

1025

BOX:

495

FOLDER:

4520

DESCRIPTION:

Nolan, John

DATE:

09/16/92



4520

POOR QUALITY ORIGINAL

1026

186

Counsel,

Filed

May, of

Pleads,

1892
1892

THE PEOPLE

vs.

John Nolan

carpenter.

John Nolan

Grand Larceny,
(From the Person,
Degree,
[Sections 528, 529,
Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Geo. S. Williams

Foreman.

Richard Smith
Plead Attorney

Sam'l J. G.

Witnesses:

Witness lines

POOR QUALITY ORIGINAL

1027

CITY AND COUNTY } ss.
OF NEW YORK.

POLICE COURT, 3 DISTRICT.

of No. William Kennel Street, aged _____ years,
14th Precinct occupation _____ being duly sworn, deposes and says

that on the _____ day of _____ 189____
at the City of New York, in the County of New York. John McGraw

now here is a necessary and material witness for the people against Joseph Nolan and said McGraw is an unwilling witness and deponent fears that justice may be defeated and therefore asks that said McGraw be compelled to give security for his appearance or be committed to the house of Detention for witnesses

William Kennel

Sworn to before me, this 13 day of September 1899
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

1028

(1885)

Police Court— 3 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 123 ^{or 123} East 87 Street, aged 24 years,
occupation Manager

being duly sworn,
deposes and says, that on the 13 day of September 1892 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:

A scarf pin; a coat; and a
watch all of the value of two
dollars

the property of deponent

Sworn to before me, this _____ day of _____ 1892

[Signature]
Police Justice.

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Joseph Nolan (now here) and a man not arrested who were acting in concert for the reasons that deponent was in company with the defendant and the unknown man and deponent was in an intoxicated condition. At about the hour of five o'clock in the morning, deponent is informed by William Kennel (now here) deponent was on Second Avenue and Sixth Street. The defendant Nolan and the unknown man left deponent and said property was missing from deponent's person. Said Kennel pursued the defendant

POOR QUALITY
ORIGINAL

1029

and the unknown man and they ran
away and said Kennel arrested said
Nolan and found the coat here shown
worn by said Nolan which deponent
identifies as his property. The unknown
man escaped.

Sworn to before me
this 13th September 1892

John T. McGraw

Police Justice

POOR QUALITY ORIGINAL

1030

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 28 years, occupation Officer of No.

14th Precinct Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of John McGraw

and that the facts stated therein on information of deponent are true of deponent's own

knowledge.

Sworn to before me, this 13 day

of September 1892

William F. Smith

W. F. Smith
Police Justice.

[Lined area for additional text or notes]

POOR QUALITY ORIGINAL

1031

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

John Nolan

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 sees 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 Nolan*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New Jersey*

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

Answer. *543 East 115 St. 1 month*

Question. What is your business or profession?

Answer. *Carpenter*

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 Nolan*

Taken before me this 13

day of September 1907

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

1032

Emplacement Booked
by Wm. S. Stine
131 E. 87th St

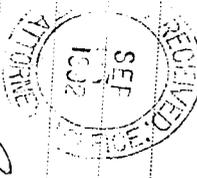
BAILED,
No. 1, by _____
Residence _____ Street _____
No. 2, by _____
Residence _____ Street _____
No. 3, by _____
Residence _____ Street _____
No. 4, by _____
Residence _____ Street _____

189
District
1149
Police Court,

THE PEOPLE, &c.,
ON THE COMPLAINT OF
John McE...
121 E 123 St
Joseph Moran
Offense, burglary

Dated, Sept 13 189 2

Magistrate,
Kellum
Officer,
14
Witnesses
Officer
No. _____ Street _____



No. 1000 Street 95

to answer
Burns
of 87th St

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, Sept 13 189 2 John Duffy Police Justice.

I have have admitted the above-named _____ to bail to answer by the undertaking hereto annexed.
Dated, _____ 189 _____ Police Justice.

There being no sufficient cause to believe the within named _____ guilty of the offense within mentioned, I order h to be discharged.
Dated, _____ 189 _____ Police Justice.

