the year of our Lord one thousand eight hundred and eighty-five.*

William B. Mann **Prothonotary.**

0631

The People
vs.
Thomas H. Farley

Court of General Sessions.
Part I.
May 7th, 1885.

Recorder Smythe in charging the jury said: Gentlemen: This woman [the complainant Catherine Barrow.] was drunk to a very great extent that day. She traveled into a great many places that you and I would never go into with any money in our pockets in Chatham Street, the lower end of Pearl Street and down into Washington Street. She seemed to pick up a good many acquaintances of a very suspicious character. She may have been deprived of the possession of her money by some one of those people just as well as by this defendant. Besides all this, this defendant has in his possession and has produced here certificates of his having heretofore borne a good character. Every one of those certificates which he produced here speaks of him in very favorable terms; and

in a doubtful case, evidence of good character in my judgment is entitled to very great weight at the hands of a jury. I do not think that this is a case which any jury ought to be asked to convict upon the uncorroborated testimony of this woman, who certainly is addicted to the use of intoxicating liquor to a great extent – anybody can tell that who had the privelege of sitting so close to her as I have during the trial of this case. I therefore direct you to acquit.

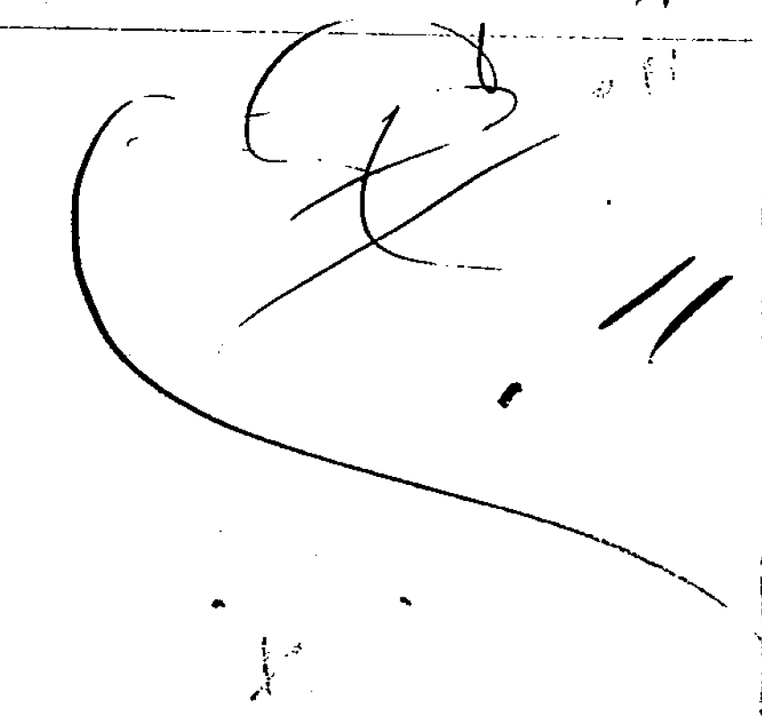
The jury rendered a verdict of "not guilty".

The above is a correct transcript made by

William Anderson,
Official Stenographer, General Sessions, Part I.

New York, June 25. 1885.

People vs Thos. H. Farley,
Recorder's Charge



EEO 95

0634

PEOPLE

vs.

[illegible]

[illegible]

Messrs Howe & Hummel say he is absolutely good and that they will say if there is any forfeiture - How much bond is this surety now in?

B.M.

0635

HUMMEL,
M. STEINHARDT.
JOS. F. MOSS.

87 & 89 CENTRE STREET
AND
136, 138 & 140 LEONARD STREET.

New York, Aug 11 1885

My dear Mr Martine

This Bail is perfectly & absolutely good.

We will pay Bond if there is any forfeiture (which there never will be).

Yours

W. F. Howe for
Howe & Hummel

Surety Mr Noble

0636

Part 4

The Court is held in the Court House, 32 Chambers St.

COURT OF GENERAL SESSIONS OF THE PEACE.

County of New York, ss.

SUBPŒNA.

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

To Belle Jackson

L.S.

YOU ARE COMMANDED to appear before the **Court of General Sessions of the Peace,** to be holden in and for the said City and County of New York, at the City Hall of the said City, on Fri day, the 20 day of Novemb instant, at the hour of ELEVEN O'CLOCK, 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 John Rock

Dated at the City of New York, 19 *day of* Novemb 1885

By order of the Court,

Howard Brennan *Counsel.*

JOHN SPARKS, Clerk of Court.

0637

This Subpœna is issued in behalf of the defendant on his ap

—— : o : ——

On appearing in Court you will enquire for the Counsel for

so that he may be aware of your presence.

If you do not obey this Subpœna or do not explain your

Court can enforce your attendance and *fine* you.

No. .....

Street.

M.S. General Sessions

The People
vs.
John Rock } assault

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

Daniel Sullivan being duly sworn, says that he resides at No. 28 Bowery ~~Street,~~ in the City of New York; that he is 33 years of age; that on the 19 day of November 1885, at ~~Number~~ Corner of North & Centre Streets in the City of New York, he served the within Subpoena on Belle Jackson the Witness therein mentioned by leaving a copy thereof with her personally.

Sworn to before me, this 20 day of November 1885

Joseph Prior
Commissioner of Deeds NY Cty

Daniel Sullivan

0638

M/ General Sessions

The People vs

- agst -

John Rock

Affidavit of service
of Subpoena

Howard Brummel
of Counsel
for def

(filed Nov 20/85)

0639

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Timothy McCarthy
Mary Sheehy and
David Shuler

The Grand Jury of the City and County of New York, by this indictment, accuse Timothy McCarthy, Mary Sheehy and David Shuler —— of the CRIME OF ASSAULT IN THE THIRD DEGREE, committed as follows:

The said Timothy McCarthy, Mary Sheehy and David Shuler, both late of the First Ward of the City of New York, in the County of New York aforesaid, on the 25th day of May, in the year of our Lord one thousand eight hundred and eighty-five at the Ward, City and County aforesaid, in and upon the body of one Rathanine Barnes, in the peace of the said people then and there being, with force and arms, unlawfully did make an assault and then the said Rathanine Barnes, did then and there unlawfully beat, wound and illtreat, to the great damage of the said Rathanine Barnes, 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.

RANDOLPH B. MARTINE,
District Attorney.

Witnesses:

Catharine Barrow

Catharine Barrow is the only witness sworn in prosecuting Daniel Oberle and Mary Foley and as she has been convicted by Judge Gildersleeve to be unworthy of belief — I ask the Court to discharge Daniel Oberle and Mary Foley on their own recognizance

Jeremiah J. Belford

A. D. A.

No 36

Counsel, Oliver

Filed 4 day of June 1885

Pleads, Not Guilty

THE PEOPLE

vs.

