

0248

**BOX:**

315

**FOLDER:**

2994

**DESCRIPTION:**

Naste, Frank

**DATE:**

07/12/88



2994

Witnesses:

Counsel,

Filed

day of

1888

Pleads,

*Magically (13)*

THE PEOPLE

vs.

*M. C. Gray*

*P*

*Frank Waste*

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

JOHN R. FELLOWS,

*22 Sep 1888* District Attorney.

*Magically*

*Penitence inspired*

**A TRUE BILL.**

*R.B.M.*

*Geo. Fellows*

*Magically*

*Sept 6*

*Sept 10*

*Sept 10 S.D.*

0250

Court of General Sessions.

THE PEOPLE

vs.

*Franco Nasti*

City and County of New York, ss:

*Thomas A. Maguire*

being duly

sworn, deposes and says: I reside at No. *388 East 4<sup>th</sup> Street*  
Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the  
City and County of New York. On the *1<sup>st</sup>* day of *September* 188*8*,  
I called at *No 35 Cherry Street*

the alleged *residence* — of *Conchello Nasti &*  
*& Minors* of *Abastina McClure*  
the complainant herein, to serve *them* with the annexed subpoena, and was informed by *the*  
*occupants of the House - that no such parties*  
*lived there - or ever did live there - and that*  
*they had no knowledge of the above named*  
*persons*

Sworn to before me, this *5<sup>th</sup>* day  
of *Sept.* 188*8*

*Thos A. Maguire*

Subpoena Server.

*Just. H. Driscoll*  
*Commissioner of Deeds*  
*N. Y. C.*

Court of General Sessions.

THE PEOPLE, on the Complaint of

*Conchello Rossi*

vs.

*Frank Wade*

Offence:

JOHN R. FELLOWS,  
*District Attorney.*

Affidavit of

*Edw. A. Maguire*

*Subpoena Server.*

Failure to Find Witness.

0252

New York General Sessions.

PEOPLE ON MY COMPLAINT,

VERSUS

Frank Castle  
Couchetta Nasto

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself. But on account of his being the father of my child and as he has been so long in Prison and since his incarceration therein I have been without the means of support for myself and a child. On the day of the assault he was drunk and I was afraid he might injure me and I had him arrested. I was not injured to any great extent and I now freely forgive

In presence of  
William Forest

Couchetta + Nasto  
marks

0253

Police Court 1st District

CITY AND COUNTY OF NEW YORK, } ss.

Conchetta Mastro  
of No. 35 Cherry Street,

being duly sworn, deposes and says, that  
on Tuesday the 3rd day of July

in the year 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Frank Mastro

(now here), who cut and  
stabbed deponent on the  
face with the blade of  
a knife which he then  
held 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 the said assailant may be apprehended and bound to answer for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 3rd day of July, 1888, by Conchetta Mastro

Solomon Belmont  
POLICE JUSTICE.

0254

Sec. 103-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

*Frank Raste*

Question. How old are you?

Answer.

*26 years*

Question. Where were you born?

Answer.

*Italy*

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

Answer.

*89 Mulberry Street. 1 year.*

Question. What is your business or profession?

Answer.

*Labourer*

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.  
Frank Raste  
over*

Subscribed before me this  
18th day of  
*Sept* 1938  
*Frank*  
Police Justice.

0255

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

*Defendant*

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

Dated *July* 188..... *Solomon Belenick* 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.

0256

Police Court---

1009 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Conchetta Mastri*  
*35<sup>th</sup> Cherry*  
*Frank Mastri*

*Officer Williams*

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *July 4* 188

*Spink* Magistrate.

*Wynn* Officer.

*4* Precinct.

*Christina Molinaro*  
Witnesses

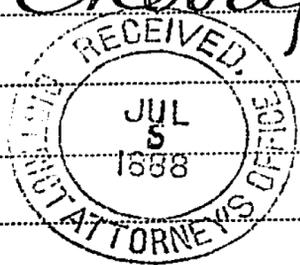
No. *35 Cherry* Street.

No. .... Street.

No. .... Street.

\$ *500* to answer *GD*

*Courts*



0257

**PART 2.**

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

**SUBPOENA**

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To *William Molinaro*  
of No. *35 Cherry* Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you appear in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *6* day of *Sept* instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence *in our behalf*, against

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

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of *September* in the year of our Lord 1888.

*September* JOHN R. FELLOWS, District Attorney.

