

0980

BOX:

49

FOLDER:

577

DESCRIPTION:

Laws, Rosanna

DATE:

10/28/81



577

0981

Indictment
Counsel *W. C. R.*
Filed 28 day of *Oct* 188*7*
Pleads *Not guilty (31)*

THE PEOPLE
vs. *Joanna Law*
vs. *Joanna Law*
INDICTMENT.
Larceny of Money, &c., from the person
in the night time.

DANIEL C. ROLLINS
District Attorney.
Oct 30 1887
pleads *PL*
A True Bill.
Per 5 months.
W. C. R.

0982

City + County of New York SS.

Isaac O'Neil 33 yrs Gardener Cranford New Jersey being duly sworn and cross examined says - I lost the money on Oct 17. ~~last Monday~~ between 6 + 7 - am. Sunday night I stopped at Mr Quinn - Cor Broomie + Thompson St. It is a liquor store. I slept in a chair in Quinn's bar room. When I first went into Quinn's bar room - I had fourteen dollars and some cents. I stand there all night. A number of people black and white were going in and out all night and drinking. When I went in I asked him if he had any rooms. He said no & gave me a chair. When I went in I had a drink - When I woke up I treated three or four and Mr Quinn - I gave my money to Mr Quinn to keep for me. He said he owned the place. When I woke up in the morning. he gave me four one dollar bills and one ten dollar bill. He asked after he gave me my money back. I took a drink too - He treated me to a cigar - I put the bills in my inside vest pocket and the change in my pants pocket. There were several persons in the room when I got my money - I can't say if any one went out before I did - I won't swear no one left the place after I got my money and before I left.

0983

I met the prisoner just after I came out of Davis. It was not far from Davis. She came across the street and wanted me to go to her town with her. There was a colored man near me who saw me get my money in the saloon. I treated him in the saloon. The prisoner was between me and the colored man. I went into an ^{entry} alley way with her. She dragged me in. It was day light and people were passing. There are steps leading up into the entry way. When we got into the entry she pushed arms around me and wanted me to go into her room. I did not see her hand but I felt it between my vest and shirt. I saw the other colored woman in the saloon. I don't know how large she was then. She was in there when I got my money. When I came out of the bar I took my money out and looked at it and put it in my vest pocket again. After I lost my money I went to the door way and shouted up stairs. Then I went out and looked for an officer. I have been in that neighborhood before. I did not stay at my cousins because there was no room.

I saw ^{his} Onil
 soon before me }
 the 18th of Oct 1881

Robert D. Smith

0984

Clarence Miller 8th Precinct Police being
duly sworn say I made the arrest in
this case - Anna Robinson was ~~on~~ on one
side of Grand fr and the prison on
the other - Anna Robinson was across the
street from the Amplement. She was walking
away when she was arrested. The Amplement
was under the influence of liquor when
he was taken to the station house.

Clarence Miller

Serve to appear
for this 18th of Oct 1881 }

McCreary
Police Justice

0985

FORM 892.

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

Police Court--Second District.

Isaac O'Neil 33 yrs Gardener
of Granford New Jersey Street, being duly sworn, deposes
and says, that on the 17th day of October 1881
at the City of New York, in the County of New York, was feloniously taken, stolen and carried
away, from the possession of deponent, and from his person

the following property, to wit: One bank bill of the denomination
of ten dollars and three single dollar bills
good and lawful money in all of the

of the value of Thirteen 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 Rosanna Laws

(now here) for the reason that said Rosanna
came up to deponent and put her arms
about him, when deponent felt said Rosanna
put her hand into the inside vest pocket
of deponent (the said vest at the time being
upon his person) and ~~took~~ ^{take} therefrom the
above described money.

Isaac ^{his} O'Neil
man

Sworn to before me, this

18th

day

1881

Police Justice.

0986

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

2

DISTRICT POLICE COURT.

Rosanna Laws being duly examined before the under-
signed, 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 he see fit to answer the charge and explain the facts alleged against her
that he is at liberty to waive making a statement, and that her waiven cannot be used
against her on the trial,

Question. What is your name?

Answer.

Rosanna Laws

Question. How old are you?

Answer.

Twenty four.

Question. Where were you born?

Answer.

U.S.

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

Answer.

27 1/2 Sullivan St. 2 3/4 years + 8 months

Question. What is your business or profession?

Answer.

Lanman

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 innocent of the charge

Rose Anna Laws.

Taken before me, this 18th
day of Oct 1881

McConnell Police Justice.

0987

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Sec. 208, 209, 210 & 212.

Police Court 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James O'Neil
to answer at N.Y.C.
Rosanna Laws

2 *Oct 18*
3 *Oct 18*
4 *Oct 18*

Offence, *Larceny*
perjury

Dated *Oct 18* 1881

Stetson Magistrate.
Mills Officer.

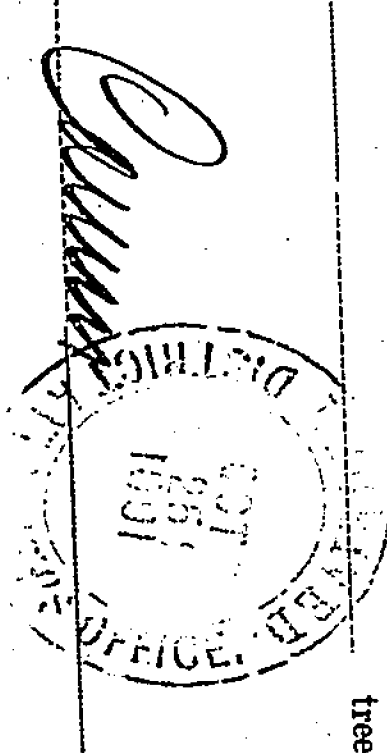
Clerk.

Witnesses *Campbell* *Thomas*

of detention in default of
for bail for temporary
held by Geo W. Davidson

No. *60* *North Cor Bank*

No. *street*



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 *Rosanna*

Laws
guilty thereof, I order that he *held to answer the same and be*
be admitted to bail in the sum of *ten* Hundred Dollars and be com-
mitted to the Warden or Keeper of the City Prison until he give such bail.

Dated *Oct 18* 1881

McKenzie Police Justice.

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

Dated _____ 1881 _____ 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 _____ 1881 _____ Police Justice.

0988

Sec. 208, 209, 210 & 212.

Police Court-- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Jesse O'Neil
600 Broadway St. N.Y.
Rosanna Laws
1906
Offence, *Carrying two*

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

Dated *Oct 18-* 188
Magistrate.
Ottoborn
Officer.
Miller
Clerk.

Witnesses *Complacant - to leave*
of detention in default of
3000 bail for his appearance Street.
bailed by Geo W Davidson
No. *600 Broadway St*
West

No. Street.
DISTRICT

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
Rosanna

Laws
guilty thereof, I order that he be admitted to bail in the sum of *Five* Hundred Dollars and be com-
mitted to the Warden or Keeper of the City Prison until he give such bail.
McKen
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.

0989

Police Court—Second District.

RECOGNIZANCE TO TESTIFY.

CITY AND COUNTY OF NEW YORK, ss.

BE IT REMEMBERED, That on the 18th day of October in the year of our Lord 1887

of Isaac O'Neil State of New Jersey Street, in the City of New York
and George W. Donaldson
of No. 60 Park Street in the said City,

personally came before the undersigned, one of the Police Justices in and for the City of New York, and acknowledged themselves to owe to the PEOPLE of the STATE OF NEW YORK, that is to say: the said

Isaac O'Neil
the sum of Three Hundred Dollars,

and the said George W. Donaldson

the sum of Three Hundred Dollars,
separately, of good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition following, viz.:

The Condition of this Recognizance is such, That if the person first above recognized shall personally appear at the next COURT OF GENERAL SESSIONS of the Peace, to be holden in and for the City and County of New York, and then and there *Testify* and give such evidence, in behalf of the People of the State of New York, as he may know concerning an Offence or Felony said to have been lately committed in the City of New York aforesaid by Rosauna Laws

And do not depart thence without leave of the Court, then this Recognizance to be void, otherwise to remain in full force and virtue.

Taken and acknowledged before me, the }
day and year first above written.

Michael Horley Police Justice.

Isaac O'Neil
George W. Donaldson

0990

CITY AND COUNTY } ss.
NEW YORK,

George W. Donaldson

the within-named Bail, being duly sworn, says that he is a house holder in

said City, and is worth Five Hundred Dollars,

over and above the amount of all his debts and liabilities; and that his property consists of his share of

stones, stock and material in lithographic
business at No 60 Park Street
said City, of the value over and above
any incumbrances, of Five thousand
dollars.

George W. Donaldson

Recognition to Testify.

New York General Sessions.

THE PEOPLE, &c.

James O'Neil

ss.

James Lewis

Magistrate.

Altenburg

187

day of

Filed

0991

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

THE PEOPLE OF THE STATE OF
NEW YORK,

against

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

Rosanna Laws

of the crime of

Larceny

committed as follows:

The said

Rosanna Laws

late of the First Ward of the City of New York, in the County of New York, aforesaid,

on the *seventeenth* day of *October* in the year of our Lord one thousand eight hundred and eighty *one* at the Ward, City and County aforesaid, with force and arms, ~~in the night time~~ *on said day*, 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 one thousand dollars, and of the value of one thousand dollars each: 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 five hundred dollars, and of the value of five hundred dollars each: twenty 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 hundred dollars, and of the value of one hundred dollars each: thirty 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 fifty dollars, and of the value of fifty dollars each: fifty 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 twenty dollars, and of the value of twenty dollars each: sixty 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: eighty 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: ninety 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 three dollars, and of the value of three dollars each: one hundred 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: one hundred and twenty 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 one hundred 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 fifty dollars: two 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 twenty dollars each: 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: ten 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: ten 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 three dollars each: fifteen 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 two dollars each: thirty 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 one dollar each: bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each: silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each: five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

of the goods, chattels, and personal property of one
the person of the said *Joac O'Neil*

from the person of the said *Joac O'Neil*

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.

DANIEL C. ROLLINS,

~~DANIEL C. ROLLINS~~, District Attorney.

then and there being found,

then and there

0992

BOX:

49

FOLDER:

577

DESCRIPTION:

Lessner, Leroy C.

DATE:

10/19/81



577

0993

2004 164

Counsel, Geo. G. Smith
Filed 19 day of Oct 1881
Pleaded Not Guilty 21

THE PEOPLE
vs.
JERRY C. LEECH

DANIEL G. ROLLINS,
District Attorney.
Pr Oct. 27, 1881.
Discharged by the Court.
A True Bill.

Wm. H. King, Foreman.

Verdict of Guilty should specify of which count.

There are no affidavits
induced in this case
to warrant a conviction
There is not a good title
to the indictment
The indictment is defective
and should be discharged

WCB
10/27/81

0994

Police Office, Fourth District.

City and County
of New York, } ss.Julia Quinn, aged
57 years. Housekeeperof No. 234 East 36th Street, being duly sworn,deposes and says, that the premises No. 234 East 36th Street, 2nd Ward, in the City and County aforesaid, the said being a ^{men's} brick building and which was occupied by deponent as a dwelling house

and entered by means of forcibly opening the Kitchen door of deponent's apartments on the third floor of said premises at about the hour of 10 1/2 o'clock on the morning of the tenth day of October 1880 and the following property feloniously taken, stolen and carried away, viz.:

Four silk dresses, three merino dresses, and other articles of ladies wearing apparel, one gent's suit of clothes, one diamond ring of the value of fifty dollars and other articles of jewelry, said property being in all of the value of four hundred dollars

the property of deponent, who is a widow, and deponent further says, that she has great cause to believe, and does believe, that the aforesaid **BURGLARY** was committed and the aforesaid property taken, stolen and carried away by

Levy Lerner and Robert Cochrane, both now here, for the reasons following, to wit: That deponent left

her said apartments at about the hour of 10 o'clock A. M. of said day and locked and secured the doors of said apartments said property being then within said apartments.