Timothy McCarthy

Daniel Oberle

Mary Foley

ASSAULT IN THE THIRD DEGREE.

(Section 219, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Foreman

0641

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

POLICE COURT, 1 DISTRICT.

Catharine Barron

of No. House of Detention ~~Street~~, being duly sworn, deposes and says,

that on the 8th day of May 1885

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

(now here) did violently make an assault upon the body of deponent and against her will did then and there ravish and carnally know

Deponent further says that she arrived from Ireland on the Steamship Ethiopia on said date and was at Castle Garden in said City when said defendant came up to her and asked her said deponent if she wanted a situation and deponent replied "Yes" and said ~~defendant~~ deponent asked said defendant what services he required from her and the amount of money she was to receive for the same. That said defendant informed deponent that all he required her to do was to take care of a sick woman and that he would pay her three dollars a week and board. That said defendant took her to No 41 Oak Street in said City and assaulted her as aforesaid. Deponent says that said McCarthy accompanied her the next day and obtained her trunks and brought the same to said place as aforesaid. Deponent says that said defendant took her clothes and would not permit her to leave said premises

for the following week and thereafter he said defendant permitted said deponent to leave twice to purchase groceries accompanied by Mary Foley an inmate of defendants premises

Deponent says that on the 25th day of May 1885 she asked said defendant to give her the money due her for services rendered. That said defendant told her to go to hell and struck her on the face with his fist blackening her ~~down~~ eye and knocking her down and went away That said defendant went away and returned in about three hours thereafter and she said deponent again asked ~~him~~ for her money and clothes and he said defendant kicked her in the stomach and knocked her down and Daniel Oberle and Mary Foley assaulted her as charged in other complaint

her
Catharine X Barron
mark

Sworn to before me
this 29th day of May 1885
Saml O'Reilly Police Justice

POLICE COURT—_____ DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated _____ 188

Magistrate.

Officer.

Witness,

Disposition

Catharine Barrow, the complaining witness, being testified as follows

Cross Examined by cont. Oliver

I am will be 25 years old on the 13th of June & was born in Glasgow and raised in Ireland and am a single woman. I came to this country five weeks ago last Friday on the steamer "Ethiopia". I was in Castle Garden five hours and went to a lodging house - I don't know where it is, kept by a man named Clark. I remained there two nights. I went out with a man who stopped there & who was a stranger to me. We went to a photographic gallery in East Broadway & had our pictures taken together. Then we went in a saloon down stairs & got a glass of beer. Then I lost my money there and came to the station house & had this man arrested. He took my money. I came then to the

"Smits" and made a complaint against him & was sent then to the Home of Detention for trial & I from me. He was afterwards tried on that charge by a Jury & acquitted through false evidence. I was then discharged from the House of Detention & went away in Castle Garden. I then Thomas Reilly. I never took a letter from Jack McCarthy. I was looking for a place in Castle Garden & I was there half an hour & when [illegible] talking to two Castle McCarthy came there. They were changing money & selling beer where I was in Castle Garden. I was not the Labor Bureau in charge of a lady. But no baggage thereonly what I was on my own. McCarthy asked me if I wanted a situation & I said "yes" & he took me to his place. I never seen him before. We got to his place about two o'clock and I sat down and he

attended bar & about 3 o'clock he took me up-stairs to make his bed & locked the door of the room and ill-used me - had carnal inter-course with me. This was the 8th of May. I staid there three weeks after that & slept with him every night except two nights when I went home on [illegible]. I had found the key of the door. (He kept me in the house & wouldn't let me out.)

Ok! (Mr. Moss) Strike out all of the above in brackets in the last two lines as being irrelevant to this question.

Motion denied - Exception

I never was under the influence of liquor here except when he made liquor into me. I never went to a pawn-shop when I worked. I didn't buy this watch - it belonged to my sister, who is dead. I have no relatives in America. I know

Maggie McCabe but was never in a
saloon or hop with her. When I came here
I met with a party he tried to make
me a prisoner. I didn't know who
the officers are [illegible] was
there here - a policeman took
hold of me. McCarthy, Foley & another
man was there too. I didn't know any
thing of the policeman a lark
McCarthy kept me - he held me down
all [illegible] I when I smashed the
windows & got a ladder up to the
window & tried to get me out. He
promised to marry me & gave me
witness to that effect - they are
somewhere around my clothes.
There is a back door in the house
adjoining street & it was open
for every one to go in and out
except me - we kept it locked &
there is a door leading from the
entry to the bar-room, but you have
to go in the side door - it is open

4

sometimes but I never had a chance to get in to it — those he wants can get out of that door — he lets people out who come in for beer or drink — in the daytime. Since I was in Court here I have been in the House of Detention. The first time I was only there a few days — I can't say exactly how many as I have a bad memory. I think it was about the 6th of May when I first went there — I don't say exactly the time of day or the day of the week — I don't recollect the day I first came here to Court to make a complaint against him — the man stole my money. I had $3. in my pocket after this man took my money — my $5. & McCarthy took that.

Mr. Olive asked for an adjournment until

5

tomorrow to enable him to get the testimony that he might be able to relate it.

Motion denied — Exception

Mr. Olin moved for the discharge of the defendant on the ground that on the testimony the corpus delicti has not been proven. Either in the original or in the cross-examination.

Motion denied — Exception

The above is a correct copy of the evidence taken in the above matter, Nov. June 1st 1895.

James A. Lynn
Official Stenographer

0649

Sec. 198—200

CITY AND COUNTY OF NEW YORK, } ss.

District Police Court.

Timothy McCarthy 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 h 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. Timothy McCarthy

Question. How old are you?

Answer. 41 years

Question. Where were you born?

Answer. Ireland

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

Answer. 41 Oak St 7 years

Question. What is your business or profession?

Answer. Nothing

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

Timothy McCarthy

Taken before me this 27 *day of* May 1885

Police Justice.

0650

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 $30 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 June 1 188 5 Daniel O'Reilly *Police Justice.*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 188 *Police Justice.*

There being no sufficient cause to believe the within named

guilty of the offence within mentioned, I order h to be discharged.

Dated 188 *Police Justice.*

0651

BAILED,

No. 1, by Michael J. N. Burke

Residence 50 Cherry Street.

No. 2, by Bail as above

Residence Accepted in Jail Street.

No. 3, by August 1st 1885.

Residence Street.

No. 4, by

Residence Street.

No. 34 0565

Police Court 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Catharine Barron
No 13.

1 Timothy McCarthy
2
3
4

Offence Rape

Dated May 25 1885

D O Reilly Magistrate.

Keogh Officer.

4 Precinct.

$3000 for G June 1st/85 2 P.M.

Witnesses

No. Street.

No. Street,

No. Street.

$ 3000 to answer G Sessions.