POOR QUALITY ORIGINAL

1033

Court of General Sessions of the Peace

501

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Nolan

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

John Nolan of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said

John Nolan,

late of the City of New York, in the County of New York aforesaid, on the 13th day of September in the year of our Lord one thousand eight hundred and ninety-two, in the night time of the said day, at the City and County aforesaid, with force and arms,

one scarf pin of the value of fifty cents, one coat of the value of one dollar, and one watch of the value of one dollar

of the goods, chattels and personal property of one John Mc Graw on the person of the said John Mc Graw then and there being found, from the person of the said John Mc Graw 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.

**POOR QUALITY
ORIGINAL**

1034

SECOND COUNT—

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

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

The said

John Nolan
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,

*one scarf pin of the value of
fifty cents, one coat of the value
of one dollar, one watch of the
value of one dollar*

of the goods, chattels and personal property of one

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

John Mc Graw
unlawfully and unjustly, did feloniously receive and have; the said

John Nolan
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.

DE LANCEY NICOLL,

District Attorney.

1035

BOX:

495

FOLDER:

4520

DESCRIPTION:

Normyle, William

DATE:

09/16/92



4520

POOR QUALITY ORIGINAL

1036

Witnesses:

Counsel,

Filed

Pleads

day of

1892

THE PEOPLE

vs.

William H. H. ...

Grand Larceny, (Sections 628, 629, 630, Penna Code)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John T. ...
Foreman.

Jeff ...

...

...

POOR QUALITY ORIGINAL

1037

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

George Ruca
aged _____ years, occupation *Police Officer* of No. *13 Ruca* Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of *Joseph Melker* and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me this *13* day of *Sept* 189*7* *George Ruca*

[Signature]
Police Justice.

POOR QUALITY ORIGINAL

1038

37d

Police Court - District.

City and County of New York, ss.:

of No. 127 Avenue D. Joseph Melkins, Street, aged 44 years,

occupation Copper smith being duly sworn

deposes and says, that the premises No. 127 Avenue D. Street, 11th Ward in the City and County aforesaid the said being a factory building,

and which was occupied by ~~deposant~~ as a Copper smiths shop, and in which there was at the time ^{no} human being, by name

were BURGLARIOUSLY entered by means of forcibly break out of said premises by means of removing a wooden bar that held the doors that lead into East 9th Street from the said premises.

on the 13th day of September 1892 in the night time and the following property feloniously taken, stolen, and carried away, viz:

A quantity of copper of the value of about forty Dollars.

the property of Abner B. Mills

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen and carried away by

William Henry Crawford & James M. Brennan Francis Hughes not yet arrested

for the reasons following, to wit: that on the 13 day of September 1892 about 5:30 o'clock P.M. deponent securely fastened the doors of the said premises.

Deponent is informed by Officer George Puel that he saw the said defendants together and in company of each other in the act of carrying out of the said premises at the

POOR QUALITY ORIGINAL

1039

Down of leading from the said premises into east 9th Street that he - arresting the defendant ... the other defendants making good then escape the said defendant had a quantity of copper in their possession at the time that defendant saw them and which defendant fully acquiesces as property taken from the said premises

Defendant further says that there was no possible way of getting into the said premises unless one of the defendants secreted himself in the said premises at the time defendant closed the said premises wherefrom defendant charges the said defendants with breaking out

Done to before me *Joseph William's* *1881*

Dated _____ 1881
guilty of the offense within mentioned, I order he to be discharged.
Police Justice.

I have admitted the above named to bail to answer by the undertaking hereunto annexed.
Dated _____ 1881
Police Justice.

I appear 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 One 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 _____ 1881
Police Justice.

Police Court, _____ District.

THE PEOPLE, vs.,
on the complaint of _____
vs.
1 _____
2 _____
3 _____
4 _____

Offence—BURGLARY.
Dated _____ 1881
Magistrate.
Officer.
Clerk.
Witnesses, _____
No. _____ Street,
No. _____ Street,
No. _____ Street,
\$ _____ to answer General Sessions.