**PART 2.**

THE COURT ROOM IS IN THE THIRD STORY AND FRONTING THE PARK.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

**SUBPOENA**

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To *Conchetta Nuste*  
of No. *35 Cherry* Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you appear in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *6* day of *September* instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence *in our behalf*, against

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

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of *September* in the year of our Lord 1888.

*September* JOHN R. FELLOWS, District Attorney.

0258

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Frank Naste*

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

— *Frank Naste* —  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Frank Naste*,

late of the City of New York, in the County of New York aforesaid, on the  
*third* day of *July* in the year of our Lord  
one thousand eight hundred and eighty ~~eight~~ *nine*, with force and arms, at the City and  
County aforesaid, in and upon the body of one *Conchetta Naste* —  
in the peace of the said People then and there being, feloniously did make an assault,  
and *him* the said *Conchetta Naste* —  
with a certain *knife* —

which the said *Frank Naste* —  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent *him* the said *Conchetta Naste* —  
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  
— *Frank Naste* —  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Frank Naste*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *Conchetta Naste* —  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault, and *him* the said  
*Conchetta Naste* —  
with a certain *knife* —

which the said *Frank Naste* —  
in *his* right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in  
such case made and provided, and against the Peace of the People of the State of New York  
and their dignity.

0259

THIRD COUNT—

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

Frank Waste

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

The said Frank Waste

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said  
Bonchetta Waste in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and  
him the said Bonchetta Waste  
with a certain knife

which he the said Frank Waste  
in his right hand then and there had and held, in and upon the face  
of him the said Bonchetta Waste

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said

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

JOHN R. FELLOWS,  
District Attorney.

0260

**BOX:**

315

**FOLDER:**

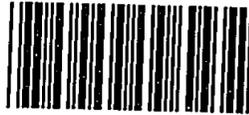
2994

**DESCRIPTION:**

O'Leary, Ernest

**DATE:**

07/12/88



2994



0262

Police Court 1st District.

CITY AND COUNTY }  
OF NEW YORK, } ss

*Anthony Alexander*  
of No 88 *Chester* Street, Aged 36 Years

Occupation Seaman being duly sworn, deposes and says, that on the  
2nd day of July 1888, at the 1st Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

*Good and lawful money  
of the United States of  
the amount and*

of the value of Eight DOLLARS,  
the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was  
*attempted to be*  
feloniously taken, stolen, and carried away, by force and violence as aforesaid by

*Ernest Henry (now Henry)*  
and several others not yet arrested  
who were acting in concert for  
the reasons following, to wit:  
on the above date and deponent  
was walking on James Slip  
Street having the said money  
in the pockets of the trousers  
then worn by him as a portion  
of his daily clothing, the defendant  
and the unnamed persons  
seized hold of this deponent  
Deponent is informed by Officer

day of

Sworn to before me, this

188

Police Justice.

0263

Robert M. Clark (Champerman) that he Clark saw the defendant place his hands in the defendant's pockets while a number of other were holding defendant.

Sworn to before me  
this 3rd day of July 1888  
Solomon B. Smith

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1888  
Police Justice

I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1888  
Police Justice

There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1888  
Police Justice

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

Offence—ROBBERY.

ss.

1.  
2.  
3.  
4.

Dated

1888

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0264

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Robert A. Clark.*

aged *26* years, occupation *Police Officer* of No.

*447 Riverside* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Anthony Mendon*

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

Sworn to before me, this *3rd* day of *July* 188*8* by *Robert A. Clark*

*Solon Blumenthal*  
Police Justice.

0265

Sec. 193-200

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Earnest Leary* 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.

*Earnest Leary*

Question. How old are you?

Answer.

*15 years*

Question. Where were you born?

Answer.

*New York.*

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

Answer.

*41 Madison St. 5 years.*

Question. What is your business or profession?

Answer.

*Book-keeper.*

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.*

*Earnest C Leary*

Taken before me this *24* day of *July* 188*7* by *John D. Smith* District Justice.

0266

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

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

Dated *July 3* 188..... *Solomon Blumenthal* 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.

0267

Police Court--- 1008 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Andrew Alexander*  
*608 1/2 Cherry*  
*88 Cherry*

Offence *Drunk*

1  
2  
3  
4

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *July 30* 1888

*Smith* Magistrate.

*Blum* Officer.

..... Precinct.

Witnesses *Police Officer*

No. *W. B. Jones* Street.

No. *1008* Street.

No. *1000* Street.

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

*Com*



0268

General Sessions  
The People  
vs  
Earnest O'Leary

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.