C

0652

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Timothy McCarthy

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

Timothy McCarthy

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

The said Timothy McCarthy,

late of the First Ward of the City of New York, in the County of New York aforesaid on the Ninth day of May, in the year of our Lord one thousand eight hundred and eighty-five, at the Ward, City and County aforesaid, with force and arms,

one watch of the value of eighteen dollars, one chain of the value of two dollars, three rings of the value of ten dollars each, and twelve coins, of a number, kind and denomination to the Jurors aforesaid unknown, of the value of three dollars,

of the goods, chattels and personal property of one Catharine Cannon,

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.

Randolph B. Martine,
District Attorney.

Witnesses:

Catharine Barrow

$2000 - money deposited with City Chamberlain June 18/85 - in lieu of bail -

No 35

Counsel, Pl Atty

Filed 4 day of June 1885

Pleads Not Guilty / 5

THE PEOPLE

vs.

B

Timothy McCarthy

(Bonner)

H.D.

Grand Larceny 2nd degree

[Sections 528, 531 Penal Code].

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

C. A. Wilber

Foreman.

Leave 5 & 4 9.54

659

0654

Dr. WILLIAM L. HARDY,
353 West 28th Street.

New York, July 20th 1885

Hon Randolph B Martine
District Attorney
Dear Sir

I examined this afternoon Catherine Barron as requested by you. She would not submit to a complete examination She gave as a reason that she was ashamed. From the examination she allowed me to make I could find no signs of pregnancy and I do not think she is pregnant I believe she has her menses at the present time as there was a discharge of blood which looked like menstrual blood. She denied

0655

strenuously that she was ever pregnant before; but there are positive signs of it. She has a double lacerated cervix uteri and those silvery white streaks on the abdomen called lineae albicantes due to the skin having been stretched in a previous pregnancy

Respectfully Yours
William L Moody M.D.

0656

Attorney a
McCarthy
case
"Jim"

0657

Police Court—First District. Affidavit—Larceny.

City and County of New York, } ss.:

Catharine Barron

of House of Detention Street, aged 25 years, occupation Servant being duly sworn deposes and says, that on the 9th day of May 1885 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

One silver watch with chain attached of the value of twenty dollars Three gold rings of the value of Thirty dollars and good and lawful money consisting of silver coin of the value of Three dollars all of the value of Fifty three dollars

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Timothy McCarthy (now here)

That said defendant asked deponent to give him said property and that he would lock the same up and take care of them for her. That deponent gave him said defendant the aforesaid property as aforesaid. That deponent has demanded said property from said defendant twice and he refused to return the same and assaulted her

Wherefore deponent charges said defendant with feloniously taking stealing and carrying away said property as aforesaid

Catharine her X mark Barron

Sworn to before me, this 27 day of May 1885

Samuel C. Ricketts Police Justice.

Catharine Barrow, the complaining witness being sworn testified as follows:

Cross Examd — by — Mr Olcott

I wear diamond rings. The name of George Burns was on one of them. He's a young man I was keeping company with. They were all plain gold rings. There was also a silver watch that came with a rest for it. There was a black chain attached to the watch. The watch was worth about $20. anyhow. I valued it at that. as I think it is worth that. I more than that. I did made a mistake in the value of my dress, it is worth (35) thirty five dollars. The rings were worth $10. each. I know what was paid for them. My mother is dead. I valued them at that." I know my mother paid more than $10. each for them —

0659

They Cost $50. in Glasgow. I don't know when they were bought. I don't mean to say I know how much my mother (Mrs) paid for them — [illegible] her when she bought them. This ring I got from an. Brown as a present & I don't know how much it Cost. The other ring was my another's wedding ring & the other her Engagement ring. They were [illegible] [illegible] make and then to me. I don't know when the got them, [illegible] told me about them. In my judgment they were worth $10 apiece. I don't know how much they weighed. I never pawned this watch in Moss's & I don't know where Moss's is — never saw it. I gave those things to McCarthy for safe keeping at his solicitation, the day after I came there — the 7th of July. McCarthy had been arrested on the 25th of July — I was sent to the House of Detention on

2

that day and he was in as a prisoner & I didn't see him again until I saw him in Court. I heard him tell the man he had property belonging to me. He didn't steal it from me. No I asked him for it twenty times & he refused to give it to me. I didn't know he kept this house until after I gave him this property. I don't know anything about the value of the house — I never bought a house. I never bought anything but all same I got them. He hadn't a decent bed in the house that I saw & I never had the privilege of going through the house to see how many beds were not decent. I saw two beds there his bed & the one I slept on two nights. I saw some trunks and a bedstead in his room & the barroom is dirty-dirty, I was in it more than 10 or 12 times. I was not on the sidewalk when Theresa Reilly came back on the day he was killed.

the other nurse was sitting in my
Hand. When the officer came I was
almost dead in the house, bleeding
was not under the influence of
liquor. I wasn't on the street before
the officer came up. I wasn't on the
sidewalk at any time. I didn't follow
him out when he went to the station
house & I didn't come here to
cause trouble in my blood. He didn't
tell me he was going to have me
arrested. I never saw Theresa Reilly
until I met her in the office of
Captain where was her all the
time the case was argued the same room
with me. I didn't go to the Carthy
house in Theresa's taxi.

Mr. Chief asked for an adjournment
until to-morrow so that he might get
a copy of the testimony that he could
receive it & subpoena witness

Motion denied — Exception

4

Ch. Olivier MOVED for the discharge of the defendant on the ground that there is no evidence as to the value of the property. No larceny has been proven. [illegible] the witness, for the prosecution, herself the distinctly stated in her Cross Examination that no larceny was had from her person or that her property was taken from her & she has her remedy in a civil court.

Motion denied — Exception

William McNamara, a witness for the defence sworn says. on

Direct Exam — by — Ch. Olivier

Sam. Keeper of the City Prison — went to a pawn-broker's Corner Catharine & Manroe St. with the defendant & was shown a watch there by the

Clerk.

By "The Court" I was coming through Catharine Street & a party said the watch was in this pawn shop. The Editor Attorney [illegible] large tan [illegible] to go with him so that he could redeem his money. There was no stamp in Catharine St. On the same we came to Catharine Street ferry from Brooklyn where we had been to four different banks where he had accounts. I took him to this pawn brokers. I was not told to take him there & from there we went to his house & he looked it up. He was in my custody. I really can't say what conversation I had with him.

By Mr. Oliver (Continued)

I saw a silver watch at this pawn brokers. A party asked the

pawnbrokers clerk of Omaha water
had been pawned on Sunday week,
for $2 & he looked over the book &
asked if he knew the name & he
said he didn't that a woman pawn
ed it. Then we produced a watch
which was taken from a black
case & it had a dent on the side
of it & he asked him how much
there was on it & he said $2. & he
asked him how much it was worth
& he said about $4. Mr McCarthy
not to stop there any longer & we
then went to his house & locked the
door.

By "The Court"

Was committed to prison in any
place he wanted to go but should
not have taken him to a church or
a theatre or any place he chose.
There were no places designated

on the writ.

