

JOHN M'KEON'S WORK DONE

SUDDEN CLOSE OF A LONG AND ACTIVE LIFE.

DYING YESTERDAY AFTER A SUCCESSFUL CAREER AS A LAWYER, LEGISLATOR, AND CRIMINAL PROSECUTOR.

District Attorney John McKeon died at his residence, No. 44 West Thirty-seventh-street, at 11 o'clock yesterday morning, after an illness which had confined him to his house only two days. He left his office Monday afternoon after a severe attack of coughing, telling his private secretary, Mr. William N. Penney, that if he did not return by 10:30 o'clock on the following morning he need not be expected during the day. No uneasiness was caused when on Tuesday he failed to appear. On Wednesday his private messenger gave notice at the office that Mr. McKeon was in a very weak condition. That night he was seized with hemorrhages and his condition was pronounced critical by his physicians, Drs. Janeway and Markoe. Yesterday morning, about 9 o'clock, he was seized with violent coughing, which ruptured a blood vessel, and in two hours he was dead. Internal hemorrhage was the immediate cause of death, though his advanced age and the generally debilitated condition of his system were not without their influence. At his dying bedside were gathered the physicians, his wife, his daughter Mrs. Hecker, and a niece, Miss Purton.

Though occurring so suddenly, Mr. McKeon's death was not altogether unexpected. He had been a sufferer from a stomachic trouble which required the most careful attention on his part to the everyday details of his mode of living. A year ago he was warned of the near approach of his end by an attack of illness which confined him to his bed upward of two months. He was then 74 years of age, and though a man of extraordinary vitality it was noted that his system was impaired by the violence of the attack. His mind, however, retained its clearness, and seldom indeed since then has he failed to be at his desk in the District Attorney's office between the hours of 10 in the morning and 4 in the afternoon. His friends to-day agree that one even of his activity ought never to have accepted so arduous a position at his time of life.

Funeral services will be held at the family residence at 10:30 to-morrow morning. Services will also be held in the cathedral, beginning at 11 o'clock, where a solemn high requiem mass will be celebrated. The celebrant will be the Rev. Father William E. Degan, of St. Agnes Church. The Rev. Father McDonald, of the Cathedral, will officiate as Master of Ceremonies, and the Rev. Father Woodmon, of the Paulist Order, will deliver the oration. If it is decided to-day to move the body to the Cathedral, Cardinal McCloskey himself will administer the rite of final absolution. The pall-bearers will be Judges Charles P. Daly, John R. Brody, and Charles Donohue, Recorder Frederick Smyth, ex-United States Senator Francis Kernan, William O'Brien, ex-Gov. John T. Hoffman, John T. Arnew, John G. Davies, David Dudley Field, ex-Mayor Smith Ely, Augustus Schell, Abram S. Hewitt, August Belmont, and Judge Hilton. The interment will be in the McKeon family vault in the church-yard of old St. Patrick's Cathedral.

Mr. McKeon was born in Albany in 1808. His father was Capt. James McKeon, who distinguished himself in the war of 1812, and was afterward given command of the Fourth United States Artillery. At an early age his family came to this City, where Mr. McKeon has resided ever since. He received his education at Columbia College, from which he was graduated with honors. He became a student in the office of John L. Mason, where he imbibed a strong taste for politics as well as acquired the rudiments of law. At the age of 23 he was elected by the Democrats to the State Assembly, where he served in the years 1832-3-4. At the close of these three legislative terms he was elected to Congress, where he served from 1835 to 1837 and again from 1841 to 1843. He was appointed by the Board of Supervisors District Attorney of this County Feb. 6, 1846, to succeed Matthew C. Paterson. The new Constitution making the office elective came into effect the following year, and in the Fall of 1847 he was elected by the people for the full term of three years, being the first District Attorney to receive this honor. Naturally pugnacious and determined in everything which he undertook, he began a vigorous attack upon the criminals of the City. Mme. Restell, a notorious malpractitioner, was then practicing her criminal calling undisturbed by the authorities. He secured her conviction, and she was imprisoned for a term in the penitentiary. Some years ago, when the late District Attorney Phelps again procured her indictment for the same offense, she sought the services of Mr. McKeon. He declined to defend her. She secured other counsel, but she committed suicide while her case was still pending in the Court of General Sessions. Mr. McKeon always referred with pride to the conviction of this woman as one of the most important in its influence upon society that it had ever been his privilege to procure.

Charles O'Connor having resigned the position of United States District Attorney for the Southern District of New-York, after 14 months' service, Mr. McKeon was by President Pierce appointed his successor. He completed the unexpired term, and for a time retained the office under President Buchanan, giving way to Theodore Sedgwick. He then resumed the active practice of the law, and for many years was one of the most successful criminal practitioners at the Bar of this State. For 27 years he was associated with Frederick Smyth, their partnership dissolving in 1879, when the latter was appointed Recorder. Mr. Smyth became a student in Mr. McKeon's office in 1852, when it was on the site now occupied by the Stewart property in Chambers-street. Six years later he was admitted to partnership with Mr. McKeon, and for 21 years they occupied offices together at No. 21 Nassau-street. One of his first acts after receiving the appointment of United States District Attorney was to name Mr. Smyth his first assistant. The courts of former days required lawyers who engaged in criminal practice to register their names on a roll kept for that purpose. That roll is still in existence, and is in the possession of John Sparks, Clerk of the Oyer and Terminer, and the Court of General Sessions. It contains Mr. McKeon's signature, written in May, 1839, along with some other names that have since become famous in the history of New-York County's Bar.