POOR QUALITY ORIGINAL

1040

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK ss:

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

Question. What is your name?

Answer. *William Normyle*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *1737 East 7th St. 4 years*

Question. What is your business or profession?

Answer. *Plumbers Helper*

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

Answer. *I am not guilty*
William Normyle

Taken before me this *13* day of *August* 189*9*
[Signature]
Police Justice.

POOR QUALITY ORIGINAL

1041

BAILED,
 No. 1, by _____
 Residence _____ Street _____
 No. 2, by _____
 Residence _____ Street _____
 No. 3, by _____
 Residence _____ Street _____
 No. 4, by _____
 Residence _____ Street _____

Police Court, District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph M. Kelly
127.00-20
Mr. Remondy

1 _____
 2 _____
 3 _____
 4 _____
 Offense: *Raylan*

Dated *Sept 13* 189

Arthur Magistrate
Chad Officer

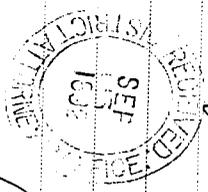
Witness *Carl* Precinct
Street _____

No. _____ Street _____

No. _____ Street _____

No. _____ Street _____

1000 COMMITTED to answer



1883

A46

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, *Sept 13* 189 *[Signature]* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

POOR QUALITY ORIGINAL

1042

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Normyle

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

William Normyle

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

The said *William Normyle*,

late of the City of New York, in the County of New York aforesaid, on the *13th* day of *September* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

two hundred pounds of copper of the value of twenty cents each pound

[Signature]

of the goods, chattels and personal property of one *Abner B. Mills*

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.

POOR QUALITY
ORIGINAL

1043

SECOND COUNT—

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

William Normyle
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

William Normyle

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,

*two hundred pounds of copper
of the value of twenty cents
each pound*

of the goods, chattels and personal property of one *Abner B. Mills*

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

unlawfully and unjustly did feloniously receive and have; the said

William Normyle

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.

DE LANCEY NICOLL,

District Attorney.

1044

BOX:

495

FOLDER:

4520

DESCRIPTION:

Nugent, James

DATE:

09/26/92



4520

1045

BOX:

495

FOLDER:

4520

DESCRIPTION:

Lockwood, James

DATE:

09/26/92



4520

Witnesses:

Richard J. [unclear]
[unclear]

D. Mulroy

J. Helder

[unclear]

[unclear]

First Comm. chm

[unclear]

AP 2 Attests that he
has sig to present in
connection. He was
sentenced to [unclear]
for [unclear] in [unclear]
[unclear]

273 / 1185 1187
[unclear]

Counsel,

Filed 26

Pleas,

THE PEOPLE

vs
[unclear]

James Wrigent

243466 and
[unclear]
James Lockwood

DE LANCEY NICOLL,

District Attorney.

[unclear]

A TRUE BILL
[unclear] 23/92
[unclear]

Foreman.

Part 2 - Oct. 13, 1892

Both trial and convicted
with [unclear]

[unclear]
Oct. 20, 1892

Burglary in the
[unclear] degree
[unclear]

Witnesses:

Richard J. [unclear]
H. [unclear]

D. Mulroy

J. [unclear]

[unclear]
[unclear]

24th

First Comm. chm
[unclear]

AP 2. Attribs that he
has dr to [unclear]
Comm. chm. He was
sentenced to [unclear]
him & he is [unclear]
[unclear]

273 / 118
[unclear]

Counsel,

Filed 26 day of [unclear] 1892

Pleas, - [unclear]

IN THE PEOPLE

vs
[unclear]
[unclear]

James W. [unclear]

24, 3466 and
24, 3466
James Lockwood

DE LANCEY NICOLL,
District Attorney.

[unclear]

A TRUE BILL
[unclear] 23/92
James [unclear]

Foreman.
Part 2 - Oct. 13, 1892

Both trial and convicted
with [unclear] [unclear]

Oct. 20, 1892

Burglary in the
[unclear] degree.
[unclear]

POOR QUALITY
ORIGINAL

1048

NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY.