That about three quarters of an hour thereafter deponent returned

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and found that said Kitchen door
had been opened with false keys
and that the inside bolt of the
parlor door had been drawn
and the door unlocked and the
key lying on the floor and deponent
then discovered that said property
had been stolen and carried away.
That thereafter deponent was informed
by Hannah Farrell, then present,
that she, said Hannah, saw said
Lerner enter said premises at
the time aforesaid and go up
to the floor occupied by deponent
and stand at deponent's door which
opened into the kitchen. That
said Hannah also informed deponent
that she saw said Cochran
standing at said Kitchen door
with a large bundle in his
arms at the time said Lerner
was there. Deponent is further
informed by Henry J. Paulson,
then present, that he, said Henry,
saw both of said defendants
enter said premises at the time
aforesaid and remained therein
about twenty minutes and then
came out, one of them carrying
a large bag and the other a
paper bundle, all of which deponent

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believe to be true.

That said defendants do not reside in said premises and had no right or business there, and from the statements made to deponent by said Hannah Jarvis and said Henry J. Paulson deponents believe said defendants to be guilty of the burglary and larceny aforesaid.

Sworn to before me this } Julia x Quinn
15th day of October 1881 } Mary

J. W. Patterson, Police Justice

City and County of New York, ss.
Hannah Jarvis, of No. 234 East 36th Street, and Henry J. Paulson of No. 233 East 36th Street, being duly and severally sworn, doth depose and say, each for themselves, that they have heard read the foregoing affidavit of Julia Quinn and that so much of the same as relates to information given to said Julia by them is true.

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of their own knowledge.
Sworn to before me this } Hannah Farrell
15th of October 1881 } Henry J. Paulson

J. M. Patterson J. Paulson

City and County of New York, N.Y.

Julia Quinn, the Complainant,
being duly sworn further says -
that she has reason to believe
and does believe that the stolen
property described in the foregoing
Complaint of depenent is now
secreted in the dwelling houses
or premises occupied by the
defendants named in said
Complaint, to wit: the premises
occupied by said Leroy Lerman
at No 392 Fourth Avenue, and
the premises occupied by Robert
Lockman at No. 538 Third
Avenue both of said premises,

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so occupied by said defendants,
being in the City and County of
New York; and deponent there-
fore prays that process may
issue to search the said
premises of said defendants
for said stolen property.

Subscribed before me this ^{15th} day of October 1880 Julia ^W & Quinn
(Mark)

J. M. Patterson J. M. Patterson

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City and County of New York

Hannah Jarvis sworn and
examined for the defense

Q Are you willing to swear positively
that the defendant Cochran
was on the same that day.

A I am not certain of the day,
but he looked just exactly
like Cochran. He had a
large bundle done up in
brown paper. It was about
from 20 minutes past ten o'clock
until half past 10 o'clock A.M.
when I saw the man with
the bundle. I never seen
Cochran to my knowledge
before. I have heard Paulson's
mother say that Mr. Paulson
was not clear in his mind.

Q Before you made the affidavit
yesterday did you hesitate and
state to the clerk and judge
that you were in doubt about
Cochran being the man?

A I did.
Sworn to before me this
16th day of October 1881
J. M. Patterson J Police Justice
Hannah Young

1000

Henry J. Paulson, sworn and
Cross examined by the defense.

Q Did you see Cochran enter
the premises of the Complainant
on the morning of the

Q Where did you see Cochran
on the morning of the 10th
inst.?

A In front of Farrells Store, Cor.
of 2nd Avenue and 36th Street,
about 10 o'clock A.M. or
about five minutes after

Q Where were you at that time?

A I was in front of my own door
No. 213 East 36th Street. I was
alone. After that I went
up stairs in the house and
remained there about an
hour and a half and got my
dinner. I then went down
on the stoop and had a
smoke. I could only see
across the street as I sat
in the door steps. I sat
there and smoked two
pipes for half an hour.
I then went in the house

and stayed up stairs all day. That was about 8 o'clock when I went up stairs after smoking. In the morning I had been down town and packed up 3' or 4' of stuff on the north side of the street. It was then five minutes past ten. What occurred afterwards I have stated. That is all I recollect doing. That was the only time I saw Cochran that whole day.

Q At the time that you were arrested by officers Maloney and Walsh did they not offer make the statement to you that if you would implicate Lerner and Cochran that they would let you go

A Yes Sir
To the Court - I do not know what implicate means.

Q Do you know what Bayley means?

A No Sir

(Over)

1002

To the Court - I did not see
Cochrane go into the house
that day. The officers found
me not paying for

Sworn to before me this
16th day of October 1881

Henry J. Paulson

A. M. Patterson J. Policifester

City and County of New York ss.

Robert Cochran, one of the
defendants being duly sworn
and examined in his own behalf
by Counselor George A. McDermott
deposes and says -

I am a bricklayer and am
out of work for six weeks. I
have tried to get work but I
cannot. I am now frightened and
find it hard to get work at my
trade. I had no part in the
robbery and was not in 36 St.
on the 10th day of October instant
from 10 to 11 o'clock A. M.
I knew nothing about the robbery
to the Court.

I was not in the Company of
Lessor on that day in 36th
Street at any time.
Subscribed before me this } Robert L. Cochran
16th day of October 1881 }

J. M. Sullivan } Police Justice

1004

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

H. H.
DISTRICT POLICE COURT.

Leroy Lerner being duly examined before the under-
signed, according to law, on the annexed charge: and being informed that it is h^e *is* right to
make a statement in relation to the charge against h^m; that the statement is designed to
enable h^m if he see fit to answer the charge and explain the facts alleged against h^m
that he is at liberty to waive making a statement, and that h^e *is* waiven cannot be used
against h^m on the trial,

Question. What is your name?

Answer. *Leroy Lerner*

Question. How old are you?

Answer. *Twenty-one years of age*

Question. Where were you born?

Answer. *New York*

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

Answer. *392-H "Av. Eighteen months*

Question. What is your business or profession?

Answer. *I have no business at present*

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 of the charge.*

Leroy C. Lerner.

Taken before me, this *16*
day of *October* 188*8*

John Paulson
Police Justice.

1005

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

H. L. R. DISTRICT POLICE COURT.

Robert Cochran 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.

Robert Cochran

Question. How old are you?

Answer.

Twenty-two years of age

Question. Where were you born?

Answer.

New York

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

Answer.

531 Third Av. Four months

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.

I am not guilty of the charge.

Taken before me, this *16th*
day of *October* 188*8*

Robert L. Cochran

A. M. G. J.

Police Justice.

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J. W. Grant
Officer, West
of West
of West
of West

BAILED,

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

Police Court 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Julia Quinn
234 East 36th
Henry Lumsden
Robert Lockman

Offence, Burglary & Larceny

Dated October 16, 1881

William H. Lumsden

Robert Lockman

Witnesses, Henry Lumsden

No. 234 East 36th

Henry Lumsden

No. 234 East 36th

No. _____

Robert Lockman

100. Oct. 16/81 at 9 1/2 A.M.

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 Larry Lumsden and Robert Lockman

guilty thereof, I order that they be admitted to bail in the sum of Five Hundred Dollars and be committed to the Warden or Keeper of the City Prison until they give such bail.

Dated October 16 1881

J. M. Lumsden Police Justice.

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

Dated _____ 1881

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 _____ 1881

Police Justice.

1007

1167
Police Court - 44 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Julia Quinn
234 East 36 St.
Larry Lamer
Robert Cochran

BAILED.

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

Dated *October 15* 188*1*

William
Welch
Manley

Witnesses
Hannah T. Welch
No. *234 East 36* St.
Henry J. Manley
No. *243 East 36* St.

No. _____
Robert Cochran
Conrad W. G. D.

Rep. Oct. 16/81 at 9 1/2 A. M.

S. M. granted
Officer Welch
Oct 21 1881
Nothing found

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

Robert Cochran
Julia Quinn
Larry Lamer
Robert Cochran

guilty thereof, I order that they be admitted to bail in the sum of _____ and be com-

I have admitted the above named _____

to bail to answer by the undertaking hereto annexed.

Dated _____ 188*1*
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*1*
Police Justice.

1008

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Leroy C. Lessner

The Grand Jury of the City and County of New York, by this indictment, accuse
Leroy C. Lessner
of the CRIME OF *Burglary*

committed as follows:

The said

Leroy C. Lessner

late of the *twenty first* Ward of the City of New York, in the County of
New York, aforesaid, on the *tenth* day of *October* in the
year of our Lord one thousand eight hundred and eighty *one* with force and arms,
about the hour of *ten* o'clock in the *day* time of the same day, at the
Ward, City and County aforesaid, the dwelling house of

Julia Quinn

there situate, feloniously and burglariously did break into and enter, ~~by means of~~
~~forcibly~~

he the said

Leroy C. Lessner

then and there intending to commit some crime therein, to wit: the goods, chattels and
personal property of

Julia Quinn

in the said dwelling house then and there being, then and
there feloniously and burglariously to 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.

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

Leroy C. Lessner

of the CRIME OF

Larceny

committed as follows:

The said

Leroy C. Lessner

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,

seven shirts of the value of ten dollars each - seven vests of the value
of ten dollars each - seven overalls of the value
of ten dollars each - One coat of the value of twenty dollars
One vest of the value of ten dollars - One pair of pantaloons
of the value of ten dollars - One ring of the value of fifty dollars
of the goods, chattels, and personal property of the said

Julia Quinn

in the said dwelling house then and there being, 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.

DANIEL G. ROLLINS, District Attorney.

1009

BOX:

49

FOLDER:

577

DESCRIPTION:

Lindenfeld, Henry

DATE:

10/07/81



577

10 10

4-5
Counsel,
Filed 7 day of
Pleade
1881-

THE PEOPLE

vs.

Henry Lindenfeld

Forger of the
Degree.

Daniel L. Rollins
- BENJ. K. PHELPS,

District Attorney.

A True Bill.

Wm. May Jr.
Foreman.

Oct 6. 1881.

State Refraining from
Guilt.

1011

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

POLICE COURT, First DISTRICT.

Charles F. Biele

of No. 42 West Broadway Street, being duly sworn, deposes and

says that on the 19th day of September 1881

at the City of New York, in the County of New York, Henry Lindendorf.

(now here) did unlawfully make and forge the signature of deponent's name endorsed upon the check (hereto annexed) and that he did knowingly negotiate the same as genuine with intent to cheat and defraud Gustav Schumann. That said Lindendorf has admitted and confessed to deponent that he did so forge deponent's name and did negotiate said check he first having it certified at the Pacific Bank and subsequently obtaining the amount of money payable thereon to wit; the sum of Twenty three dollars from the said Gustav Schumann

Chas F. Biele

Sworn to before me this 22nd day of
September 1881

J. J. Smith
Police Justice

10 12

Sec. 198-200.

DISTRICT POLICE COURT.

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry Lindenfeldt 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. Henry Lindenfeldt

Question. How old are you?

Answer. 20 years

Question. Where were you born?

Answer. Germany

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

Answer. I have no home

Question. What is your business or profession?

Answer. Watch maker

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?