When United States District Attorney, Mr. McKeon was engaged in the prosecution of a number of well-known cases, some of them of international importance. In checking the slave trade and the counterfeiting of Government money, both of which were extremely prevalent at that time, he was largely instrumental. The enlistment of men for service in the British Army in the Crimean war was quietly going on in Hoboken when official attention was called to it as a violation of the neutrality laws. A Major who was drawing pay from the English Government for his services in this particular business was persuaded by Mr. McKeon to divulge the information necessary for the purposes of the prosecution. Through this and other sources Mr. McKeon received the evidence that eventually broke up the whole business and sent back the British Consuls in disgrace to England. In the seizure of the Northern Light, which was suspected of being prepared for filibustering purposes by persons who had an eye to Nicaragua and her rich possessions, Mr. McKeon was barely saved from being hopped into the North River by the angry sailor who had the gang-plank in charge. Capt. Faunce, who is still living, seized the District Attorney, saved him at least a wetting, and retaliated upon the sailor by tossing him head over heels into the water. This was one of the occasions when Mr. McKeon had insisted upon serving his own processes, so fearful was he that treachery on the part of subordinates would enable the vessel to slip out of his fingers. Those who knew Mr. McKeon intimately in these earlier years unite in praising his aggressive zeal and his unrelenting vigor as a prosecuting officer.

A case which attracted much attention at the time was that of the officers of the ship Nightingale, which had been captured by Government cruisers, having in irons in her hold 960 slaves. Slave trading, like piracy, was punishable by death, and the officers were on trial for their lives. Associated with Mr. McKeon in the defense of the third officer were Charles O'Connor and John T. Brady. Curiously enough, the third officer was the son of Dr. Westervelt, of Staten Island, one of the most pronounced abolitionists of his day. The indicted man was saved from the gallows, but his escape was a narrow one. In later years Mr. McKeon defended Edward Stokes, on trial for his life for the killing of Flak, and was counsel for Peter B. Sweeney when the exposures were made of the rascalities of the Tweed Ring. His advice to Sweeney to "slant his coat-tails toward America and lose no time in getting to Europe," advice which that worthy hastened to obey, is one of the traditions of the Bar.

In politics Mr. McKeon was a Democrat always. He was naturally aggressive, and he was quite as frequently in the minority of his party, and certainly more at home with himself than when in the majority. His antipathy toward Tammany Hall was frequently manifested, and toward John Kelly especially did he display hostility. Fernando Wood he fought on every opportunity, but with such want of success that the former almost invariably expressed the hope when about to enter upon a Congressional canvass that Mr. McKeon would organize opposition to him, when his own success would be assured. Mr. McKeon was a delegate to the Chicago Convention of 1864 and again to the National Union Convention in Philadelphia in 1866. In 1863 he organized the McKeon Democracy, which swept into the office of Mayor C. Godfrey Gunther. Upon the organization of the Irving Hall Democracy he became its Chairman. Subsequently he was prominent in the councils of the County Democracy, the Chairmanship of which was offered to him but was declined. Tammany, Irving Hall, and the County Democracy united upon Mr. McKeon for the nomination of District Attorney in the Fall of 1881, and he was again elected to the office which he had vacated with credit 31 years before. He was now, however, an old man, and duties were imposed upon him which could not fail to be measurably neglected by one of his years. In the early part of his term Mr. McKeon devoted some attention to the suppression of lottery shops and illegal voting, and, temporarily at least, placed a check upon these criminal practices. His friends, however, regret that this opportunity of again serving the County occurred at so late a period in life.

Mr. McKeon was well advanced in bachelorhood when he wedded a daughter of Commodore John D. Sloat, of the United States Navy, then the widow of Capt. Walker, a naval officer. Mrs. McKeon survives him. One daughter, Jeannette, is the wife of Mr. George V. Hecker, the flour merchant. Among his oldest and most valued friends were Charles O'Connor, Cardinal McCloskey, and Archbishop Hughes. He was a devout Catholic.

The news of the death of Mr. McKeon was received at the Court-house just before noon. The courts generally were immediately closed, and the

flags on the City Hall were placed at half-mast. Recorder Smyth feelingly announced the fact from the bench of the Court of General Sessions and paid a tribute to the worth of his friend. The Recorder and Judge Cowing, in accordance with the statute requiring the appointment ad interim of the District Attorney's successor, selected Assistant District Attorney John Vincent for the position. Mr. Vincent was intrusted by Mr. McKeon with many of his private affairs, and in him Mr. McKeon placed the most implicit confidence. Mr. Vincent will fill the office until the Governor appoints a successor to serve during the balance of Mr. McKeon's unexpired term. One of the first acts of Mr. Vincent, after being sworn in, was to fill the vacancy caused by his appointment by promoting Deputy Assistant District Attorney Brady to the position of Assistant District Attorney. A meeting of the Assistant District Attorneys and the other employees of the office will be held to-day to take suitable action on Mr. McKeon's death.