Maggie McGabe of No. 26 Chrystie Street, called for the defence testified as follows:

Direct-Examination — cross Mrs.

I live with my husband and work for her. I have been to a place of Corner Catharine & Monroe Street with the complainant — Another woman also was with us named Mary — I don't know her last name. I have seen this complainant in company with the two weeks she was there. I never saw her in red. Sunday two weeks ago I was to this place of ice with her. cor. Rop. We passed a water for the reason that she said she wanted the money. I gave the man

the watch & he gave me $2. & the tickets
& I gave both to her. The man who
waited on me was a short little
fellow

Cross Examined by Mr. Olivier

McCarthy & this woman beat me.
I don't recollect being taken from 41
Park St. in an ambulance - yes
I do it was on a Sunday evening &
I came back the next day and
he beat me again. The doctor in the
hospital told me to leave there as
quickly as I could. He told me I
was in the family way & I told him
it was by McCarthy & he told me
to prosecute him as soon as I
could. I told him that some time
ago I was subject to fits. I was
drunk that night, I told the Doctor
I wasn't drunk.

9

Mr. Oliver moved that in the interest of fair play & justice the further hearing be adjourned until tomorrow.

Motion denied — Exception

Mr. Oliver moved to dismiss on the testimony of Mary McCabe

Motion denied — Exception

This ring now shown me is the one Mr. [illegible] two rings were my mothers Engagement & Wedding rings.

The above is a correct copy of the evidence in above case.

W.S. June 1/15

James A. Lyon
Official Stenographer

0668

Sec. 198—200

_____ District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Timothy Mc Carthy 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 h 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. Timothy Mc Carthy

Question. How old are you?

Answer. 41 years

Question. Where were you born?

Answer. Ireland

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

Answer. 41 Oak St 7 years

Question. What is your business or profession?

Answer. Nothing

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

Timothy Mc Carthy

Taken before me this 27 *day of* Oct 188 7

Dennis O'Reilly *Police Justice.*

0669

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 200 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 June 1 188/ Samuel C. Ruff *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.*

0670

No 35 566

Police Court 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Catharine Barrow
vs.
1 Timothy McCarthy
2
3
4

Offence Assault

Dated May 27 1885

D O'Reilly Magistrate.

O'Keaughr Officer.

4 Precinct.

$2000 for & June 1. & Pdl

Witnesses

No. Street.

No. Street,

No. Street,

$ 2000 to answer General Sessions.

Committed

$2000 Ee June 1st 2 P.M.

BAILED,

No. 1, by Noble.

Residence Oak Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

0671

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Timothy Mc Carthy

The Grand Jury of the City and County of New York, by this indictment, accuse Timothy Mc Carthy of the CRIME OF GRAND LARCENY in the second degree committed as follows:

The said Timothy Mc Carthy

late of the First Ward of the City of New York, in the County of New York aforesaid, on the Tenth day of May in the year of our Lord one thousand eight hundred and eighty-five, in the time of the said day, at the Ward, City and County aforesaid, with force and arms,

One watch of the value of eighteen dollars, one chain of the value of two dollars, three rings of the value of ten dollars each, and divers coins of a number kind and denomination to the Grand Jury aforesaid unknown, of the value of three dollars,

of the goods, chattels and personal property of one Catharine Barrows ~~on the person of the said~~

then and there being found, ~~from the person of the said~~

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.

Randolph B. Martine
District Attorney

Witnesses:

Catharine Farrow

$

$100 - money deposited with City Chamberlain June 18-85. in lieu of bail

Counsel, [illegible]

Filed [illegible] day of June 188 5

Pleads, Guilty

THE PEOPLE

vs.

Jas.

Jas. McCarthy

3 Cases

A D

Grand Larceny, Degree.
(From the Person.)
[Sections 528, 53 Penal Code].

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

A. M. Kirby
Foreman.

8212

0673

The People
vs.
Timothy McCarthy

Court of General Sessions. Part I
Before Judge Gildersleeve.
July. 1885.

Testimony of Catherine Barrow
Direct Ex. Cross Ex.

0674

The People
vs.
Timothy McCarthy

Court of General Sessions. Part I.
Before Judge Gildersleeve.
Thursday, July 2, 1885.

Indictment for Rape.

Catherine Barrow, sworn and examined by Mr. Bedford:

Q When did you get in the House of Detention; how long have you been there.
A Five weeks last Monday.
Q You have been there as a witness for this trial five weeks.
A Yes sir.
Q When did you leave your home on the other side of the water.
A It was in April.
Q In April. A. Yes sir.
Q What steamer did you come over in. A. The Ethiopia, sir.
Q About how many days were you.
A Eleven days.
Q Then when did you arrive here — the latter part of April.
A Yes sir.
Q Did you know anybody in this

country when you arrived.
A No sir.
Q What did you bring with you.
A I had two trunks along with me.
Q How much money. A. Fifty five dollars in money I had when I came.
Q That was all you had.
A Yes sir.
Q When you first arrived did you arive at Castle Garden.
A Yes sir.
Q And did you see anybody, did anybody direct you to go to any place. A. A police officer directed me to Clarks. I asked for a respectable boardinghouse, and he directed me to John Clark's in Washington St. I cannot exactly tell the number.
Q Did you go there in Washington St.
A Yes sir; it was nine oclock in the evening - nine oclock at night.
Q How long did you remain. What time did you arrive here in the steamer. A. It was in the afternoon; it was nine oclock at night when I came to Clark's.

myself and the trunks; I had to stay to get my trunks.

Q You were detained at Castle Garden for your trunks. A. Yes sir.

Q Then you got to Clark's about nine oclock at night. A. Yes sir.

Q How long did you remain there about.

A. Four days I was in Clark's.

By Counsel Q Four days at Clark's.

A Yes sir, I went out to buy some things, to look for a situation for myself, and there was a young man boarding there and Mrs. Clark recommended him to go with me to show me the streets.

By Mr. Bedford. Q Well, what next took place.

A And he coaxed me to go into the photographic gallery and have my photograph taken, and I objected to go in; he took me in by force. he came out again, and he wanted to go in at the corner to have a glass of beer; he went in, and I left down my satchel; he took my pocket book and money fifty five dollars and ran away with it.

Q Who did. A. The young man.

By the Court Q Did you go with him to get beer.
A He went in to have a glass of beer.
Q Did you go with him.
A No, I had no beer.
By Mr Bedford Q Well then, after this man took fifty five dollars from you then did you go to Castle Garden yourself. A. I went to the station house and had him arested
Q Do you know this man.
A His name is Thomas Farrell. he belonged to Clark's boarding house.
Q Did you have him arested.
A Yes sir, I was five days in the House of Detention. The case was taken out and he beat me out of fifty five dollars.
Q Well now come down to this case here. A. The pocket book and all he got away with it.
By the Court Q He was arested.
A Yes sir, he had a lawyer, and by false witnesses he beat me out of it.
Q That afternoon that you met this man and you lost your money you were on your way to Castle Garden. A. Yes sir, I was in

Castle Garden.