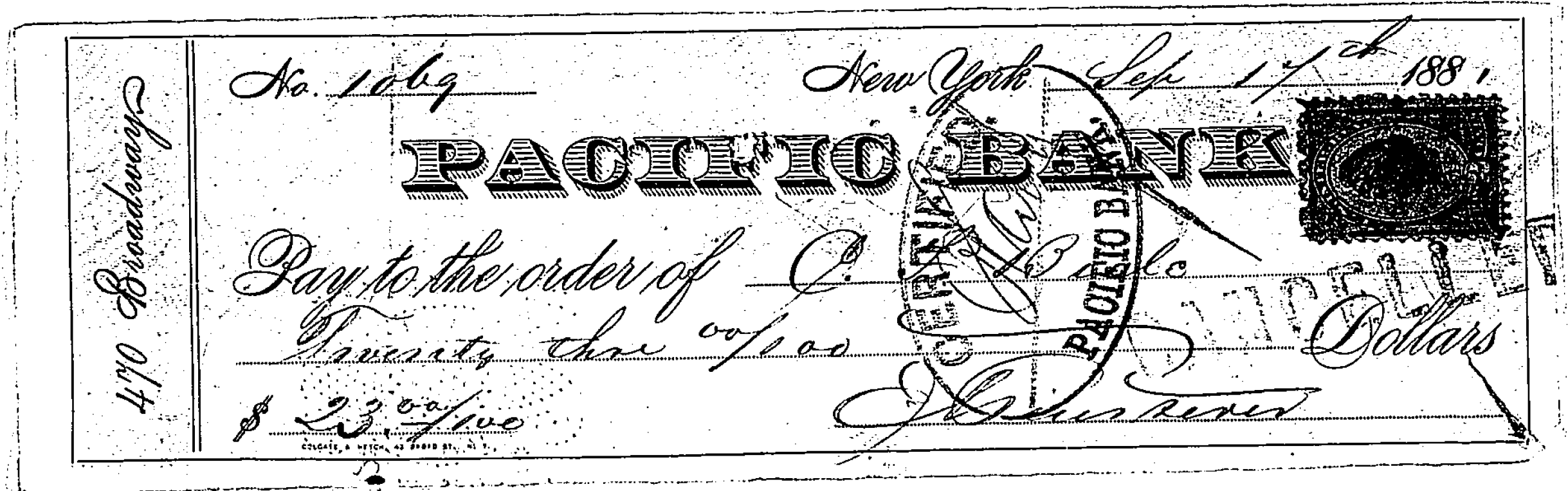
Answer I did not at first mean to negotiate the check. I cannot say why I did so I have never been arrested for anything like this before

Taken before me, this 22
day of September 1881

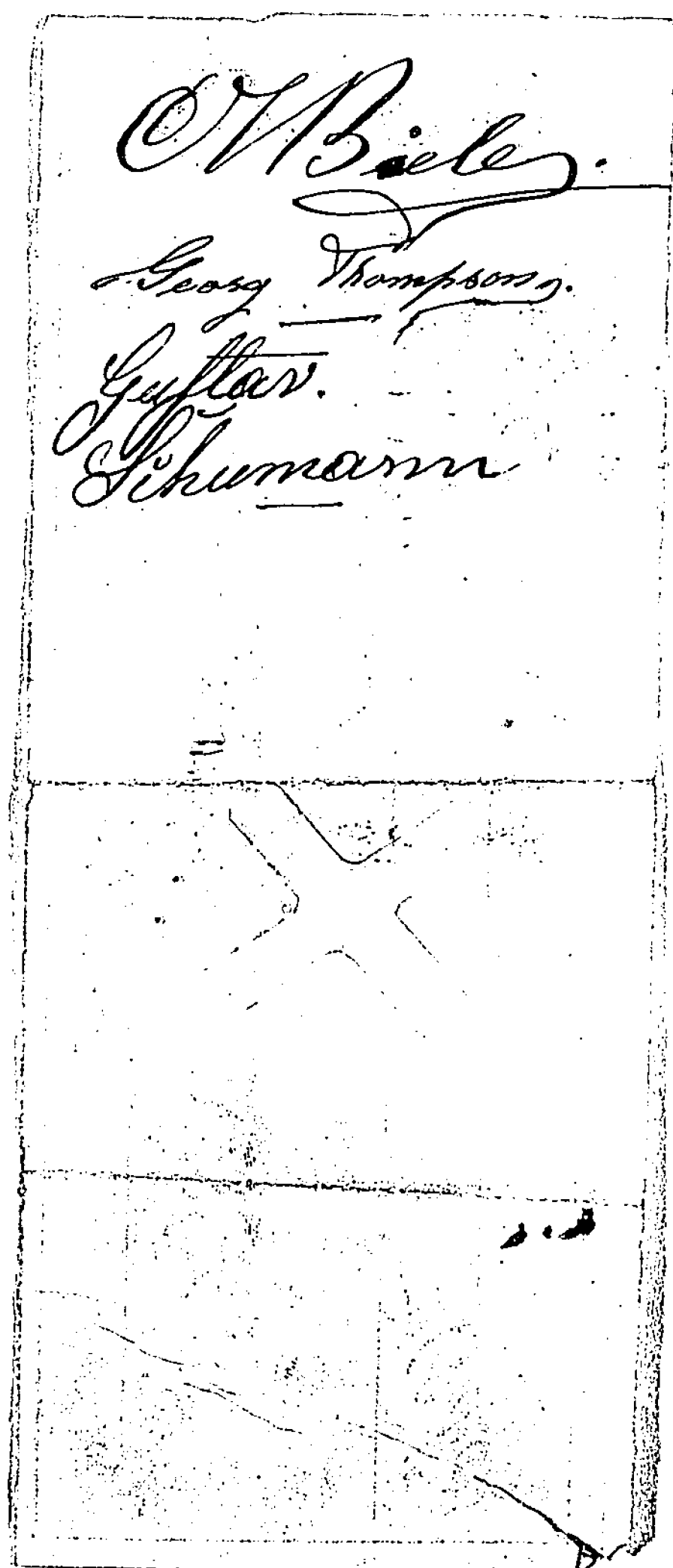
Henry Lindenfeldt

J. H. Smith
Police Justice

10 13



10 14



10 15

**POOR QUALITY
ORIGINAL
DOCUMENT(S)**

10 16

[illegible]

10 17

Sec. 205, 209, 210 & 212.

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles J. Riehl
412 West Broadway

1 Henry Hindenfeld

2
3
4

Offence, Forgery

Dated 22nd September 1881

Whitworth Magistrate.

John Stebbins Officer.
4th Precinct

Clerk.

Witnesses: Gustav Schumann

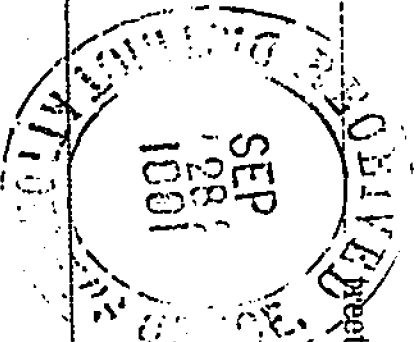
Nos 18 and 20 Division Street,

Emmanuel Vinetor

No. 427 Broadway Street,

No. _____

Committed



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 Henry Hindenfeld

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

Dated 22nd Sept 1881 J. Whitworth Police Justice.

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

Dated _____ 1881 _____ 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 _____ 1881 _____ Police Justice.

Police Court, First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles J. Reilly
42 West Broadway
Henry H. Lindenfeld
50 West Broadway

Offence, Forgery

Dated 22nd September 1881

Kilbreth Magistrate.

John Hickey Officer.
4th Precinct

Clerk.

Witnesses. Eustaw Schumann

Nos 18 and 20 Division Street,

Emanuel Vinster

No. 424 West Broadway Street,

No. Committed
RECEIVED
SEP 28 1881
CLERK'S OFFICE

BAILED,

No. 1, by _____

Residence _____ Street, _____

No. 2, by _____

Residence _____ Street, _____

No. 3, by _____

Residence _____ Street, _____

No. 4, by _____

Residence _____ Street, _____

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 Henry H. Lindenfeld

guilty thereof, I order that he be committed to the City Prison until he give such bail, held to answer the same and he be of the City of New York and be com-

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.

8101

10 19

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

THE PEOPLE OF THE STATE OF
NEW YORK,

Henry Lindenfeld
The Grand Jury of the City and County of New York by this indictment accuse
Henry Lindenfeld
of the crime of *Forgery*
committed as follows
The said *Henry Lindenfeld*

late of the First 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 ~~seventy~~ *eighty one* at the Ward, City, and County
aforesaid, having in his custody and possession a certain instrument and writing
the kind commonly called a Bank Check

which said *Bank check* is as follows, that is to say:

No 1069
New York Sep 17th 1881
Pacific Bank.
Pay to the order of C. F. Biele
Twenty three 00/100 — Dollars
\$ 23 00/100
E. Finsterer

the said *Henry Lindenfeld*

afterwards, to wit, on the
day and year last aforesaid, with force and arms, at the Ward, City, and County afore-
said, feloniously did falsely make, forge, and counterfeit, and did cause and procure to
be falsely made, forged, and counterfeited, and did willingly act and assist in the false
making, forging and counterfeiting on the *back* of the
said *Bank check* a certain instrument and writing
commonly called an *endorsement* which said false, forged, and
counterfeited instrument and writing, commonly called an *endorsement*
is as follows: that is to say, *C. F. Biele*

to injure and defraud *Eustav Schumann* with intention

and divers other persons, to the jurors 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.

470 Broadway

U.S. District Court

Two Cents

1020

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

Henry Lindenfeld

of the CRIME OF

having in possession or control of the CRIME OF
instrument with intent to defraud

committed as follows:

The said

Henry Lindenfeld

late of the Ward, City, and County aforesaid, afterwards, to wit: on the day and year last aforesaid, at the Ward, City, and County aforesaid, having in his custody and possession a certain instrument and writing

of the kind commonly called a Bank check

which said

is as follows, that is to say:

No 1069

New York Sep 17th 1881

Pacific Bank.

Pay to the order of C. F. Biele
Twenty three 00/100 — Dollars

\$23 00/100

E. Finsterer

U.S. Inter. Rev.

Two 2 Cents

and on the

back of which said *Bank check*
was then and there written a certain false, forged, and counterfeited instrument and writing, commonly called an *endorsement* of the said last mentioned *Bank check* which said false, forged, and counterfeited instrument and writing commonly called an *endorsement*

is as follows, that is to say:

C. F. Biele

said

Henry Lindenfeld

the

there well knowing the premises last aforesaid, and that the said *endorsement* was false, forged, and counterfeited, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City, and County aforesaid, feloniously did utter and publish as true, the said false, forged, and counterfeited *endorsement* of the said last mentioned *Bank check* with intention to injure

Bank check
and defraud

Eustav Schumann

470 Broadway

1021

~~and defend~~

and ~~others~~ other persons, to the jurors aforesaid unknown; he the said *Henry*
Lindenfeld at the time he so
uttered and published the said false, forged, and counterfeited *endorsement*
of the said last mentioned *Bank check*
then and there well knowing the said *endorsement*
to be false, forged, and counterfeited, as aforesaid, 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.

Daniel B. Rollins

~~BENJAMIN K. PHELPS~~, District Attorney.

1022

BOX:

49

FOLDER:

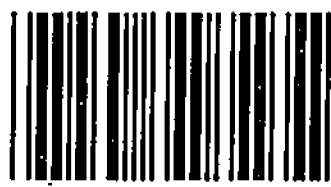
577

DESCRIPTION:

Lyons, Michael

DATE:

10/05/81



577

1023

424/ Oct 20 1881

Ad

Filed 5 day of Oct 1881

Pleads *Not guilty.*

THE PEOPLE

vs.

Michael Lyons.

DANIEL G. ROLLINS,

District Attorney.

A True Bill.

Wm. H. ...

Korean.

Oct 20. 1881

James J. ...

Gen ...

1024

Form 10.

POLICE COURT-FIRST DISTRICT.

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

George R. Jacobs
of No. *the 14 Regiment* Street,
that on the *28th* day of *Sept* being duly sworn, deposes and says,
188 at the City of New York,
in the County of New York.

Sworn to, this
before me.

day of *Sept* 188

Police Justice.

he arrested Michael Lynn
now present in Baxter Street
at about 3.30 O'clock P.M.
that deponent then saw the
defendant wilfully & maliciously
fire & discharge a pistol loaded
with powder & lead at one John
Hargrave the ball or missile
striking and wounding said John
in the arm - Deponent also
that the defendant may be
held to answer the result of said
John's injuries

Geo R. Jacobs

1025

Form 10.

POLICE COURT—FIRST DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George R Jacobs
vs
Michael Lyons

AFFIDAVIT

*affidavit
on John Hargrave*

Dated

Sept 29 1881

Kilbuck

Justice

Jacobs

Officer

14

47

1026

Form

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

POLICE COURT—FIRST DISTRICT.

John Hargust
of No. 42 Baxter Street, being duly sworn, deposes and says,
that on the 28th day of September 1881

at the City of New York, in the County of New York, he was violently and feloniously assaulted and
beaten by Michael Lyons (now present)
who did unlawfully aim, point and
discharge a pistol in the ~~now present~~
direction of deponent who was standing
in his own doorway in the company of
others And that said pistol was so
discharged at deponent's person and the
persons of others, men, women and children
unlawfully and feloniously with intent to do
bodily harm and that deponent was seriously
injured by the ball from said pistol

Deponent believes that said injury, as above set forth, was inflicted by said

~~with the felonious intent to take the life of deponent, or to do him 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 dealt with accord-
ing to law.

John

John Hargust
Mark

Sworn to, before me, this 28th

day of September

1881

Police Justice.

1027

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

1 DISTRICT POLICE COURT.

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

Question. What is your name?

Answer.

Michael Lyons

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

New York

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

Answer.

217 West 50th

Question. What is your business or profession?

Answer.

Artist

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

Not Guilty
M Lyons

Taken before me, this 30
day of Sept 1888

William J. [Signature] Police Justice.

1028

BAILED,

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

Sec. 208, 209, 210 & 212.