100 EAST 23<sup>d</sup> STREET,

New York, July 10 1885

CASE NO. 36209 OFFICER Chas. W. Gardner  
DATE OF ARREST July 2d  
CHARGE Attempted Rape  
AGE OF CHILD fifteen years  
RELIGION Catholic  
FATHER John is dead  
MOTHER Kate  
RESIDENCE No. 41 Madison Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT Earnest resides with his widowed mother at above address. He seems to be of ragrant habits, is a Bad black and was arrested June 26th 1885 for disorderly conduct, loafing on street corners, and in the Tombs court was fined \$10. on June 27th.

All which is respectfully submitted,

O. Hollows  
Supt

To Dist. Atty.

Count of

General Sessions

The People

vs

Ernest O'Leary

*Walter P. Johnson*  
PENAL CODE, § 100

Report of the New York Society  
for the Prevention of Cruelty  
to Children.

**ELBRIDGE T. GERRY,**

*President, &c.,*

100 East 23d Street,

NEW YORK CITY.

0270

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

The People of the State of New York  
vs  
Ernest O'Leary

Sir You will please take notice that upon  
the indictment filed herein on the 12<sup>th</sup> day  
of July 1888 and upon all the papers and  
proceedings in this action I shall move  
this Honr. Court before the Honorable  
Randolph B Martine Judge at Part 2  
of said Court at the Court House 100  
Chambers Street in the City of New York on  
Friday the 28<sup>th</sup> day of September 1888  
at eleven o'clock in the forenoon of that  
day, or as soon thereafter as Counsel  
can be heard for an order directing  
that the indictment herein be dismissed  
for want of prosecution and for such  
other and further relief as may be  
deemed best and proper

Dated Sept 25<sup>th</sup> 1888.

To John R. Bellows  
District Atty

Yours truly  
Wm S McFeters  
Defendants Atty  
23 Chambers St N York

0271

County General  
Sessions  
The People vs

Ernest O'Leary  
vs  
James J. Norton

W. M. Pheters  
Deft atty  
23 Chambers St  
New York City

Robert P. Williams  
District Attorney

Completed  
on 10/10/1888  
Set 10/10/1888  
H. S. A.

0272

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Ernest O. Seamy

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

Ernest O. Seamy of the crime of ROBBERY IN THE first DEGREE, committed as follows:

The said Ernest O. Seamy

late of the City of New York, in the County of New York aforesaid, on the second day of July in the year of our Lord one thousand eight hundred and eighty eight, in the time of the said day, at the City and County aforesaid, with force and arms, in and upon one Andrew Vander, in the peace of the said People then and there being, feloniously did make an assault, and 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; 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 ten dollars, and of the value of ten dollars; 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 five dollars, and of the value of five dollars; four 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; eight 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; 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; 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 ten dollars; one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars; United States Silver Certificate of the denomination and value of twenty dollars; United States Silver Certificate of the denomination and value of ten dollars; one United States Silver Certificate of the denomination and value of five dollars; four United States Silver Certificate of the denomination and value of two dollars each; eight United States Silver Certificate of the denomination and value of one dollar each;

0273

~~United States Gold Certificate of the denomination and value of twenty dollars~~  
; ~~United States Gold Certificate of the denomination and value of ten~~  
~~dollars~~ ; ~~one~~ United States Gold Certificate of the denomination and value of  
five dollars ——— ; and divers coins, of a number, kind and denomination to the Grand Jury  
aforesaid unknown, of the value of *eight dollars,*

of the goods, chattels and personal property of the said *Andrew Neander,*  
from the person of the said *Andrew Neander,* against the will,  
and by violence to the person of the said *Andrew Neander,*  
then and there violently and feloniously did rob, steal, take and carry away, *(the said*  
*Ernest O. Deary being then and*  
*there aided by an accomplice*  
*actually present, whose name is to*  
*be found by 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.

JOHN R. FELLOWS,

District Attorney.

0274

**BOX:**

315

**FOLDER:**

2994

**DESCRIPTION:**

O'Neill, Timothy

**DATE:**

07/09/88



2994

0275

Witnesses:

Counsel, *J.R. Keane &*  
Filed *9* day of *July* 188*8*  
Pleads, *Ch. Kelly (10)*

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

THE PEOPLE

*36. from back*  
*157. present*  
*Timothy O'Neill*

JOHN R. FELLOWS,

*Aug 14/88* District Attorney.

*Yields back by*

**A True Bill.**

*Geo. J. Moore*  
Foreman.

*S.F. 2 yrs. P.S.M.*

0276

Police Court— District.