Q When was the day that you left Clark's to go to Castle Garden.

A It was the day after I left the House of Detention I went to Castle Garden.

Q When you left the House of Detention then you went to Castle Garden.

A Yes sir.

Q For what purpose did you go.

A I wanted to get a situation, I had no money or no friends and no place to go to.

Q You went to Castle Garden for that purpose. A. Yes sir.

Q Whom did you see.

A I saw a whole lot of ladies and gentlemen passing out and in. I was talking to two ladies when Mr Carthy came up to me.

Q This man here came up to you.

A Yes sir.

Q Now did you speak first or did he speak first. A. No sir.

By the Court. Q Where were you when you were talking. A. I was where they were changing the money.

By Mr. Bedford. Q Talking to some ladies.

A Yes sir.
Q McCarthy came up? A Yes sir.
Q Tell these gentlemen what McCarthy said to you. A. He asked me if I wanted a situation? I told him 'yes.' I thought by his appearance he was a decent, respectable man.
Q What next took place
A And he engaged me for three dollars a week and my board.
Q What did he say.
A He said that he wanted me to take care of his sick wife. He did not say he kept a bar room or a bad house or anything. He said he kept a private house.
Q And his wife was sick.
A Yes sir.
Q For three dollars a week and board as a domestic to take care of his wife. A. Yes sir
Q Did you accept those terms.
A Yes. I was glad to get a situation when I wanted it.
Q Then where did you go with him if any place.

A He took me to 41 Oak street.
Q About what time was that.
A We arrived there about two o'clock in the afternoon.
Q You arrived at two o'clock in the afternoon at 41 Oak street with McCarthy. A. Yes sir.
Q What conversation did you have with him besides this conversation at Castle Garden. A. I did not have no conversation at all with him; he did not say much to me at Castle Garden; he had not much to say to me until we came to the house.
Q On your way to 41 Oak street did you have any conversation with him. A. Yes sir, when we were in the cars going he was talking about the old country, talking where I came from and talking about such things.
Q That was on your way.
A Yes sir.
Q How many cars did you take.
A We changed cars twice. When we come out of the last car we traveled two or three blocks.

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Q When you arived at Oak st. what did he say, what did he do.

A When we went in, he went in the hall way. The first woman I met in the hallway was Mary Foley. She had a pair of black eyes; she was cut over her eyes.

Q Was she boarding at that house.

A No sir, she is one of the inmates of the "dive" that runs the place for him.

Mr. Howe. I ask that that be stricken out.

The Court. Yes.

By Mr. Bedford. Q Did she live there.

A Yes sir, she lived there.

Q You arrived there about two or three oclock in the afternoon and you saw Mary Foley.

A Yes sir.

Q What became of McCarthy after you arrived in the house.

A When we went in he opened the barroom door.

Q What did he do.

A He took my shawl and hat and handed them behind the bar along with his own coat, and

he gave me a chair to sit down.
Q What next took place.
A I asked him where was his wife?
He said I would see the wife
after a bit: and I was not
long sitting down when there came
a young man and woman
talking to him. He recieved money
and they went up stairs.
Q What did you do after that.
A I asked him then what kind
of a house did he (McCarthy) Keep?
He told me he kept a hotel.
Q Well then what.
A I says it was a funny looking
hotel! He asked me, did I
never see any hotels in the
old country? I said "yes", but I
never saw any hotels like
that in the old country.
Q What next? A - I wanted different
times to see my room and
to see the wife. He put me
back until it was three oclock
in the night. About twelve
oclock he shut the windows.
Q Where were you till three oclock.
A I was between the bar room
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and the Kitchen out and in.
Q Why did you stay there all that time. A. Because he would not show me any place to go.
Q How did you come to go up stairs. A. He told me to get a pitcher of water at 3 o'clock, intending to go up stairs to make up his bed. He went up along with me to show me the room.
Q You went up. A. Yes sir.
Q Did you believe that you were going to act as a domestic.
A Yes sir, the same as a servant for him.
Q When you went in the room was the bed already made up.
A The door was locked, and he unlocked the door and he went into the room. He was back and forward through the room while I was making the bed. When I had made the bed he took the keys and locked the door.
Q Then, after the bed was made. he locked the door you say.
A Yes sir.

Q And then what happened.
A I wanted him to open the door to let me out, and he would not let me out. I went to the window and the window was nailed down.
Q Did he nail it down.
A It was nailed down when I went to the room.
Q How do you know it was.
A Because I tried the window. Whether he nailed it in the afternoon I do not know; if he had been up stairs I cannot say.
By the Court Q You tried it and found it nailed. A. Yes sir.
Q You do not know how it was done.
A Yes sir.
By Mr. Bedford Q Was that after he locked the door. A. Yes sir.
Q Why did you go to the window to try it. A. Because I could not get the door open. I wanted to lift the window to hallo "murder" out of the window.
Q After the door was locked and you could not raise the window it having been nailed down.

what next occured.

A He got his two arms around me and he tumbled me into the bed and I hallooed "murder", "police".

Q Both were on the bed then.

A Yes sir.

Q Well go on, what next.

A I jostled with him from three to six oclock in the morning, and he got the best of me in the morning. I was not fit to save myself no longer. I was killed the way he abused me.

By the Court. Q You say you jostled with him from three oclock to six in the morning. A. Yes sir.

By Mr. Bedford. Q Did you recieve any bruises? A. Yes sir.

Q Where. A. I was all bruises, I could hardly see out of my eyes how he bruised me. I was beat black in the body. The Matron in the House of Detention looked all over me and saw me.

Q Did anybody strike you that night and cause you to be bruised.

A No sir, not that night; it was

afterwards. they struck me. He abused and kicked me in the bed that night.

Mr. Howe. I object to what she is stating afterward.

The Court. Objection sustained. All I rule out is what she says about the matron of the House of Detention.

By Mr. Bedford Q. Up to six o'clock in the morning, you say from three to six you jostled and tussled and he got the best of you.

A. Yes sir.

Q When six o'clock came did he leave the room or did you leave the room or what happened.

A He left the room and locked me in.

Q Was the window still nailed down

A Yes sir.

Q How long was it before he or anybody came and opened the door. A. He did not open the door until the afternoon.

Q Then you were there from six o'clock until the afternoon.

A Yes sir.

Q Did you have anything to eat

or to drink. A. No sir; he hardly gave me a thing to eat. He nearly starved me as long as I was there.

Q From six oclock in the morning until the afternoon then what did you do, did you hallow or make any outcry. A. Yes sir as much as I could, but very little I was able to make because he abused me. I was not fit to move myself.