Station,

Oct. 17th 1892

To whom it may concern, The beaver
James Nugent, has worked for me
for 4 years on the New York Central
& H. R. R. R. in 65th St. yard during
that time he was a good steady and
reliable man, never heard any thing
wrong about him since or before.

Yours respectfully
John Dillon
Track master of 65th St yard

address # 12 Amsterdam Ave
City

**POOR QUALITY
ORIGINAL**

1049

This is to certify that I have
known James Maguire
for the past years, and
that I consider him
honest, truthful and
trustworthy.

Arthur Francis

241.52nd St

Oct. 15, 22

Brooklyn

POOR QUALITY
ORIGINAL

1050

Amos F. B. Smythe

Recorder

A. 90716

Amos F. B. Smythe

Recorder

POOR QUALITY
ORIGINAL

1051

Mr. F. B. Smythe

Recorder

N. York

Mr. F. B. Smythe

Recorder

POOR QUALITY
ORIGINAL

1052

Brooklyn Oct 19th 72

To Hon. S. B. Smyth Recorder

Dear Sir,

This is to certify I have known
James Nugent for five years
was in my employ for one
year and I always found
him a straightforward honest
boy

Respectfully Yours
John W. Brien
Schrist
151 - 28th Street
Brooklyn

Hon. S. B. Smyth
Recorder
New York

POOR QUALITY ORIGINAL

1053

1377

CITY AND COUNTY }
OF NEW YORK, } ss.

James R. Kelsey

aged _____ years, occupation *Police officer* of No.

The 22nd Precinct Police Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Stephen Mulvey*

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

Sworn to before me, this

19

day of

Sept

189

James R. Kelsey

J. M. ...
Police Justice.

**POOR QUALITY
ORIGINAL**

1054



Elmira, N. Y., June 21st, 1899

Z. R. BROCKWAY,
GENERAL SUPERINTENDENT.

Henry W. Unger, Esq.,

Secretary, Etc.,

District Attorney's Office,

New York City.

Dear Sir:---

Replying to yours of the 1(th inst:

We have never had imprisoned here a man who answers the description and name you give James Lockwood convicted in October, 1892. We have but one man named Lockwood, and that is Albert P. Lockwood received Dec. 6th 1892, for Forgery in the 3rd degree, 26 years old.

Very truly yours,

Z. R. Brockway
Gen. Supt. (H)

POOR QUALITY ORIGINAL

1055

District Attorney's Office,

W

CITY AND COUNTY OF NEW YORK.

MAY 27 1893

189

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer *Kelley*
attached to your command in
Sep 9 in relation to the case of
James Lockwood
sentenced to *5*
years and *months* imprisonment by
Recorder Lynch

Please ask the officer to bring such information in relation to the case, and as to the previous record of the prisoner, as he may be enabled to obtain.

Yours truly,

HENRY W. UNGER,

Deputy Assistant and Secretary to the District Attorney.

POOR QUALITY
ORIGINAL

1056

New York City
Oct 19th 11

The undersigned has known
you for many years and
certify that I have on
occasions found you fair
and honest, while in my employ

Respectfully

Thos Archer
Contractor
692 2nd Ave
New York
City

**POOR QUALITY
ORIGINAL**

1057



*Court of General Sessions,
Judge's Chambers,
2 Chambers Street.*

New York, _____ 189.

James Lockwood

Burg 2nd Dec

POOR QUALITY
ORIGINAL

1058

Brooklyn. Oct 15 1842

The undersigned know James August
and always considered him strictly
honest - and of good character.
Anthony M. Lynch 669^{3d} and I have known
the above young man for four years during
that time, I have seen him strictly honest
Sober and industrious

I am acquainted with James August since
he came to this country as some time ago
honest. Respt Daniel Lee 869 5th Ave
Brooklyn

POOR QUALITY ORIGINAL

1059

COURT OF GENERAL SESSIONS OF THE PEACE,
City and County of New York.

The People,

vs.

JAMES NUGENT
and
JAMES LOCKWOOD.

"
"
"
"
"
"
"

Before,
HON. FREDERICK SMYTH,
and a Jury.