Police Court - Third District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Harwood
42nd Bdwy
Michael Lyons

Offence, Felonious
Assault & Battery

Dated 30th September 1881

Maudell Magistrate.

Officer
W. J. Smith
14th St.
Clerk.

Witnesses

No. _____

Street, _____

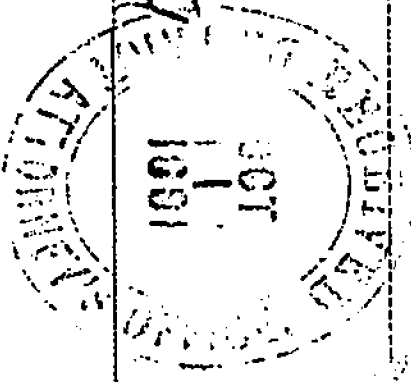
No. _____

Street, _____

No. _____

Street, _____

Consulted



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 Lyons
guilty thereof, I order that he be admitted to bail in the sum of Twenty Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated 30th September 1881 P. B. Maudell 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.

Police Court--First District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Hargrave
42. Baxter
Michael Lyons

Offence, *felony robbery*

Dated *30th September 1881*

Wandell Magistrate.

Officer.

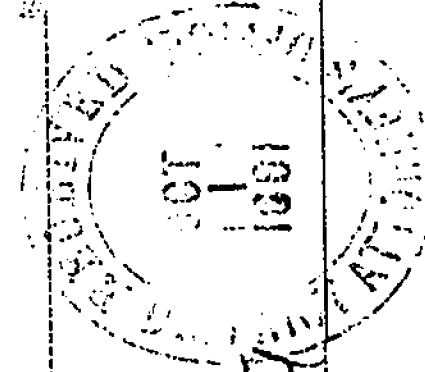
Clerk.

Witnesses

No. Street.

No. Street.

No. Street.



Connaught

BAILED,

No. 1, by

Residence

Street,

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street,

Police Justice.

Police Justice.

Police Justice.

Police Justice.

Police Justice.

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

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

guilty thereof, I order that he be admitted to bail in the sum of *£100* and be committed to the Warden or Keeper of the City Prison until he give such bail.

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 Lyons* held to answer the same and he be committed to the Warden or Keeper of the City Prison until he give such bail.

guilty thereof, I order that he be admitted to bail in the sum of *£100* and be committed to the Warden or Keeper of the City Prison until he give such bail.

guilty thereof, I order that he be admitted to bail in the sum of *£100* and be committed to the Warden or Keeper of the City Prison until he give such bail.

guilty thereof, I order that he be admitted to bail in the sum of *£100* and be committed to the Warden or Keeper of the City Prison until he give such bail.

guilty thereof, I order that he be admitted to bail in the sum of *£100* and be committed to the Warden or Keeper of the City Prison until he give such bail.

guilty thereof, I order that he be admitted to bail in the sum of *£100* and be committed to the Warden or Keeper of the City Prison until he give such bail.

guilty thereof, I order that he be admitted to bail in the sum of *£100* and be committed to the Warden or Keeper of the City Prison until he give such bail.

guilty thereof, I order that he be admitted to bail in the sum of *£100* and be committed to the Warden or Keeper of the City Prison until he give such bail.

guilty thereof, I order that he be admitted to bail in the sum of *£100* and be committed to the Warden or Keeper of the City Prison until he give such bail.

guilty thereof, I order that he be admitted to bail in the sum of *£100* and be committed to the Warden or Keeper of the City Prison until he give such bail.

guilty thereof, I order that he be admitted to bail in the sum of *£100* and be committed to the Warden or Keeper of the City Prison until he give such bail.

guilty thereof, I order that he be admitted to bail in the sum of *£100* and be committed to the Warden or Keeper of the City Prison until he give such bail.

1029

1030

The People v. Micheal Lyons { Court of General Sessions, Part 7
Before Judge Gildersleeve. Oct. 25. 1887

Indictment for felonious assault and battery.

John Hargust, sworn. I live at 42 Baxter St. and resided there on the 28th of Sept., the day of the shooting. I never saw the prisoner before that day. I saw him about four o'clock. I had just come home and was sitting at my door. I had been home about five minutes. I was looking over my shoulder at the time the firing took place. I did not know what it was at first. I looked down and saw that I was shot. I looked up again and I saw this Micheal Lyons running towards me with a revolver pointed again. He run up the door and entered in the clothing store next to me. There is a brick wall between me and the other door. He fired in and the ball was taken out. The ball has not been taken out of my arm yet although it is getting so I could use it considerably. The doctor said it would not be bad. Cross examined. I did not know a man by the name of Ward. I did not see a difficulty between Ward and the defendant. There was quite a crowd round at the time. I saw the defendant that same afternoon at the Tombs. I walked behind him. He was all bloody and his shirt bosom was filled with blood.

I did not notice whether his eyes were closed or not, I was in pain, I was bleeding, I did not notice his wound at all. I saw Lyons running, I did not see the man when he run in the clothing store until he jumped out of the window. A minute did not elapse between the two shots. When he fired the second shot a colored woman caught him in the back of the neck. I did not see anybody touch him when he fired the second shot.

George R. Jacobs sworn. I am an officer of the Police of the 14th precinct and arrested the prisoner. On that afternoon just before the shooting I saw a quarrel in Leonard St. around the corner from Baxter St. where the shooting occurred. Lyons seemed to get the worst of it. A young man by the name of Ward got the best of him and kicked him in the head. Ward ran into Baxter St. and Lyons ran into the hallway. I stayed around awhile and Lyons came out and went into Baxter St. I suppose he saw Ward in the crowd, there was quite a crowd, I did not see him, I heard a shot fired directly after, I ran around and I saw him fire a second shot in the crowd on the sidewalk. The ball struck over a lady who was sitting at the door. I picked it out of the ceiling (producing the ball) there is the ball. I came back from the station house and took it out.

The pistol is not here, I did not think to bring it this morning, the pistol was loaded with the exception of two chambers. The prisoner said he would shoot any one who came near him. He was intoxicated, but he could walk and talk straight. When he got to the station house he said he hardly knew what he did. I arrested Ward afterwards; he is now on the Island. I suppose he is.

Michael Lyons, sworn and examined in his own behalf testified I am 21 years old, am married and have one child. I have worked for John McLaughlin foreign and domestic fruit 213 Washington St. I worked before that for Mrs. O'Brien, a liquor store 55 1/2 Mulberry St. I was never arrested before for anything. I was in a liquor store this afternoon reading a paper when a young man came in and asked me to have a drink. I went up to the bar and Patrick Ward came in and got on the other side of the man and I saw him raise the man's coat. I went over and said, "You must not do that while I am in the man's company." He said, "That is it your business? you don't know the man." I said, "It don't make any difference." It seems this man's mother (the one whom Ward attempted to rob) came down after him; he was kind of tight; she asked me to help to bring him home.

1033

After leaving him home and I was going back Ward met me and said, "you are awful smart." I says, "I won't let anything be done to that man in my company; he struck me. I tried to grab the man, Patrick Ward's gang were all laying to beat me. I stayed in the stove, I was in there quite a while. The man behind the bar says, "them fellows will kill you." I said, "I have nothing to protect me, I will wait till some policeman comes along and I will tell him about it." There was no policeman come along. The crowd was laying for me, I turned up towards Baxter st. to go home to get out of their way; somebody struck me with a club and the gang commenced to kick and beat me. Through the excitement I pulled out the pistol. I never intended to shoot anybody, merely to frighten them away. After I fired the pistol the first time the crowd rushed against me and then I fired it the second time to attract somebody's attention to protect me. My eyes were closed in consequence of the beating I got. and there was a big lump in my head. I knew that Ward was a Thief. The man behind the bar gave me the pistol to protect myself. The jury rendered a verdict of guilty of the offence charged in the third count of the indictment.

1034

Testimony in the case
of
Michael Lyons
filed Oct. 1981

1035

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Michael Lyons

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

Michael Lyons
of the Crime of Shooting at another with intent to kill, committed as follows:

The said

Michael Lyons
late of the City of New York, in the County of New York, aforesaid,
on the *twenty eighth* day of *September* in the year of our Lord
one thousand eight hundred and eighty-*one* with force and arms, at the City and
County aforesaid, in and upon the body of *John Harguet*
in the peace of the said People then and there being, feloniously did make an assault
and to, at and against *him* the said *John Harguet*
a certain *pistol* then and there loaded and charged with gunpowder and one
lead bullet, which the said *Michael Lyons*
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 *him* the said

John Harguet
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

Michael Lyons
of the Crime of Attempting to Discharge a *pistol* at another with Intent
to Kill, committed as follows:

The said

Michael Lyons
afterwards, to wit, on the day and in the year aforesaid, at the City and County
aforesaid, ~~the said~~

Michael Lyons
with force and arms, in and upon the body of the said *John Harguet*
in the peace of the said people then and there being, wilfully and feloniously did make
an assault and to, at and against *him* the said *John Harguet*
a certain *pistol* then and there loaded and charged with gunpowder and one
lead bullet, which the said

Michael Lyons
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 attempt to discharge,
with intent *him* the said

John Harguet
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.

1036

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said *Michael Lyons* of the Crime of Shooting and Discharging off a *pistol* at another, without justifiable or excusable cause, with intent to injure such other, committed as follows:

The said *Michael Lyons* afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *John Hargus* then and there being, wilfully and feloniously did make an assault and to, at and against *him* the said *John Hargus* a certain *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which *pistol* the said in *his* *Michael Lyons* right hand, then and there had and held, wilfully and feloniously, and without justifiable or excusable cause, did then and there shoot off and discharge, with intent, then and there, thereby *him* the said *John Hargus* wilfully and feloniously then and there to injure, 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.

FOURTH COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said *Michael Lyons* of the Crime of Attempting to Shoot off and Discharge a *pistol* at another, without justifiable or excusable cause, with intent to injure such other, committed as follows:

The said *Michael Lyons* afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *John Hargus* then and there being, wilfully and feloniously, did make an assault and to, at and against *him* the said *John Hargus* a certain *pistol* then and there loaded and charged with gunpowder and one leaden bullet, which *pistol* the said in *his* *Michael Lyons* right hand, then and there had and held, wilfully and feloniously, and without justifiable or excusable cause, did then and there attempt to shoot off and discharge, with intent, then and there, thereby *him* the said *John Hargus* wilfully and feloniously then and there to injure, 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.

DANIEL G. ROLLINS, District Attorney.

1037

BOX:

49

FOLDER:

577

DESCRIPTION:

Lynch, John

DATE:

10/05/81



577

1038

Day of Trial

Court: Comm. of Med.

Filed: 5 day of Oct 1881

Pleadings

THE PEOPLE

vs. *Burke*
P. over

John J. Lynch

DANIEL G. COLLINS,
COUNSEL FOR DEFENSE

District Attorney.

Received \$7500

D.G.C.

Att. Bill. Committed by Court

Sept 28/81

Wm. H. Brown

1012 Bailed

John J. Lynch

421 Broadway

1039

Doc 1

Court of General Sessions

People of the
State of New York

agot
John T. Lynch

The defendant was indicted
some months since for perjury.

The minutes of the Grand Jury
show and the indictment will also show
if it conforms to Section 291 of the
Code of Criminal Procedure, that the
indictment was obtained on the testimony
of a single witness. The District At-
torney after inquiry so informed me.

No papers, no corroborative testimony
were ever presented to the Grand Jury.

The fact is - though of course this
does not appear on the record - that
the indictment was obtained merely
to enforce the payment of a disputed
claim, that a complicated civil liti-
gation exists, that verdicts have been
rendered both ways and the matter
is still pending. I think - but am
not sure - that the single witness

went before the Grand Jury without the knowledge of the District Attorney.

3 On this state of facts I submit that the indictment should be dismissed, or that process gone through which before the Code of Criminal Procedure was called a *Molle* and ^{that} defendant ought not to be put to the trouble and expense of a motion to quash.

4 The general rule is undoubted, that a conviction for perjury cannot be had unless there are two witnesses to some material allegation or one witness and corroborative evidence by papers or something of that nature. If the evidence does not amount to this the case cannot go to a petit jury or if it does a conviction will be quashed.