Q Did you remain in bed all the time. A Yes sir, I was hardly fit to get out of bed.

Q What time did you say in the afternoon he came up to the door and opened it.

A Both McCarthy and Mary Foley

Q. What did they say to you or what did you say to them.

A I told McCarthy to open the door when he came in and he locked the door on the inside.

By the Court. Q Both times. A. Yes sir.

By Mr. Bedford Q What happened then, what was said. A. McCarthy told me to keep quiet and to lay

nothing. As soon as I would be well and fit to go down stairs he said that he would marry me and make me his wife.

Q What did you say.

A I told him if he had a mind to marry me that he would not have abused me in that manner. He said he would marry me and he would give me a written agreement that he would marry me on the 5th of June and that he would make me his wife; and he got Mary Foley to put her hand to the paper as witness.

Q Have you got that paper.

A McCarthy took it out of my trunk and some letters.

By Counsel Q Did you see him at your trunk. A. Yes sir, Sunday night before he beat me.

By Mr. Bedford Q Where is your trunk.

A McCarthy has got my clothes and two trunks; my watch and chain and three gold rings.

Q He has got those yet.

A Yes sir, my clothes.

16 Q This written paper you told the jury that after he wrote it that he would marry he took it away from you. A Yes sir, Sunday night before he beat me.
Q How many weeks were you in his house. A. Three weeks and two days.
Q. Why did you remain.
A I was there for two days that he kept me locked in. He would not permit me to go down stairs. I was there for eight days; I was not fit to go down, and the four last days I was better he would not let me down
Q Did he keep you locked up in this room. A Yes sir.
Q How many days. A. He kept me two weeks locked up. For eight days I was not fit to come down.
By Mr Bedford Q Then he kept you locked up for two weeks. A. Yes sir.
Q You say you were there three weeks and two days.
A Yes sir.
Q Why did you stay nine days more.

A. Because he would not give me my shoes or a stitch of my clothes or anything belonging to me.
Q Well do I understand you to say that during that week you did not have anything on at all.
A No sir, only just a wrapper, that was all. He kept my clothes in another room.
Q Did he give you anything to eat.
A Yes sir sometimes he would send Mary Foley up with something.
Q You remained there three weeks and two days. A Yes sir
Q How did you finally come to leave that house, why did you leave that house. A Why didnt I leave
Q Why did you at the end of three weeks and two days.
A Why he beat me and abused me. I wanted to have him arrested a week before I left.
Counsel Objected to as incompetent.
Q How did you get out and why what did you do when you got out, why did you leave

18 that house? Objected to. Objection sustained.

Q How did you leave it?

A On a Monday when he was getting Teresa Keilly out of the House of Detention I dressed myself for the street and I met him in the entry way.

Q Met who. McCarthy. A. Met McCarthy and Teresa Keilly.

Q Then what happened. A. He asked me where I was going. He exclaimed with an oath, came out with an oath asked me where I was going? I told him I was going to leave the house. I asked him to let me have my jewelry and clothes before I would leave. He put his foot and kicked me in the stomach and knocked me down in the hallway.

Q Then what else? A. Teresa Keilly ran back to the yard and he turned and he closed the door and he beat me. I was hardly fit to stir. I got up again and I got hold of him by the neck and chucked him

against the door.

Q Go on. A. He called upon Mary Foley and Daniel O'Brien. He was too strong for him. Two of the inmates of the "Dive" and he came and held the door again and Daniel O'Brien held me till Mary Foley beat me. So I was lying and I was not fit to stir. I was covered with blood. I was not fit to move, and another inmate of the "Dive" came down. They walked out, and they were five or six minutes away and there came another inmate of the "Dive" down; she is here too.

Q Her name is what, Mary Foley.

A No sir, another one belonging to the "Dive"; she is here.

By Mr. Howe Q You can point her out.

A She is there with the ~~yellow~~ little bonnet on her — "Mag," there she is (pointing) with a grey shawl and a little bonnet.

By the Court Q What is her name.

A "Mag" Grove. She came down; she put me up on the bench; I was not fit to sit up on the

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bench. I was not fit to sit up on the bench. I was covered all over with my blood. Mrs. Carthy, Daniel O'Brien and Foley came in. I was lying on the floor in the Kitchen.

By Mr. Redford. I want to know how you got away from the house.

A. M'Carthy said, "Is she dead?" Daniel O'Brien said, "She is not dead." M'Carthy said, "She will have us all arrested." He said to May and Daniel O'Brien "get a glass of whiskey and pour it over her and make outsiders believe when they came in I was drunk." They done that. M'Carthy went out, and I turned over on my mouth and nose. I would not put the whiskey in my mouth. M'Carthy called then Teresa Reilly, May Foley and Daniel O'Brien one side. M'Carthy said, "you had better go to the station house and make a charge against me [her]: you have got a pair of black eyes, he says, and

the plan will work easy." They went to the station house to have me arrested; whether they went to the station house or not I cannot say, but they came back, and the police officer came back, and when the police officer and they returned to the house again I was taken to the station house by the police officer.

By the Court Q That is the way you got out of the house, taken out by the policeman. A. Yes sir.

By Mr Bedford Q Officer Kelly was it not, he took you to the station house, McCarthy and all there.

A Yes sir.

Q There was a Judge on the bench.

A Yes sir, Justice O'Keilly.

Q Tell the jury what happened while you and McCarthy were there.

A I told my story to the Justice O'Keilly. They were made the mischiefs and I the complainant.

Q Now you have told everything have you not in this case.

A Yes sir.

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By the Court Q You said when he locked the door of the room you found the window was nailed down.
A Yes sir.
Q You tussled with him till six o'clock in the morning when he got the best of you. A Yes sir.
Q What do you mean by that had sexual intercourse with you against your will. A. Yes sir.
Q At the time he had sexual intercourse with you what did you do. A. Why I was hallooing to get out and I could not save myself I was killed. I was jostling from three to six o'clock. I was laced up so tight I was not fit to move no longer.
Q Did you resist with all the strength you could.
A Yes sir

Cross Examined by Mr. Howe.

Q Now let us see when did you come to this country. A. In April.

Q What day in April.

A I could not say what day of the month it was.

Q Well, about. A. I landed on the Friday, but I could not say what day of the month it was.

Q Did you come by the Ethopia.

A Yes sir.

Q You are sure of that. A. Yes sir.

[Officer Groden stand up.

Q Do you know Officer Groden of Castle Garden. A. I saw him, I was talking to him.

Q You are sure of that.

A I am sure I had my ticket bought for the Ethiopia to come on it and landed at Castle Garden on a Friday.

Q And when you came by the Ethiopia you had on that vessel you have sworn today fifty five dollars in money. A. Yes sir.

Q That was all the money you had was it not.

A Yes sir.