Tried OCTOBER 13TH, 1892.

Indicted for BURGLARY, in the FIRST DEGREE.

Indictment filed SEPTEMBER 26TH, 1892.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY BARTOW S. WEEKS,
For THE PEOPLE.

JOSEPH F. MOSS, ESQUIRE,
For THE DEFENCE.

POOR QUALITY ORIGINAL

1060

STEPHEN MULVEY, called by The People, being duly sworn, testified that he lived at No. 1,770 Broadway, corner of 57th street. He occupied the entire house. The lower part of the house he kept for birds and dogs, and the floors above that for his own private use. He lived there with his family, which consisted of his wife, a boy, a little girl and himself. On the 18th of September, Sunday night, he, the witness, and his family were in the house. He retired about eleven o'clock. Before retiring he closed up the doors on the ground floor himself. He closed the front door and the side doors, and put on the bolts and spring locks. He then went to bed. At that time he had about seven hundred dollars worth of property, belonging to him, the witness, and other persons. He had \$385.00 in money of his own, and birds and dogs worth about seven hundred dollars. It was about twenty minutes to two o'clock when his wife ran from the first floor up stairs, and he, the witness, ran up stairs in his night-shirt, and the officer told him to go up stairs and dress himself. He found three men down stairs and Officer Kelsey. He saw the policeman

having hold of the defendants, just outside of the store. The night-watchman, superintendent and the engineer of the Rutland Flats were there. He, the witness, dressed up stairs and lit the gas and came down. He found one of the doors he had shut was open, the door in 57th street, that lead into his private apartments. The bolt was broken, and part of the jamb of the door was sprung right in. He had no recollection of seeing the defendants before that night. He bought and sold dogs. He had eleven dogs in the yard. It was not a fact that two weeks before this day he bought a dog from the two defendants and told them to come around in two weeks and he would give them a puppy. He went with the defendants and the policeman to the station house. He did not think the defendants were drunk.

JAMES R. KELSEY, being duly sworn, testified that he was an officer attached to the Twenty-second Precinct. On the night of the 18th of September, or the morning of the 19th, he saw the defendants sitting on the door sill of the 57th street entrance to Mr. Mulvey's apartments. When

**POOR QUALITY
ORIGINAL**

1062

4

he first saw them he came from Eighth avenue. He got in the middle of the block, between Eighth avenue and Broadway, when he met Mr. Heath, the superintendent of the Rutland Flats. He spoke to Mr. Heath, when he looked up and saw the two defendants. In a little while the defendants got up and pushed their backs to the door. They did this twice. In the meantime there was a man who came down 57th street, from Seventh avenue. As this man came close to the defendants, they sat down on the door-sill, as if nothing had happened. When the man got to Broadway, the man turned down Broadway towards 56th street, and looked after him. The defendant Nugent walked down Broadway past the store, and looked up at the second story window. Then Lockwood walked up to the corner and met the other defendant, and they both walked to the door again and busted it in. He, the witness, was standing in front of the Rutland Flats at the time, half a block away. The defendants bursted in the door by putting their backs against it. As soon as they busted it in he, the witness, ran up there and stood a while and thought what to do. In a moment a dog in the store commenced

to bark and then he heard a noise inside, and one of the men inside started to come down. Nugent was the first man he, the witness, caught. He caught Nugent by the collar of the coat, and asked him what he was doing in there. Nugent said he went in there to see Mr. Mulvey. Meantime the defendant Lockwood came to the door, and he, the witness, caught Lockwood by the collar. The dogs commenced to bark and a window was opened up stairs, and he, the witness, said for Mr. Mulvey to come down. It was Mr. Mulvey's wife. Mulvey came down in a little while, and he asked Mulvey if he knew the defendants, and Mulvey said that he did not. He, the witness, told Mulvey to go up stairs and put his clothes on and go down to the station house. He, the witness, looked at the door, and saw the door slit in the side and the bolt was forced off the door-post.