— Bishop on Criminal Procedure

§ 924, 932, 933

— Wharton Criminal Evidence

(Ed. 1881) § 387

Reg vs Braithwaite

8 Fox Crim Cas 254.

Reg vs Boulton

1041

5 Cox Crim Cas 396
Rex vs Parker
Carr & Mann 639.

4 If evidence sufficient to secure a conviction is not prima facie presented to the grand jury the indictment is void.

Bishop on Criminal Procedure
§ 858, 865, 866.

In The People vs Tyler.

2 Parker's Crim Cas 576
the head note is

A grand jury ought not to find an indictment unless the testimony against the accused ex parte and unexplained is sufficient to convict.

And the court, say

"It may be well here also to inquire on what testimony an indictment should be based. I am satisfied that this most important matter is oftentimes overlooked and still oftener perhaps, misunderstood by our grand juries; and yet such is the very nature of the

organization of a grand jury, such its mode of proceeding, the secrecy of its action and the ex parte character of the testimony taken before it, that those errors are rarely and then only incidentally brought before the Court for review. These cases the Court should vigilantly watch and as far as practicable correct. In no case is injustice more likely to be done than in the finding of indictments on insufficient proofs, an injustice difficult to be guarded against and yet oftentimes most oppressive in its consequences to the accused.

* * * Nor is it to be tolerated that a citizen shall be charged with a serious offence and sent to a petit jury for trial unless the ex parte testimony taken in his absence with no power of cross examination shall at least if unexplained show him guilty. This is implied in the very language of the indictment.

Applying these principles it seems clear the indictment should be quashed.

Dated February 13, 1882.

George Bliss

1043

Court of
General Sessions

People of the

State of New York

— agst —

John J. Lynch

Memorandum

Brief of Facts & Proof.

In the Matter of the }
Indictment of John T. }
Lynch for Perjury.

The perjury consisted in giving false testimony in the case tried before Judge Barrett on the 3rd May 1882, in which John Fay and Edward B. Rogers were plaintiffs against John T. Lynch impleaded with Mary Schoonmaker otherwise called Marie Harey. The latter demanded a separate trial and the issues in her case came on also to be tried before Judge Barrett at a prior Trial Term and the Jury found in her favor. The trial against Lynch resulted in a verdict for the plaintiffs for about \$4000.

In order to understand briefly the materiality of the matter for which Lynch has been indicted a statement of the case will be of assistance.

Rogers and Fay were dealers in fish in the Fulton Market. In March, 1879, Rogers saw an advertisement in the Herald to the effect that a loan of 5000 for two months from a gentleman of good commercial standing secured by diamonds worth 10000 with reasonable interest was desired by Cleopatra Herald Uptown Office. This appeared on March 9th 1879. Mr. Rogers wrote as the advertisement suggested and received an answer requesting him to call at 268 West 42nd Street. He did so and saw the woman who called herself Mrs. Schoonmaker. She told him that her father lately died and left her with her brother and

sister some property, among which property was a house in Philadelphia. That her brother had a mortgage on it for 5000 and that she and he were in dispute about that property and she had a letter from her lawyer in Philadelphia that her brother was about to foreclose the mortgage and that she must raise 5000. or she would lose the property. She said she had nothing but her diamonds to raise the money and that she had obtained that amount from John T. Lynch of 958 Broadway but the time in which she had to take up the loan was about to expire and she wanted some responsible person to take them and hold them for her. She plead so hard that Rogers agreed to meet her next day at Lynch's office. She stated at the interview that the diamonds were bought by her husband for 10,000. This visit upon her was on the 12 or 13 of March. On the following day as by agreement Mr Rogers called at Lynch's and found Mrs. Schroomaker there and as only the clerk was there, Lynch being absent, he made an appointment with the woman to meet her there on the following day. He went there on the following day and met the woman again. Mr Rogers asked Lynch to show him the diamonds, which he did. He told him he was there by appointment of the lady present who desired him to take the diamonds out of his hands and he asked Lynch if he had loaned 5000 on them. Lynch said that he had done business with the woman before and she was a good customer and he appeared to be put out, because Rogers was interfering with his business. He also on another

occasion told him where the woman resided. He also told Mr Rogers on this occasion that he would at any time loan Rogers \$5000. on them and that they were worth \$10000. and Mr. Rogers informed him then that he himself knew nothing about diamonds and relied entirely upon him as to their value. As Rogers could not on that day raise the money an agreement was made to meet her there again.

About this time Mr Rogers had spoken for Fay who was his friend about sharing with him in the venture and that Fay was considering the matter.

At the next meeting at Lynch's office which was on the 17th March, there were present Lynch, the woman Schoonmaker, and Messrs Fay & Rogers. Fay and Rogers found the woman at Lynch's office when they reached there. The diamonds were produced at this time before Fay and Rogers and Lynch was questioned in regard to them. He stated that he had loaned \$5000 on them and that they were worth \$10000 and that he never advanced more than one third of what a thing was worth. He said he would loan \$5000 on them at any time. Mr Fay said in the presence of all that he knew nothing about diamonds, that the matter would have to be left to Mr Lynch. Lynch at this time repeated before Fay his knowledge of the woman Schoonmaker as he had given it to Mr Rogers at the first meeting.

Thereupon Mr Rogers handed to Lynch \$5000 and took the diamonds. About two months afterwards Rogers called to see Mrs Schoonmaker and found she had left her former residence and was

nowhere to be found. Messrs Fay and Rogers then went to Lynch's office and at first that person pretended not to recognize them but on their stating the circumstances and asking for a loan on the diamonds for 5000, he stated that he was short and asked them to call again which they did on several occasions with like result. Mess Fay and Rogers offered them for 2000 but he declined to accept.

On John T. Lynch's examination he testified in effect as follows. He said about 13 February 1879 a lady and gentleman who he had not known previously entered his office and asked for a loan on diamonds. The gentleman spoke for the lady and said that he wished to get a large loan on diamonds.

He said he told her he did not make any loans, that his mode of business was to buy and give a promissory bill of sale back. That she consented to this and showed some diamonds on which she wanted a loan of 5000. She consented to sell them to Mr. Lynch ^{for 15000} with the privilege of buying them back in 30 days she to pay for his commissions. That he gave her the money and a promissory bill of sale and took the diamonds. That about the 11 of March the same lady with the plaintiff Rogers came to his Lynch's office. She said that she had come for her diamonds and wanted to take them and she handed the bill of sale he Lynch gave to her.

He opened his safe and took the diamonds and she

then said to him that she wanted to show them to the gentleman who was with her. After they had conversed a while the woman she was unable to take them out on that day but would call again in a day or two for them and that they then left. That a few days afterward she with Mr Rogers called again at said Lynch office. That Rogers asked him Lynch if he could have a few minutes talk with the lady in the room adjoining the gentlemen's room and they held a conversation there. He Lynch said they then called him in when Mr Rogers said that the lady was a cousin of his and that she wanted him to pay the money for the diamonds and that he was satisfied to do so providing he was allowed to bring an expert with him to examine them. Lynch said that he told Rogers he had no objection. After some further conversation on immaterial matter Rogers and the woman left.

On the 17 of March Lynch said that Rogers and Fay called at his office and asked whether the lady had yet arrived and that the bell had just rung in his back office and he replied. "Yes the lady is here."

That Rogers then introduced Mr Fay to him saying "this is my expert." Lynch said that Rogers said:

"Now let us see the diamonds" and that he told him that the lady would have to take them as he had nothing to do with him and that the lady then handed the bill of sale to him Lynch and said:

"I am ready to take my diamonds providing they are just as I left them. Let me see and examine first."

He said he then took them out of the safe, put

them on the table locked the door and went into the space between the two rooms. Mr Fay examined the diamonds very carefully. That he saw Rogers take some money out of the lady's hands put it on other money and hand it to the lady and that she called him Lynch in and handed the money to him and said "There is your money Mr. Lynch and I am glad to be out of your power. You had better count it to see that it is all right." They left. Lynch said that neither Rogers or Fay asked him what the diamonds were worth or whether he would make a loan on them afterwards. That when he loaned the money on the diamonds as stated he believed them to be worth \$6,000 and that he thought that the diamonds presented on the trial were not the diamonds he had originally loaned the money on.

(Note) To sustain the complaint in this action it was material to show that Lynch and a woman had conspired to extort money from some one; that Rogers & Fay who had no knowledge of the value of diamonds fell into their trap; that they believed her story and believed the story of Lynch as to the value of the diamonds and his previous knowledge and business connections with her and were thereby induced to part with their money. To break down their testimony Lynch pretended to have had no previous acquaintance with the woman that Fay acted as an expert; that Rogers attempted to play cheap with him; that he never told either of them what he considered the

diamonds to be worth or overpromised to loan them thereafter money on them. In brief, that they acted on their own knowledge and that he was merely acting within the line of his business.

Proof

First. We can show by two witnesses one who appeared on the trial of the civil suit, Father Zucker, and Maurice Barriere who was not a witness on that case, that Lynch did know and did business with the woman, Hasey, before this business with Rogers was had.

a. She and Lynch had played the same game in the same manner with Father Zucker.

b. Mr Barriere who had been a clerk for Mrs Lynch the mother of John T. Lynch saw her in Lynch's office and knew that the game was being played by him through the woman.

Second. Fay & Rogers will both swear that Lynch swore falsely when he testified to the following as facts.

a. That Rogers introduced Fay to Lynch as an expert.

b. That Lynch told Rogers that the lady would have to take the diamonds as he had nothing to do with them.

c. That the woman said she was ready to

take her diamonds providing they were just as she left them.

D. That Rogers took money out of the lady's hand put it on other money and handed it to the lady and that she called him Lynch in and said: "There is your money Mr. Lynch and I am glad to be out of your power. You had better count it to see that it is all right."

E. That neither Rogers nor Fay asked him what the diamonds were worth.

F. That he did not promise either Rogers or Fay that he would thereafter make a loan to them on the same property if they wished to.

G. That Lynch's office is but one room and that his statement of their going into the lady's room to converse is untrue.

H. That his statement that he believed the diamonds taken out by Mr. Rogers were not the same he can prove by Fay & Rogers and experts who saw them about the same time and we believe we can show by one or two persons that this same jewelry was manufactured or put together for Mrs. Lynch the mother of the said John T. Lynch and placed in his hands by her to be used in this way.

(Note) After this proof the jury may fearfully be asked to believe that the whole story was a concoction by Lynch and perjury.

1052

In the matter of
the Indictment of
John J. Lynch
for Raping

Prof of Facts & Proof

Sept 17th 1881

1053

Maine Court

Chas L Lawrence

agst
George M Lynch

Examination of Judg^t.
Debtor George M Lynch July 12th 1882
Judg^t. Debtor sworn by Justice Hyatt.
at chambers.

At request of Judg^t. Debtor
his examination is adj^d. to July 13, 1882
at chambers of Maine Court.

I consent to the above
Geo M Lynch.

S B H_f

I consent that the above examination
be adj^d to July 14 1882 at 10 am, at same
place. New York July 13, 1882.

G. M. Lynch
H Thompson
att^y for def^t.

I consent that examination in above be
adj^d. to July 18, 1882, at 10 a.m., at same
place
July 14, 1882.

G. M. Lynch
Judg^t. Debtor
H Thompson
att^y for def^t.

1054

I consent that examination in above
be adj. to July 20th 1882, at 10. a.m. at
Same place

July 18. 1882.

L. B. H. J.

G. M. Lynch

Judge Debbor

H. Thompson

Atty for deft & Judge Debbor

~~Deft & Judge Debbor not~~
appearing in Pursuance

of adjournment of July 14. 1882.

his default is hereby noticed

July 18. 1882.