24 Q You are sure of that. A. Yes sir.
Q There is no mistake about that.
A No sir.
Q You had not any more money.
A No sir.
Q When did you leave Ireland.
A On the first of April, in April.
Q You left on the first of April.
A Yes sir.
Q That is true is it. A. Yes sir.
Q By the Ethiopia. A. Yes sir.
Q From Liverpool. A. No sir, from Londonderry.
Q And how many days were you on the passage. A. Eleven days.
Q Then you arrived in New York about the 12th, 13th or 14th of April, is not that so.
A I could not say what day of the month it was.
Q You were eleven days on the passage.
A I was eleven days on the passage.
Q You left the 1st of April.
A I could not say it was on the very first day of April, but I left on the first of April, it was in April.
Q Was it the second.
A I cannot say.
Q Why did you say the first.

A It was the beginning of the month I left, I cannot say the day.

Q You got over about the middle of April is that it. A. I could not say what day of the month I landed.

Q Dont you want to say, to tell the jury.

A I left in April, I was eleven days on my passage coming, I could not say.

Q When you landed at Castle Garden is it not a fact – you have told us – now you are sure about the fifty five dollars; dont make any mistake; take all the time you want about this to think; that was all the money you had. A. That was all the money I had when I landed, my money

Q Was that all the money you had when you got on board the vessel.

A That is quite different. I spent some money on shipboard coming, I had fifty five dollars landing.

Q When you landed you had only fifty five dollars. A. Yes sir.

Q How much did you have when you went on board the vessel.

A I did not put it down every cent I got. I had fifty five dollars

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landing; I got in Castle Garden. I had my money in gold with me, I changed it in Castle Garden.

Q You tell this jury how much money you had when you got on board that vessel. A. I am telling what money I had. When I got my money changed in Castle Garden I had fifty five dollars.

Q Tell these gentlemen how much money you had when you got on the vessel.

A It is not necessary because I do not know.

Q Was it a hundred dollars.

A I had my money in gold sovereigns and I got it changed in Castle Garden, I got fifty five dollars.

Q You have swoken that you were robbed of fifty five dollars at the Police Court.

A Yes sir, I say so now.

Q You know enough to swear to that – how much money did you have when you got on that vessel. A. I do not know how much money they gave me for my gold! I do not know

0700

this country's money, I had it in sovereigns.
Q How much money did you have in gold on the vessel.
A I could not say how much money
Q Why can't you tell, is it because of the affidavit you made in the Police Court. How much money in gold did you have when you got on that vessel.
A I could not say, I got some money changed on the vessel.
Q Was it a hundred pounds.
A No, I had no hundred pounds.
Q Well, how much my girl.
A I could not say how much money I had. I got it changed in Castle Garden, but I know the amount I got.
Q You cannot tell the jury how much you had when you got on board. A. I cannot say. I bought things in Londonderry and I bought things on shipboard. I had fifty five dollars in Castle Garden when I got my money changed. I am telling them the truth.

A27

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Q You say you are; I say you are not.
A I say, yes.
Q Now you had fifty five dollars when you landed. A. Yes sir.
Q Was that all you had.
A I got that in Castle Garden for my gold.
Q Was that all you had, all they gave you. A. Yes sir.
Q Now then with fifty five dollars in your pocket you went in the middle of April to the house of Mr. Clark, 157 Washington st. didn't you
A I went to Clark's, I cannot say the number — Tom Clark's.
Q You went to that man's house didnt you [pointing to a man in Court]. A. Yes Sir, that is the man.
Q About the middle of April with fifty five dollars. A. Yes sir.
Q How many days did you stay at Mr. Clark's place.
A Four days when I lost my money
Q How much money did you spend at Mr. Clark's.
A I spent no money at Mr. Clark's, none of the fifty five dollars, only

small change that was in my pocket. I did not spend twenty five dollars altogether.

Q In four days you did not spend 25 cents at Clark's.

A No sir, I did not. I was to pay five dollars a week for board there.

Q Did you not at Clark's place go out from time to time with different men. A. No sir.

Q And return from time to time drunk, 'yes' or 'no'.

A No sir.

Q Did you not go from Mr. Clark's place on the 22nd of April, mind, with a man by the name of Thomas H. Farrell.

A That was the day I went to get my photograph taken; that is the day he took my money. Mr. Clark recommended him to go with me to show me the streets.

Q You went with him. A. Yes sir.

Q And when did you return.

A I returned in the afternoon; it was the afternoon we went out.

Q. Were you drunk or sober when

you returned. A. I was sober.
Q Perfectly sober. A Yes sir.
Q Had nothing to drink. A. No sir.
Q Did Mr. Farrell come back with you.
A No sir.
Q Then long before you saw this man, eleven days according to your own showing——
A No, sir; he did not come back with me; he went away with my pocket book and money.
Q Did you charge Mr. Farrell on the 23d day of April with stealing from you fifty five dollars.
A Yes sir, that was the money he took..
Q You went before the Magistrate, Judge O'Reilly or some Magistrate and made that affidavit.
A Yes sir.
Q See if that is your signature. I offer it [showing paper.]
A I cannot read or write. I made a cross.
Q Now then, that is the officer is it not (Flynn.)
A I know it is.
Q That is the officer you called to take Farrell in custody. was it not.

0704

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Timothy McCarthy
Mary Foley and
Daniel Oberle

The Grand Jury of the City and County of New York, by this indictment, accuse Timothy McCarthy, Mary Foley and Daniel Oberle of the CRIME OF ASSAULT IN THE THIRD DEGREE, committed as follows:

The said Timothy McCarthy, Mary Foley and Daniel Oberle each late of the First Ward of the City of New York, in the County of New York aforesaid, on the 25th day of May in the year of our Lord one thousand eight hundred and eighty-five at the Ward, City and County aforesaid, in and upon the body of one Catharine Barron in the peace of the said people then and there being, with force and arms, unlawfully did make an assault and her the said Catharine Barron did then and there unlawfully beat, wound and illtreat, to the great damage of the said Catharine Barron 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.

RANDOLPH B. MARTINE,
District Attorney.

No 36

~~H & H~~

Witnesses:

Catharine Ramos

Counsel,

Filed 4 day of June 1885

Pleads, Not Guilty

THE PEOPLE

vs.

Timothy McCarthy
Daniel O'Keefe
and Mary Foley

ASSAULT IN THE THIRD DEGREE.

(Section 219, Penal Code.)