DELMAN W. HEATH, being duly sworn, testified that he was the superintendent of the Rutland Flats. On the morning of the 19th of September he was in front of the flats about two o'clock in the morning. He saw Officer

Kelsey about 2:30. After he had talked with Officer Kelsey, he saw Officer Kelsey go over to Mulvey's place. Then he heard Kelsey hit his club on the side-walk, and then the officer had the two defendants standing in the door-way. Then the officer waked up Mulvey. Mulvey and Kelsey examined the door, and found the lock was broken. Then they went to the station house, and he, the witness, went with them. He, the witness, saw the defendants before the Officer came along. He, the witness, saw one of the defendant go up 57th street and look around, up and down Broadway and all around, and that aroused his suspicion. He saw one of the young men with his back to the door, and then the two defendants entered the door. The officer was with him, the witness, at the time.

JAMES LOCKWOOD, THE CO-DEFENDANT, called by The Defence, being duly sworn, testified that he was twenty-four years old and was born in this city. He was a brick-layer, and had been at that trade for four years. He had worked at truck-driving. He was working for James

Archer at the time of his arrest. He was never arrested before. He lived with his mother and sister. His father was dead, and he was the main support of the family. Two weeks before he was arrested, he had a dog, a little skye-terrier, and went to Mr. Mulvey's store. Nugent was with him. He saw Mulvey himself, and asked Mulvey if he wanted to buy a dog, and Mulvey asked how much he wanted, and he, the defendant, said he would leave it to Mulvey. Mulvey offered him two dollars, and he wouldn't take it. Mulvey said if he, the defendant, would go down to 46th street and Eighth avenue, in the middle of the block, the man that kept a dog store there might buy it for three dollars. The man would not buy the dog, and he the defendant, went back to Mulvey's store and told Mulvey that he would give the dog for two dollars. Mulvey's wife did not want the dog at all. They were standing in the store talking, and Mulvey would not give him two dollars. Mulvey gave him a dollar, and said to come back in a week or two, and he, Mulvey, would give him a dollar and a puppy. On the Sunday that he, the defendant, was arrested he was down in

Sixth street and Eleventh avenue, in a liquor store, drinking. He was drinking all that day. After leaving the store he and Nugent walked over to 57th street. He did not remember what time it was, whether it was before or after twelve o'clock; it was quiet. He remembered sitting down on the door step in 57th street, and he wanted Nugent to try to get Mr. Mulvey up, so that they could get one of the puppies from him. Nugent wanted to go home, but he, the defendant, wanted to get one of the puppies before he went home. He put his hand on the knob of the door and pushed it in, and as he did so Nugent caught hold of him and the policeman came over and arrested the two of them. He had no intention of breaking into Mulvey's place.

In cross-examination the defendant testified that he was drunk, and might have fell up against the door, for all that he knew. He did not go in the door at all. Nugent grabbed him and pulled him back again. The policeman was mistaken when he said that they were both inside, and the door was closed when he got there. He remembered being arrested, but did

not remember the policeman knocking on the sidewalk with his club. He remembered the sergeant in the station house taking his pedigree and he remembered being put down in a cell in the station house. He was not working the Saturday before his arrest. He worked on the previous Monday, Tuesday, Wednesday and Thursday. He had known Nugent about three years. He was not employed by the week by Mr. Archer, but did odd jobs, by the day.

JAMES NUGENT, THE CO-DEFENDANT, called by the Defence, being duly sworn, testified that he was twenty-two years old, and was born in Ireland. He had been in this country about five years. He boarded in 251 Sixth street. He had never been arrested before. He, the defendant, was with Lockwood when Lockwood sold the dog to Mr. Mulvey. Mr. Mulvey gave him a dollar for the dog and promised him a puppy. He, the defendant, went with Lockwood that night. He was not as drunk as Lockwood. They knocked on the front door, and there was no answer, and he, the defendant, said, "Let's rap again, there is nobody in;" and he said, "I think