CITY AND COUNTY OF NEW YORK, } ss.

Thomas Cunningham

of No. 41 Duane Street,

being duly sworn, deposes and says, that on Tuesday the 3d day of July

in the year 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Timothy O'Neil (now here) who willfully and feloniously pointed and aimed a pistol loaded with powder and ball at deponent, the same having failed to go off, deponent then beat deponent about the head and body with the butt end of said pistol

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

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

Sworn to before me, this 4th day of July 1888.

John B. Smith POLICE JUSTICE

0277

Sec. 109-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Timothy O'Neil* 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 O'Neil*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *101 Greenwell Street, New York*

Question. What is your business or profession?

Answer. *Fireman*

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*

*Timothy O'Neil*

Taken before me this  
day of  
1925  
at New York  
City  
Police Justice

0278

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

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

Dated *July 5* 188 *Solou Belmont* 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.

0279

Police Court---

1010 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Thomas J. ...*  
*44 Duane*  
*Matthew ...*

- 1.....
- 2.....
- 3.....
- 4.....

*Offence*  
*...*

BAILED,

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

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

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

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

Dated *July 4* 1888

*Smith* Magistrate.  
*Magner* Officer.  
*6* Precinct.

Witnesses.....

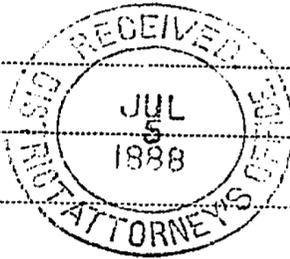
No. .... Street.

No. .... Street.

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\$ *1000* to answer *ES*

*Com*



0280

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 O'Neil*

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

*Timothy O'Neil*

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

The said *Timothy O'Neil*,

late of the City of New York, in the County of New York aforesaid, on the

*third* day of *July*

one thousand eight hundred and eighty*eight*, with force and arms, at the City and County

aforesaid, in and upon the body of one *Thomas Rummage*,

in the peace of the said People then and there being, feloniously did make an assault and

to, at and against *him* the said *Thomas Rummage*,

a certain pistol then and there loaded and charged with gunpowder and one leaden

bullet, which the said *Timothy O'Neil*

in *his* right hand then and there had and held, the same being a deadly and

dangerous weapon, wilfully and feloniously did then and there shoot off and discharge,

with intent *to* the said *Thomas Rummage*,

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

*Timothy O'Neil*

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

The said *Timothy O'Neil*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year

aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of

the said *Thomas Rummage*, in the peace of

the said People then and there being, feloniously did wilfully and wrongfully make

another assault, and to, at and against *him* the said

*Thomas Rummage*.

a certain pistol then and there charged and loaded with gunpowder and one leaden bullet,

which the said *Timothy O'Neil*

in *his* right hand then and there had and held, the same being a weapon and

an instrument likely to produce grievous bodily harm, then and there feloniously did

wilfully and wrongfully shoot off and discharge, against the form of the statute in such case

made and provided, and against the peace of the People of the State of New York and

their dignity.

~~JOHN R. FELLOWS,~~

~~District Attorney.~~

THIRD COUNT—

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

*Timothy O'Neil* —

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

The said *Timothy O'Neil*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said *Thomas Rinningham*, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *in* the said *Thomas Rinningham* with a certain *knife*

which the said *Timothy O'Neil* — in *his* right hand then and there had and held, the same being a deadly and dangerous weapon then and there wilfully and feloniously did strike, beat, ~~cut, stab~~ and wound,

with intent *in* the said *Thomas Rinningham*, 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~~ SECOND COUNT—

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

*Timothy O'Neil* —

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

The said *Timothy O'Neil*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Thomas Rinningham*, — in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *in* the said *Thomas Rinningham*, with a certain *knife*

which the said *Timothy O'Neil* — in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, ~~cut, stab~~ and wound, against the form of the statute in such case made and provided, and against the Peace of the People of the State of New York and their dignity.

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*Page 2*  
THIRD COUNT—

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

*Timothy O'Neil*

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

The said *Timothy O'Neil*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said  
*Thomas Cunningham* in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and  
*John* the said *Thomas Cunningham*  
with a certain *knife*.

which *he* the said *Timothy O'Neil*  
in *his* right hand then and there had and held, in and upon the *head*  
*and body* of *John* the said  
*Thomas Cunningham*.

then and there feloniously did wilfully and wrongfully strike, beat, ~~stab, cut~~, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said *Thomas Cunningham*.

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

JOHN R. FELLOWS,  
District Attorney.