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

A M Kirby
Foreman

505

0706

COURT OF GENERAL SESSIONS OF THE PEACE

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Timothy McCarthy

The Grand Jury of the City and County of New York, by this indictment, accuse Timothy McCarthy of the CRIME OF RAPE, committed as follows:

The said Timothy McCarthy late of the First Ward of the City of New York, in the County of New York, aforesaid, on the eighth day of May in the year of our Lord one thousand eight hundred and eighty-five, at the Ward, City and County aforesaid, with force and arms in and upon one Catharine Farrow wilfully and feloniously made an assault, and the said Timothy McCarthy her the said Catharine Farrow then and there by force and with violence to her, the said Catharine Farrow and against her will, did wilfully and feloniously ravish and carnally know, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

And the Grand Jury aforesaid by this indictment further accuse the said Timothy McCarthy of the CRIME OF ASSAULT ~~WITH INTENT TO RAVISH~~ in the second degree, committed as follows:

The said Timothy McCarthy late of the Ward, City and County aforesaid, afterwards, to wit, on the day and in the year aforesaid, and at the place aforesaid, with force and arms, in and upon her, the said Catharine Farrow wilfully and feloniously made an assault, with intent her the said Catharine Farrow against her will, and by force and violence, to then and there wilfully and feloniously ravish and carnally know, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Randolph Martine
~~JOHN McKEON~~, District Attorney.

0707

BOX:
179
FOLDER:
1812
DESCRIPTION:
McCormick, Joseph

DATE:
06/17/85

1812

Witnesses:

Joseph Sanchez

No 173 X

Counsel, A. D. a

Filed 17 day of June 1885

Pleads Not guilty (18)

THE PEOPLE

vs.

P

Joseph McCormick

July 7/85 —

Tried & Acquitted -

ASSAULT IN THE FIRST DEGREE, Etc.

(Sections 217 and 218, Penal Code).

RANDOLPH B. MARTINE,

District Attorney.

June 22 1885 E. S. H.

A True Bill.

C Sunkirby

Foreman.

7

Feb 29 1

9.30

0709

Police Court— 2 District.

City and County of New York, } ss.:

Joseph Sanchez

of No. 172 Bleeker Street, aged 29 years,

occupation Cigar Maker being duly sworn

deposes and says, that on the 12 day of June 1885 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Joseph McCormack (another)

who cut and stabbed deponent

in the face with a knife the left

in his hand

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 he 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 14 day of June 1885. } José Sanchez

[signature] Police Justice.

0710

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

Joseph McCormick 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 Joseph McCormick

Question. How old are you?

Answer 32 years

Question. Where were you born?

Answer. Philadelphia

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

Answer. 120 South 5th Avenue 2 years

Question What is your business or profession?

Answer Glass Cutter.

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

Taken before me this 16 *day of* July 1885

John J. Cummings *Police Justice.*

J McCarnicks

0711

Police Court— 2 District. 599

THE PEOPLE, &c,

ON THE COMPLAINT OF

Joseph Sanchez
172 Bleecker St

vs.

1 Joseph McCormack
2
3
4

Offence Felo. Assault

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street

No 4, by

Residence Street.

Dated June 14 1885

Gorman Magistrate.

Officer.

13 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 1000 to answer G.S.

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

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

Dated June 14 188 . 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.

JUN 15 1885 ATTORNEY

0712

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph McCormick

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

The said Joseph McCormick, late of the City of New York, in the County of New York aforesaid, on the twelfth day of June, in the year of our Lord one thousand eight hundred and eighty-five, with force of arms, at the City and County aforesaid, in and upon the body of one Joseph Bauchery in the peace of the said People then and there being, feloniously did make an assault and him the said Joseph Bauchery with a certain knife which the said Joseph McCormick in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did beat, strike, stab, cut and wound with intent him the said Joseph Bauchery 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 Joseph McCormick of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Joseph McCormick 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 one Joseph Bauchery in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and him the said Joseph Bauchery with a certain knife which he the said Joseph McCormick in his right hand then and there had and held, the same being a instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully beat, strike, stab, cut 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.

Randolph B. Martine,
District Attorney.

0713

BOX:
179
FOLDER:
1812
DESCRIPTION:
McDonald, John

DATE:
06/25/85

1812

Witnesses:

James Lewis

Off. Michael McCauley

3rd Prct

229

Counsel,

Filed 25 day of June 1885

Pleads, Not guilty (6)

THE PEOPLE

vs.

John McDonald

Grand Larceny, 2nd Degree.
(From the Person.)
[Sections 528, 531, Penal Code].

RANDOLPH B. MARTINE,
District Attorney.

A True Bill.

Pen 2 months.

Foreman.

0715

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

City and County of New York, } ss.:

James Lewis

of No. 324 Tenth Avenue ~~Street~~, aged 28 years,

occupation Laborer being duly sworn

deposes and says, that on the 20 day of June 188 5 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property viz:

Good and lawful money of the United States Consisting of one bill or note of the denomination and value of five dollars, and one bill or note of the denomination and value of one dollar; Altogether of the value and amounting to Six dollars

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by John McDonald (now here) for the following reasons, to wit: On said date, about the hour of 9.30 O'Clock in the forenoon deponent was in the ferry house foot of Christopher Street, when the said deponent saw said defendant put his hand into the right hand pocket of deponents pants, and take therefrom the afore-described property said pants being then and there worn on the person of deponent. Deponent had said defendant then and there arrested by Officer Michael McCauley of the 3rd Police Precinct who found said property in the left hand of said defendant.

James Lewis

Sworn to before me, this 20 day of June 188 5

Police Justice.

0716

Sec. 198—200

CITY AND COUNTY OF NEW YORK, } ss.

2nd District Police Court.

John McDonald 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 McDonald

Question. How old are you?

Answer. 21 years

Question. Where were you born?

Answer. New York City

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

Answer. 42 Watts Street, and 3 years

Question. What is your business or profession?

Answer. Plumber

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

Answer. I am not guilty

John McDonald

Taken before me this 20 *day of* July *188*7

Police Justice.

0717

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 McDonald

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of [illegible] 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 June 20 188 5 [illegible] *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.*

0718

Doc 624

Police Court 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
James Lewis
vs.
John McDonald

Offence for carry pistol the law

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

2

3

4

Dated June 20 188 5

P. G. Duffy Magistrate.

Michael McCauley Officer.

3 Precinct.

Witnesses Michael McCauley

No. 3rd Precinct Police Street.

No. Street,

No. Street.

$ 600 to answer Sessions.

07119

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 Mc Donald

The Grand Jury of the City and County of New York, by this indictment, accuse John Mc Donald of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said John Mc Donald,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the twentieth day of June, in the year of our Lord one thousand eight hundred and eighty-five, in the day time of the said day, at the Ward, City and County aforesaid, with force and arms,

one promissory note for the payment of money being then and there due and unsatisfied, of the kind known as United States Treasury Notes, of the denomination and value of five dollars, one other promissory note for the payment of money being then and there due and unsatisfied, of the kind known as Bank Notes, of the denomination and value of five dollars, and one other promissory note for the payment of money, being then and there due and unsatisfied, of the kind known as United States Treasury Notes, of the denomination and value of one dollar,

of the goods, chattels and personal property of one James Lewis,

on the person of the said James Lewis,

then and there being found, from the person of the said James Lewis,

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.

Randolph B. Martine,
District Attorney.