It is stipulated, if
Judge Debbor appearing on July 20. 1882. at
10. a.m. at same place and submits to
examination his default noted this day
shall

Examination resumed in
pursuance of adjournment this 20th day
of July 1882. at Marine Court Chambers
Mr. Pollock appears for Plff. Mr. Thompson
appears for Deft. George M. Lynch.
examined by Mr. Pollock Says I reside
at 452 W 23rd St. New York I am not married
I have never been in proceedings supplementary
before this time, my mother keeps the house
at 452 W 23rd St New York I board with
her, my mother is now in Europe she
went about 2 weeks ago - I cannot
when she will return - she has -
merely gone to Europe on a visit
some weeks I pay nothing for Board

1055

I pay just what I want to. Just as I am fixed I suppose it would average \$10 per week. I am a clerk at 925 Broadway. for my mother the business of my mother is diamond importation, my mother's name is Theresa Lynch. My salary is \$25⁰⁰ per week there are three other clerks there, I am the head clerk in charge of my mother's business during her absence. I have been there as clerk in charge since about the 28th day of June 1882. previous to June, 28, 1882. I travelled on business for Marcus Harris & T. Lynch and anybody who would entrust me with goods to sell Harris has no place of business in New York city to my knowledge I got goods from him last week, on Commission I have sold them my Commission amounted to \$43⁰⁰ Mr Dunn I paid to Harris his son within a week I don't know what the son's first name is I last saw him at 925 Broadway there was no entry in any Book of this transaction I believe I made a memoranda of it at the time I may have it now I will look for it and produce it at our next session

my if I can find it I have no other —
 Transaction of that kind with Harris
 and his son since June 22. 1882
 I cannot tell the number. A good many
 I have paid him monies I cannot
 tell the amount — Harris son is called
 by the nick name of Maudy, I have no
 goods now from Harris J. Lynch is
 my Brother, he keeps at 918 Broadway
 the business is diamond Broker and
 General jobber in jewelry & precious
 stones, he carries on a loan business
 there he deals in diamonds in every
 way

2 what do you mean by a diamond
 broker

a. a man who buys and sells diamonds
 2 does that include making loans
 thereon; objected to.

a No sir

2 have you carried on the Loan Business
 at 915 Broadway

a never have I buy & sell

2 do you advance money or make
 advances upon property personally

a. I only buy and sell, I have carried
 on the business since June, 28, 1882

1057

2

Q prior to June 28, 1882, did you conduct a loan business at 925 Broadway

A I never conducted a loan business at 925 Broadway

Q Was any such business carried on there,

A Not to my knowledge

Q did you conduct any business there or carry on business there prior to June, 28, 1882,

A No - I did at 918 Broadway I bought & sold diamonds I was there last four years ago - I kept no books how of my transactions

Q do you not now carry on the loan business, that is make advances on diamond jewelry &c. at 925 Broadway

A No Sir -

Q did you do so

A No Sir

Q have you ever so sworn

A Not that I know of.

Q have you a Bank account.

A No Sir. Not for a good deal over a year

2 are you on any Bonds for any Person
 a I am on a Bond for my brother John
 J. Lynch this Bond is in the Case of the
 people of the State of New York agst.,
 John J. Lynch. I executed this bond, this
 was a bond as Bail the amount was
 about \$2500 I was examined as a -
 witness in the Case of Morseman agst.
 George M. Lynch - I was the defendant
 on the trial of this action, I own a piece
 of Real Estate in Westchester County,
 I Bought this Real Estate about three
 years ago - it is a house barn and -
 four City Lots, I bought it from
 Mother, I ~~own~~^{own no} Real Estate in any
 other State

2 Is there any other Real Estate in this
 State or in the State of Pennsylvania
 standing in your Name -

a None - I sold some property in New
 Jersey in 1880
 I have not sold any Real Estate since
 June 22 1882 - I have a Watch in
 Hock in Boston I have not the ticket
 I gave it to Thompson. I have a Watch
 now on my person I have carried it
 about a week, I got it from a man
 by the name of George Perkins, I don't
 know where he is, he gave it to me to
 sell for him.

X I did not give him any money on account of it I did not have any chain upon it, he told me to sell it for - \$45 he was then at some Hotel I did not give him any receipt for it - The chain and locket, I have on belongs to J. F. Hustis of Boston, I got them from him a couple of weeks ago to sell, I don't know where he lives, I think he stops at the Parker House, I did give him any receipt or ticket ~~from~~ for them, he gave it to me to sell for him, I did not advance him anything for it, I was to sell it \$40 these are all I have on Commission I do not own any diamonds

I am not wearing any, I have not a ring of my own The ring I have on my hand ^{on finger} belongs to the Hon Thomas Canary He is a Theatrical Manager, I got it yesterday, I did not give him a receipt for it - This is all the ring I have except a scarf ring, The House and lot in the 24 Ward is occupied by my sister Mrs. Ellen Levens - She has occupied same since I have owned it, the street I cannot give I do not hold any notes have no interest in any

1060

I do not own any stock or Bonds
either of the United States or of any
other States. I do not own any horse
or horses nor mule nor any interest
in any I do not own any house hold
furniture, I do not hold any chattel
mortgages nor any mortgages on any
lands

Q do you know a man by the name
of Zucker. A Roman Catholic Priest

A No Sir never saw him to my knowledge

Q did you receive or purchase at
any time any Jerusalem Diamonds
in which he was interested

A yes I think he was interested. I have
no personal property of any kind except
my clothing

New York July 20/1882 Objected to,

G M Lynch

The examination of Judgment Debtor
is further adjourned to July 22/1882
at 10, a. m. at same place

July 20/82

S B H J.

G M Lynch

Judgt Debtor

H Thompson

attly for Debtor

examination adjourned
to July 24/1882 at 10 a. m.

Same place stay to continue

New York July 22/1882

G M Lynch

Judgt Debtor

S B H J

3

Examination resumed in pursuance
of adjournment this 24 day of July
1882 Parties appear as before

Q How many clerks are employed at 925
Broadway

Objected to.

A There are Three

Q What is their names

A one is called Joe dont know his last
name Another, Objected to. ~~Another~~ one is

called Reese, dont know his first name
Q did you pay for the diamonds and jewelry
bought by you in which Zucker had an
interest

A I did

Q when did you so pay for them?

A when I got them?

Q When did you get them

A between the 10th & 12 day of September
1879

Q What was the amount you paid

A In the neighborhood of \$8000

Q who did you pay it to?

A I paid A W J Hallock Drake at
his office on Broadway

Q did you get a receipt

A I took the goods - Cannot say I got
a written ~~a written~~ receipt

- Q I gave the money and got the goods
 Q What did you do with the diamonds
 and jewelry
 A I sold them
 Q to whom
 A I cannot say, to strangers,
 Q Did you keep any entries of the sale
 of those diamonds and jewelry,
 A I don't keep any books of any trans-
 action -
 Q Have you any memoranda ^{of} the sales
 and disposition of these diamonds and
 jewelry?
 A I have not in my possession
 Q who ^{has} have
 A I don't know
 Q did you ever see such memoranda
 A I don't remember,
 Q Was one ever made
 A I don't remember
 Q Why do you not remember
 A because I do not remember

Matter adjourned to 15
 minutes after 11 a.m. 1882 by
 Consent.

Gerwaldynch
 Judgment Debtor

S. B. H. J.

Examination resumed at 11.15 a.m.
July 24 1882.

Q Is your memory good

A Pretty good

Q Will you swear that there was not a record kept by you of the sale and disposition of those diamonds and jewelry

A I will only swear that I do not remember - of any

Q Would you know if there was one or entries or memoranda made and kept

A I think I would I cannot remember if one was kept or not. It is so long ago, I do not remember of any memoranda being kept by me or any one else of the disposition of the diamonds and jewelry

Q Did any one or is there any one who made entries and memoranda for you within the last three years concerning your business transactions,

A I don't know of any one ever keeping memoranda or entries of my transactions

Q Have you ever been in the importing business at 925 Broadway,

A Yes as a Commission Importer Agent and Broker, Received Consignments

- Q When from
 A Europe
 Q Are you in that business still
 A No Sir
 Q When did you cease it or leave it
 off
 A About a year ago
 Q Was it over a year
 A About a year not much less it
 may have been more
 Q Where you in this business the 10th
 day of Oct. 1881.
 A I don't know
 Q How long did you carry on that business
 A When ever I received Consignments,
 Q When did you commence it at 925
 Broadway
 A I never carried it on at 925 Broadway
 particularly,
 Q Where did you carry it on
 A Any where I received Consignments
 Q Did you on the 10th day of October 1881
 swear that my business is that of
 Importer and I carry on business as
 such at 925 Broadway in the City of
 New York"
 A I do not remember If I did it was
 true. I did so swear

1065

4

- Q Did you on the 10 day of October 1881
swear that you were worth the sum
of \$2500 exclusive of property exempt
from execution?
- A I did in the Recognizance to Answer
now shown me Marked, A. —
- Q Do you owe any debts
- A Yes Sir about \$3500 I owe in all
about \$4500
- Q What did you do with the proceeds
of the sale and disposition of the —
diamonds & jewelry received by you
Sept. 10 or 12, 1879.
- A I do not know
- Q Did you spend it
- A I lost it in some way
- Q Gambling
- A Speculating
- Q What in
- A Everything
- Q Did you buy policy or play the game
- A No Sir
- Q Did you play Faro
- A No Sir
- Q Did you buy stock
- A With some of it
- Q How much
- A I Cannot remember

- Q Who were your Brokers
 A I Cannot remember the Brokers with whom I spent this money
 Q What was the Amount realized from the diamonds and Jewels,
 A I Cannot say I lost money on them
 Q How much did you loose
 A I could not say
 Q Did you loose \$1,000
 A I could not say, I Cannot remember
 Q Did you loose \$2,000
 A I Cannot remember
 Q When did the \$500 indebtedness accrue
 A This indebtedness accrued since the latter part of March 1882.
 Q Who are the Creditors holding it
 A I don't know most of it is notes some of them I gave to my Mother and — some to H Thompson my Brother in Law, they amount to about \$900 in round numbers I also have owed my Mother for Borrowed money for some years say about \$750
 Q Did you swear on the 10 day of October 1881 My total debts and liabilities do not exceed \$1,000
 A. I did if the paper shown me is correct
A.

- Q Was it true if you so swore
 A At that time yes sir
 Q Was it true any time previous to that
 A I cannot remember
 Q I now present to you a bond or
 recognizance to answer filed Sept 10, 1879
 1879, and call your attention to the
 facts therein set out in your examination
 as surety, are the facts there stated
 true
 A Yes they were true
 Recognizance, Marked, B.
 Q Do you know Leonard B. Munro
 A I do sir
 Q Where does he reside
 A I do not know
 Q Do you know Francis Lathrop or
 A Yes sir
 Q His place of business is on —
 Broadway
 A Yes sir
 Q Is he an attorney
 A No sir
 Q You gave a mortgage to W. P. Munro
 on the property mentioned in A. & B.
 Recognizance
 A Yes sir for \$5000
 Q What for
 A For money Mrs. Munro loaned me

Q When did she loan you this money

A Mrs Munro gave the money in this way. My mother was indebted to Mrs Munro in \$500 I owed my mother over \$500 and instead of paying my mother I gave a mortgage to Mrs. Munro for that amount

Q Was this \$500 a part of the money you say you owed your mother to. wit \$8750

A Yes Sir

Q This sum \$8750 you have owed your mother for ~~some time~~ several years

A Yes Sir

Q Did your mother give Mrs Munro her note for this \$500 -

A I do not know

Q Was not your mother indebted to Mrs Munro \$500 on account of the purchase of the House 452 W 23rd St and did she not give her a note her note payable at six months with - Interest. And did you not make this mortgage to secure the payment of that note.

A I do not know

5
Q You were a defendant, in a suit in which one Morseman was — plaintiff;

A Yes Sir

Q Did you swear on Sept. 28, 1881 on your examination on the trial of that action as follows

I Reside at the Westminster Hotel, Am an Importer of diamonds been in that business three years on my own account at 925 Broadway I Buy & sell diamonds

Objected to.

A I do not remember

Q Do you recollect anything about it
Objected to,

A I do not

Q Do you receive any rent from the premises, about in A. & B Recognizance

A No Sir—

Q Does any one for you

A No Sir

Q Is there any lease of these premises

A Yes there is a verbal lease — there is no written lease

Q What is the verbal lease

A It was that my sister Mrs. ^{to open} Levens took care of the premises she could live there;

Q was she to pay the taxes

A No Sir

Q What do you mean by taking care of the property

A Seeing that it did not go to Rack

Q Are the taxes paid

A I do not think they are

Q When were they paid last

A I have not paid them within a year

Q Do you own a gun

A No Sir

Q When did you last own one

A Not within a year

Q Do you own a dog

A No Sir

Q Do you own any Harness

A No Sir not in a long ~~while~~ while

Q When did you last own any

A About a year

Q Have you any personal property of any nature or kind close in action claim or debt due you or any any interest therein at this time or on the 22 day of June 1882

A No Sir

Q What interest have you in any real property

A None ~~except~~ what has been mentioned

Q What is the value of ^{your interest} ~~this property~~ therein? The property mentioned —

A I do not know the value of this property

Q Did you know its value in Oct 1881 (Objected to)

A I did not know

Q The diamonds & jewelry you purchased & paid for to Drake are contained in Schedule A, fol 345 Case on appeal John Fay & Edward Rogers vs John Lynch, & I hand you the Book and ask you if you can identify therein, Judgment Debtor takes the Book & examines the list answer Objected to

A I do not remember

Further adjourned to July 26 1882 at 10 a m at same place stay & continue

New York July 24 1882

C B H.