**POOR QUALITY
ORIGINAL**

1058

10

there is a light up stairs," and he went twice on the corner and looked up and said, "There's nobody in, Jimmy." Lockwood turned the handle of the door and gave it a push and Lockwood went in, and he, the defendant, took hold of Lockwood's hand and pulled him out, and the officer arrested both of them. The Officer looked up to the window and Mr. Mulvey came down, and the officer told Mulvey to go up stairs and dress himself. Mulvey came down, dressed. The officer told him to examine the lock and to go down to the station house with them. He, the defendant, never stole anything in his life. He was working for the New York Central for the past four years, and was working for his uncle in Brooklyn until a month ago. His sister and his cousin were in court. He left home a month ago and went to work. He got cramps, and could not work any more. He left the liquor store with Lockwood about twelve o'clock. They went to a friend's, at the corner of Eleventh avenue and 59th street, and went across to Mr. Mulvey's house from there. He, the defendant, lived at 251 West 60th street. In going to Mulvey's he passed his

house, going down Eleventh avenue. Lockwood lived in 66th street. He, the defendant, remembered his pedigree having been taken in the station house by the sergeant.

MARGARET NUGENT, being duly sworn, testified that she was the sister of the defendant Nugent. Her brother had been in this country five years. He was born in Ireland. He had worked since he had been in this city. He had worked one year with her, the witness's, uncle, and four years in New York. Her brother had a good reputation as far as she knew, and was never arrested in his life.

ANNIE LOCKWOOD, being duly sworn, testified that she was a sister of the defendant Lockwood. She lived in 66th street, with her mother. Her brother was never arrested - before in his life. He worked at brick-laying. He was a hard-working young man. His reputation in the neighborhood in which he lived was good.

POOR QUALITY ORIGINAL

1070

Police Court 4 District.

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

of No. 1770 Broadway Street, aged 55 years,
occupation bird dealer being duly sworn

deposes and says, that the premises No. 1770 Broadway Street, 22 Ward
in the City and County aforesaid the said being a three story brick
building
and which was occupied by deponent as a dwelling house and for business purposes
and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly bursting in a
door leading to the store on the first
floor of said building

on the 19 day of September 1887 in the evening, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of birds and dogs, of
the value of about One Hundred
Dollars

\$100⁰⁰/₁₀₀

the property of Deponent
and deponent further says that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

James Nugent and James Lockwood
(now here) acting in concert

for the reasons following, to wit: Deponent securely locked and
fastened said door at about 10⁴⁵ PM.
on September 18th. That deponent is informed
by Officer Kiley of the 22nd Precinct Police
that he said officer saw the defendants break
in said door and enter said store and
that said Kiley found defendants in said
store, there containing said property.
Therefore deponent prays that the defendants

POOR QUALITY ORIGINAL

1071

May be dealt with as the law directs

Sum to before me this 19th day of September 1892) Stephen Mulvey

J. Mulvey

Police Justice

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

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 1889

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

Dated 1889

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

Dated 1889

Police Justice

Police Court, _____ District, _____

THE PEOPLE, &c.,
on the complaint of _____

vs.

1 _____
2 _____
3 _____
4 _____

Offence—BURGLARY.

Dated _____ 1889

Magistrate. _____
Officer. _____
Clerk. _____

Witness, _____
No. _____ Street, _____
No. _____ Street, _____
No. _____ Street, _____

§ _____ to answer General Sessions.

POOR QUALITY ORIGINAL

1072

Sec. 198-200.

H District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

James Nugent 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 sees 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. James Nugent

Question. How old are you?

Answer. 42 years

Question. Where were you born?

Answer. Ireland

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

Answer. 251 W. 60 St - 4 years

Question. What is your business or profession?

Answer. Brickman

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

Answer. I am not guilty
James Nugent

Taken before me this 20th day of Sept 1894

Police Justice. [Signature]

POOR QUALITY ORIGINAL

1073

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

James Lockwood

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 sees 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. *James Lockwood*

Question. How old are you?

Answer. *74 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *431 W. 63 St - 5 years*

Question. What is your business or profession?

Answer. *Bricklayer*

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. *Same not full.*

James Lockwood

Taken before me this

day of

Sept 19
189*2*

Police Justice.

POOR QUALITY ORIGINAL

1074

BAILED,

No. 2 by

Residence

No. 1 by

Residence

No. 3, by

Residence

No. 4, by

Residence

Henry Archer
692 Second Ave.