Geo M Lynch
Judgment Debtor
H Thompson

Atty Judgt Debtor

Examination resumed this 26th day of July 1882 at 10, a, m.

Judgment Debtor appears
Robt H Pollock Plaintiff

- Q Have you made any assignment of any of your property since June 22, 1882
- A No Sir
- Q Have you assigned the mortgage to Munro
- A No Sir Not to my knowledge
- Q Has this mortgage been assigned to any one since June, 22, 1882
- A No Sir
- Q Has any proceedings for the foreclosure of the mortgage been had or taken
- A Not that I know of
- Q Was there more than one transaction between you and Drake as to the purchase of your ^{of} diamonds and jewelry
- A There was only one that I know of or remember this is the one I have testified concerning —
- Q There is ^{a suit} now pending concerning the same between you as defendant & Zucker as plaintiff
- A I know there was a suit & I think one is now pending
- Q Were you not arrested in this suit
- A I do remember
- Q You do not make loans on diamonds & jewelry

6

A No Sir. I received a Consignment
I sold it— And I would get a—
Commission from the people I sold
for,

Q You say you paid Havens \$43⁰⁰/₁₀₀
was for a debt I owed Havens

A It was paid in this way I sold
\$43 of his goods and paid him
\$43 for them

Q Did you get any Commission

A No Sir

Q Have you paid monies to any other
person since June 22/1882

A I do not think I have

Q Is there any salary due you
now

A No Sir

Q When did you last receive salary

A Sometime in June before June
22, 1882

Q How much did you get

A I got \$25 this was for a week—
previous

Q Then there is due you the salary
since then

A No Sir I owe it and am working
to pay up what I owe. I owe my—
Shoemaker for my shoes

- I owed my salary to my mother I did not assign it to my mother,
- Q Can you identify any of the diamonds & jewelry in Schedule, A. Book B. on appeal referred to heretofore,
- A I do not remember what they were I do not remember what the diamonds and jewelry consisted of,
- Q Does Schedule, A. now shown you refresh your recollection of what they were,
- A It does not
- Q If you swore the real estate referred to was worth at least \$500 in Oct 1881 was it true,
- A To the best of my recollection it was true, I have never to my recollection sworn to a lie
- Q There is no specified time that Mrs. Levins should occupy the property mentioned,
- A No Sir. She is merely a tenant at my sufferance or by my will, judgment Debtor I did not mean to say that my brother John Lynch was engaged in the loan business at 918 Broadway as I do not know if he is or not. - I am working

to pay my Mother at the rate of
\$25 per Week, under this arrangement
I have earned at least about \$50

Adjourned to July 27, 1882
at 10, a.m. by consent at same place
stay to continue

July, 26, 1882

Geo W. Lynch

Judgt. Debtor

Examination resumed this 27th day
of July 1882, at 10, a.m.

Judt. Debtor Present

& H. Thompson, atty.

Brick Irving Esq of Council

Robert H Pollock for Plff, &c.

Q. Are there any Creditors actions pending
against you, or is there any appli-
cation or suit pending for the
appointment of a Receiver of your
property.

A No Sir

Q Is there any Receiver of your
property.

A No Sir

Q Have you paid any debts or disposed
of any of your property, since June 22
1882

A No Sir

Q Do you own the shoe buttons now worn
by you

A No Sir

Q Who does

A The firm 925 Broadway I mean Mrs J Lynch. Mrs J Lynch is the firm

Q She is your Mother.

A Yes Sir

Q Is Mr. Irving any relation to you

A No Sir

Cross Examination

I mean by the firm at 925 Bway that Mrs J Lynch my mother is the sole proprietor.

I have no interest in the money that I spend at 925 B. Way. My name appears on the Bills of Sale simply as the agent of my mother Theresa Lynch, and any advances made on anything are made by my mother. I sign sometimes as agent and sometimes as G. M. Lynch and sometimes as atty. under arrangements since June 28 1882 and Prior thereto I have signed as above stated - In explaining my indebtedness of \$750. to my mother. I have to say that some years ago as the agent of my mother I sold goods to a man residing in Mexico,

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I have forgotten his name to the amount of \$8,750 he has since failed to pay the debt and my mother holds me for this sum. I don't think I am bound to pay this sum,

Re direct

The man who bought these goods of me is not dead to my knowledge. I consider that I am worth \$10,000 at least

I do not know a woman by the name of Marie, S. Hasey she was pointed out to me. I never had any transaction to my knowledge with her. She was not ~~introduced~~ introduced by the plaintiff in ~~in~~ this action. I do now remember that I subscribed for some book that she was engaged in Canvassing

I don't think I signed any receipt for the Zucker diamonds which I got from J. H. Drake the printed copy copy of what purports to be a receipt at Vol-347 Case on appeal, May vs Lynch, does not refer to my recollection —

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after Carefully Reading over the -
foregoing examination the same was
signed and sworn to before ^{me} this
27th day of July 1882

S. Burdett Hyatt,
J. Mr. C.

Geo. M. Lynch

Proceedings adjourned to August,
11th 1882 at 10 a. m. for the exami-
nation of Witnesses Joseph A. Jacobs
appointed Receiver of the property
of the Judgt. Debtor Bond in the
sum of Five Hundred dollars
(~~\$500~~)

S. B. H.
Copy John Savage
Clerk

Marine Court
of the City of New York

Edward J. Lawrence

Charles Lawrence

agent

George M. Lynch

Examinations of

Judgment

Walter

Copy

John H. Pollock

att'y at l.

115 Nassau St.

New York

1000

If not delivered in Ten Days, return to
TOWNSEND & WEED,
32 PARK PLACE, NEW YORK.

Hon. Benj. R. Phelps
District Attorney

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Law Offices of Townsend & Weed,

32 PARK PLACE,

(Metropolitan Life Insurance Co's Building.)

JOHN D. TOWNSEND.
JOHN W. WEED.

New York, Nov. 21st 1879.

Hon. Benj. R. Phelps
District Attorney of New York

Dear Sir:

Mr. Weed and I were informed yesterday by Mr. Clark of your office that you had directed that the complaint made by Messrs Rogers & Fay upon which John T. Lynch and Mrs. M. Hasey were held some months since upon charge of false pretenses by Justice Morgan, should go before the Grand Jury to day.

This letter will be handed to you by Mr. Rogers who is accompanied by Mr. Fay and they are ready to go before the Grand Jury.

There are other witnesses also who will testify if subpoenaed by the Grand Jury to the value of the diamonds by which they were cheated of their money.

They are as follows:

Frank Horton Jeweler 42 Fulton St.
Edward G. Buckingham, Jeweler, 10 Maiden Lane,
Chester Billings, Jeweler,
(Firm: Randall, Barmore & Co.) Cor.
John & Nassau Sts. Thomas
Kirkpatrick, Jeweler, 889 B'way.

The defence in the civil case is that the defendants never had any business with the plaintiffs and that it is a case of mistaken identity as to the woman.

Charles Quaker a Catholic priest who resides at Canajoharie, Montgomery County was here yesterday as a witness in the civil action. He will be here again on Tuesday next. He

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positively identifies the woman Hasey as being a confederate of Lynch in swindling him of about \$3000. within about two weeks of the time when they swindled our clients.

We trust that the Grand Jury will give our clients more time to state their case than was afforded before Judge Morgan who held the prisoners. The details of the case were not then as fully exposed as they could have been.

Respectfully
J. J. Townsend & W. E. Reed

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JOHN D. TOWNSEND,
ATTORNEY AND COUNSELLOR AT LAW,
32 PARK PLACE.

New York, Nov. 21 1882.

Hon. John McKean
Dist. Attorney.
Dear Sir

In October 1881,
an indictment was found against John
T. Lynch for perjury. The grounds for
indictment was the testimony of Lynch given
before Judge Barrett and a jury in a case
brought by one Rogers & Fay against said
Lynch. Such case was tried in May, 1881.
Among the papers connected with this
case in the Clerk's office I have found a
brief prepared and sent to you by Mr George
Bliss who sets forth that the indictment
should be not prosecuted, because the
Grand Jury indicted Lynch on the testimony
of a single witness and that that witness
went before the Grand Jury without the assent
of the District Attorney. As it appeared to me
that these statements were incorrect as matter
of fact, I offered to represent your office
before the Court if you would compel Mr Bliss

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to appear there and make his motion and
that on my last interview with you, you
suggested that I should call your attention
to the matter by letter and that you would then
see that Mr Bliss was notified. May I
ask that when a day is fixed for the
argument of such motion that I may be
informed of the day and how as early as
practicable?

Respectfully yours
Wm. W. Townsend

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Law Department, City of New York.

Office of the Attorney to the Corporation.

No. 49 Beekman Street. Oct 8th 1879

The People &c
vs.
John J. Lynch
and
Mary Schoonmaker

Dear Sir:

The material points
in the brief submitted by me to
Justice Morgan are to the best of
my recollection as follows:—

"This is clearly a case of ob-
"taining money under false
"pretences—
"Caveat emptor has no application
"here; that rule applies only to
"such representations as to the
"truth of which the purchaser
"by diligence could inform
"himself.
"Here the representation was

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" that a known lender of money
" on collaterals Lyuck, had
" loaned Mrs Schoonmaker
" \$5000 on certain diamonds.
" If this representation was true,
" it would justify anyone in
" believing that the diamonds
" were worth more than \$5000.
" Both prisoners represented to
" complainants that this was
" true.
" They exercised due diligence
" when they asked them if it
" was true.
" Here they represented that a
" certain thing had happened:
" viz - that a lender of money
" had loaned \$5000 on the
" goods - which if it had so
" happened would show the
" diamonds were worth that
" sum and relying on that
" representation and believing
" it was true they advanced
" the money.
" The representation was false
" and was made by both
" Lyuck and Schoonmaker

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" knowing it to be false for
" the very purpose of inducing
" complainants to part with
" their money.

" The intent to cheat and
" defraud constituting the
" offence was accomplished
" by means of false pretences
" designedly used having a
" material effect upon the
" minds of the complainants,
" to that extent, that without
" such false pretences they
" would not have parted
" with their money.

" The complainants were
" helpless having no means
" of detection of the false
" pretences at hand.

On the examination before the
Magistrate, I did not press the
admission of the entire evidence
of Rev. Chas. Zucker, but contented
myself with his identification
of the female prisoner.

In the Bilscofsky decision,

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(3rd Hum Page 40) it was held
that such testimony was
admissible to show the intent
of the accused in the particular
offense as well as to show the
falsity of the pretense upon
which the money was obtained.

It seems to me that this
case clearly comes within the
Statute - viz:-

Part IV Chap 1 Title 3 Art 4 § 58
of the Rev. Statutes page 948
6 ed.

Very Respectfully

Your Obedt Servant.

R. P. Hoak
to

Daniel L. Rollins Esq.
Asst. District Atty.
New York

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GEORGE BLISS,

WILLIAM T. SCHLEY.

Bliss & Schley,
Attorneys and Counsellors,

11 PINE STREET,
(Corner of Nassau St.)

New York, Feb 13 1882

Dear Sir

I enclose a brief
which I previously
sent Mr. Kern to submit to him
some time since. As
he is, I understand, sick
and you are in charge,
I send it to you, hoping
that the case may not

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COUNTY OF NEW YORK, ss.

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING :

An indictment having been found on the 5th day of October
1887, in the Court of General Sessions of the Peace, of the County of
New York, charging John T. Lynch

with the crime of Perjury

You are therefore Commanded forthwith to arrest the above named John T.
Lynch and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York.

New York City, the 27 day of Sept 1887.

By order of the Court,

John M. Ken

Clerk.

District Attorney
City and County of New York

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N. Y. General Sessions of the Peace

THE PEOPLE
OF THE STATE OF NEW YORK,

against

Bench Warrant for Felony.

Issued

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The officer executing this process will make his
return to the Court forthwith.

Sept 28th 1882

The within named
defendant was
Arrested this day
by Det. Reilly
& Von Geuchten
com. in default
of \$3000 bail

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GEORGE BLISS.