Police Court---

District.

1180

THE PEOPLE, &c.
ON THE COMPLAINT OF

Stephen Mackay
James Jackson
James Lockwood

Offence

Burglary

Dated

Sept 19 1892
John A. Roberts
Magistrate

No. 1

Witnesses

No. 2

No. 3

No. 4

256 W. 57th St.
256 W. 57th St.
No. 402 Baited

No. 1

256 W. 57th St.
No. 402 Baited

Sept 20 1892

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

Dated Sept. 24 1892

Bail reduced to \$500.
I have admitted the above-named Defendant Lockwood to bail to answer by the undertaking hereto annexed.

Dated September 21 1892

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

Dated 18 Police Justice.

POOR QUALITY ORIGINAL

1075

My General Services
The People of
James Stages
and

County of New York ss

I, Daniel Lee
no 869 - Fifth Avenue in the
City of Brooklyn being first duly
sworn according to law do depose
to y.

I am a foreman for a contract
for in the City of Brooklyn.

I know the defendant
since he came to this County which
is about five years ago.

He has since that time
been a hardworking honest &
respectable young man enjoying
an excellent reputation for honesty
in the community.

I have heard of his being
arrested for the present.

Sworn to before me this
21 day of October 1912

Richard J. ...
Commissioner of Deeds
in and for the City and
County of New York

Daniel Lee

M. J. Gualfresina

The People of
James Nugent

City & County of New York ss
John O'Brien being
only sworn deposer & dep.

He is a florist driving
business at No 157 - 2nd St
Brooklyn, N.Y.

He knows the defendant
James Nugent for the past 5
years.

He worked for me for about
9 months & left to go to work
for the man he was working for
at the time of his arrest.

I know him to be a potent
hard drinking & fast type workman.
& I were heard of his being
arrested before this time

I was to refer me this } John O'Brien
20 day }
of Oct 1892 }
Reynolds Steward.

Commissioner of Deeds
in and for the City and
County of New York

My General Services
The People of
James Nugent
vs

City & County of New York ss

Anthony M. Grath

being duly sworn according to law
deposes & says.

He is a liquor dealer carrying
a business at No 669 3rd Avenue
Brooklyn

He knows the defendant above
named for the past 4 years.

The reputation of the defendant
for honesty & general good conduct
is good.

I never heard of his having been
arrested for any offense before the
present.

Sworn to before me this } Anthony M. Grath
7th day of October 1882 }
Quarantennant }

Commissioner of Deeds
and for the City and
County of New York

POOR QUALITY ORIGINAL

1078

M. Howard Johnson

The People

Plaintiff,

against

James Morgan & Co

Defendant.

*Applicant of
Good Character
to James Morgan*

HOWE & HUMMEL,

Attorneys for

87 & 89 Centre St., New York City.

Due and timely service of copy of the within
hereby admitted
this day of 189
Attorney.

To

Sworn to before me this
day of

189

Sworn, says that he resides at No. _____ Street, in the City of
New York; that he is _____ years of age; that on the _____ day of
189, at Number _____, in the City of
New York, he served the within _____ on _____
the _____ by leaving a copy thereof with _____

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

POOR QUALITY ORIGINAL

1079

463

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Nugent and James Goddard

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

James Nugent and James Goddard

of the CRIME OF BURGLARY in the first degree, committed as follows:

The said James Nugent and James Goddard, both

late of the 22nd Ward of the City of New York, in the County of New York aforesaid, on the nineteenth day of September, in the year of our Lord one thousand eight hundred and ninety-two, in the first time of the same day, at the Ward, City and County aforesaid, the dwelling house of one Stephen Mulvey,

there situate, feloniously and burglariously did break into and enter, there being then and there a human being within the said dwelling house, with intent to commit some crime therein, to wit: the goods, chattels and personal property of the said Stephen Mulvey.

in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away,

The said James Nugent and James Goddard, and each of them, being then and there assisted by a confederate, actually present, to wit: each by the other.

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.

Delaney Meall, District Attorney.