WILLIAM T. SCHLEY.

Bliss & Schley,
Attorneys and Counsellors,

11 PINE STREET,

(Corner of Nassau St.)

DURING ALTERATIONS, ENTRANCE AT 9 NASSAU ST.

New York, Sept 30 1882

Dear Sir

In the matter of J. J. Lynch
you may remember - I raised
a question as to the validity of
the indictment. At your request
I wrote a letter to you stating the
points and received a letter
from Col. Fellows saying - as I
remember it - that my point
seemed good and that he
would look into it and let
me know. Under those cir-

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conditions it runs true.

You cannot in good faith
ask speech for real attacks
when an opportunity is given to
make tongue a weapon.

Respectfully
George Allen

Harold R. Ken

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

The People of the State
of New York.

— against —
John J. Lynch.

The Grand Jury of the City and County of New York by this indictment accuse John J. Lynch of the crime of Perjury, committed as follows:

That on the third day of May in the year of our Lord one thousand eight hundred and eighty-one and theretofore at the City and County aforesaid there was depending in the Supreme Court of the State of New York, a court then and there having jurisdiction thereof, a certain cause, suit and action in which one Edward B. Rogers and one John Fay were plaintiffs and one John J. Lynch and one Charles S. Heasey, otherwise called Mary Schoonmaker were defendants and which said suit, cause and action was brought by the said Edward B. Rogers and

John Fay as such plaintiffs as aforesaid against him the said John J. Lynch and her the said Marie S. Hasey otherwise called Mary Schoonmaker as such defendants as aforesaid to recover the sum of five thousand dollars as and for damages claimed to be suffered and sustained by them the said Edward B. Rogers and John Fay by reason of a fraud alleged to be practiced and perpetrated upon them the said Edward B. Rogers and John Fay by them the said John J. Lynch and Marie S. Hasey otherwise called Mary Schoonmaker in a transaction concerning certain diamonds as by reference to the pleadings and proceedings in said suit, cause and action now on file in the office of the clerk of the city and county of New York more fully and at large appears. That issue was duly and regularly joined in said suit, cause and action by and between the said Edward B. Rogers and John Fay as such plaintiffs as aforesaid

and the said John J. Lynch and
 Marie S. Hasey otherwise called Mary
 Schoonmaker as such defendants as
 aforesaid and thereafter the said
 suit, cause and action and the
 issue so joined therein as aforesaid
 came and was brought on at the
 city and county aforesaid on the
 said third day of May in the year
 of our Lord one thousand eight
 hundred and eighty-one regularly
 and in due form ^{of law} to be tried in
 said court whereat the Honorable George C.
 Barnett who was then and there
 a justice of said court was as
 such justice then and there presiding
 and a certain jury of the said
 county regularly and in due form
 of law summoned, empanelled and
 sworn between the said parties and to
 try such issue as aforesaid between
 such plaintiffs and defendants as
 aforesaid and the said suit, cause
 and action and the issue so joined
 therein as aforesaid were then and
 there regularly and in due form
 of law on the said third day of May

in the year of our Lord one thousand
 eight hundred and eighty-one at
 the city and county aforesaid tried
 by and before ^{said} the Honorable George C.
 Barnett as such justice so presiding
 as aforesaid and the aforesaid
 jury and he the said John T. Lynch
 at and upon such trial as aforesaid
 then and there on the day and in
 the year last aforesaid at the city
 and county aforesaid offered himself
 as a witness on his own behalf and
 was then and there in due form
 of law sworn by and before and
 took his corporal oath before the
 said the Honorable George C. Barnett
 as such justice so presiding as
 aforesaid to speak the truth the
 whole truth and nothing but the
 truth touching the matters in issue
 in said suit, cause and action (he
 the said the Honorable George C. Barnett
 as such justice so presiding as
 aforesaid having then and there full
 and competent power and authority
 to administer the said oath to him the
 said John T. Lynch in that behalf) ✱

and then and there the following amongst others ~~things~~ ^{material} became and were matters in substance and to the effect following, that is to say:

Whether one Marie S. Heasey otherwise called Mary Schoonmaker and Edward B. Rogers one of the aforesaid plaintiffs about the thirteenth day of February in the year of our Lord one thousand eight hundred and seventy nine together entered the office of him the said John J. Lynch situate at Number Nine hundred and eighteen Broadway in the City and County of New York and asked him the said John J. Lynch for a loan on some diamonds and whether he the said John J. Lynch knew her the said Marie S. Heasey otherwise called Mary Schoonmaker when he the said John J. Lynch, swore as herein stated that she the said Marie S. Heasey otherwise called Mary Schoonmaker and he the said Edward B. Rogers together entered the aforesaid office of him the said John J. Lynch about the thirteenth day of February in the year of our

Lord one thousand eight hundred
 and seventy nine and asked for
 a loan on some diamonds, whether
 he the said Edward B. Rogers then
 and there said that she the said
 Marie S. Hascy otherwise called
 Mary Schoonmaker wished to get
 a loan on diamonds and whether
 he the said John T. Lynch then and
 there said that he the said
 John T. Lynch did not make any loans,
 that his mode of doing business
 was to buy and give her the said
 Marie S. Hascy otherwise called
 Mary Schoonmaker a promissory bill
 of sale back, and at the expiration
 of thirty days she the said Marie S. Hascy
 otherwise called Mary Schoonmaker
 could buy back the diamonds upon
 the payment of a certain commission
 to him the said John T. Lynch;
 Whether she the said Marie S. Hascy
 otherwise called Mary Schoonmaker
 then and there showed him the said
 John T. Lynch any diamonds and
 wanted a loan of seven thousand
 five hundred dollars on them
 and whether he the said John T. Lynch

then and there told her that she the said
 Marie S. Hascy otherwise called Mary Schoonmaker
 would have to sell them to him the said John T. Lynch;
 Whether she the said Marie S. Hascy otherwise
 called Mary Schoonmaker then and there
 asked him the said John T. Lynch if he the said
 John T. Lynch would give her five thousand
 dollars for any diamonds and give
 her the privilege of buying them back
 in thirty days, and whether he the said
 John T. Lynch then and there consented
 to give and gave her five thousand dollars
 for any diamonds and a promissory bill
 of sale for their return to her.
 Whether he the said John T. Lynch had
 ever known or seen her the said
 Marie S. Hascy otherwise called Mary Schoonmaker
 prior to the time he the said John T. Lynch
 swore and testified as herein stated that
 she the said Marie S. Hascy otherwise called
 Mary Schoonmaker and he the said
 Edward B. Rogers called about the thirteenth
 day of February in the year of our Lord
 one thousand eight hundred and seventy nine
 at the aforesaid office of him, the said
 John T. Lynch and asked for a loan on diamonds;
 Whether about the eleventh day of March
 in the year of our Lord

one thousand eight hundred and seventy nine
 the said Edward B. Rogers came into
 the said office of him the said
 John T. Lynch with the said
 Marie S. Hascy otherwise called Mary Schoonmaker
 and whether she the said Marie S. Hascy
 otherwise called Mary Schoonmaker then
 and there said she came for her diamonds.
 Whether he the said John T. Lynch then and
 there took the said diamonds out of
 a safe and placed them on a table,
 and whether she the said Marie S. Hascy
 otherwise called Mary Schoonmaker then and there
 said she wanted to speak to the said
 Edward B. Rogers, and whether she the said
 Marie S. Hascy otherwise called Mary Schoonmaker
 then and there spoke to him the said Edward B. Rogers;
 Whether about the fourteenth or fifteenth day
 of March in the year of our Lord
 one thousand eight hundred and seventy nine
 they the said Edward B. Rogers and the said
 Marie S. Hascy otherwise called Mary Schoonmaker
 went into a room in the aforesaid office
 of him the said John T. Lynch and there
 and there talked for a long time and then
 called him the said John T. Lynch
 into said room and whether he the said
 Edward B. Rogers then and there said to him

the said John T. Lynch that she the said
 Marie S. Hascy otherwise called Mary Schoonmaker
 was a cousin of his said Rogers and
 wanted him the said Edward B. Rogers
 to pay the money for the diamonds and
 that he the said Edward B. Rogers was
 satisfied to pay the money for the diamonds
 provided he could bring an expert to look at them;
 Whether he the said Edward B. Rogers then
 and there, asked him the said John T. Lynch
 whether he the said John T. Lynch would have
 any objection to his said Edward B. Rogers
 bringing an expert and whether he the said
 John T. Lynch then and there said "certainly not";
 Whether he the said Edward B. Rogers then
 and there took him the said John T. Lynch
 aside and said to him the said John T. Lynch
 that she the said Marie S. Hascy otherwise called
 Mary Schoonmaker is a cousin of his said
 Rogers that she gave a large amount
 for these diamonds on the other side,
 that she says she will go to her lawyer
 and have these goods replevied because
 he the said John T. Lynch charged her usurious interest;
 Whether on the seventeenth day of March
 in the year of our Lord one thousand
 eight hundred and seventy nine
 at the aforesaid office of him the said John T. Lynch

the said Edward B. Rogers pointed to the said
 John Jay one of the aforesaid Plaintiffs
 and said to him the said John T. Lynch,
 that he the said John Jay was his said Rogers's report;
 Whether she the said Marie S. Hascy otherwise
 called Mary Schoonmaker then and there handed
 him the said John T. Lynch a bill of sale
 of said diamonds, and said she was ready
 to take her diamonds provided they were
 just as she left them, let her see and
 examine them first;
 Whether he the said John T. Lynch then
 and there took the said diamonds out
 of a safe put them on a table, and
 whether the said John Jay examined them
 very carefully;
 That the said John T. Lynch being so
 duly sworn as aforesaid, and then and
 there being lawfully required to depose
 as aforesaid the truth in the said suit,
 cause and action and in the issue aforesaid,
 then and there upon his oath aforesaid
 on the said third day of May in the year
 of our Lord one thousand eight hundred
 and eighty one at the City and County
 aforesaid upon the trial aforesaid in
 the suit, cause and action aforesaid before
 the Honorable George C. Barrett as

such justice so presiding as aforesaid and
 such jury as aforesaid did wickedly, wilfully,
 falsely, feloniously, and corruptly say and
 swear, make oath, testify and depose among
 other things in substance and to the effect
 following that is to say:
 that a lady [the said Marie S. Hasey otherwise
 called Mary Schoonmaker meaning thereby]
 and a gentleman [the said Edward B. Rogers meaning thereby]
 about the thirteenth day of February in the year of our Lord
 one thousand eight hundred and seventy nine entered
 [entered together meaning thereby] the office of him that is
 John T. Lynch situate at nine hundred and eighteen
 Broadway [nine hundred and eighteen, ^{Broadway} in the City and
 County of New York meaning thereby] and asked
 [asked him the said John T. Lynch meaning thereby]
 for a loan on some diamonds: that he the said John T. Lynch
 did not then and there know the lady [her the said
 Marie S. Hasey otherwise called Mary Schoonmaker meaning thereby]
 that he the said John T. Lynch then and there said
 that he did not make any loans, that his mode of
 doing business was to buy and give her [the said
 Marie S. Hasey otherwise called Mary Schoonmaker meaning thereby]
 a promissory bill of sale back and at the expiration of
 thirty days she could buy back the diamonds upon
 the payment of a certain commission to him
 the said John T. Lynch:
 that the said Marie S. Hasey

otherwise called Mary Schoonmaker meaning thereby
 then and there showed him the said
 John T. Lynch some diamonds and
 wanted a loan of seventy five
 hundred dollars on them;
 that he the said John T. Lynch then and
 there told her the said Marie S. Hascy
 otherwise called Mary Schoonmaker
 that she would have to sell them to him,
 that she the said Marie S. Hascy otherwise
 called Mary Schoonmaker then and there
 asked him the said John T. Lynch
 if he the said John T. Lynch would
 give her the said Marie S. Hascy
 otherwise called Mary Schoonmaker
 five thousand dollars for the diamonds
 and give her the privilege of buying
 them back in thirty days;
 that he the said John T. Lynch then
 and there consented and then and there
 gave her five thousand dollars for
 the diamonds and a promissory bill
 of sale for their return to her;
 that he the said John T. Lynch had not
 known ^{or seen} this lady [her the said Marie S. Hascy
 otherwise called Mary Schoonmaker meaning thereby]
 prior to this time [prior to the time he the said
 John T. Lynch so swore and testified

as aforesaid that she the said Marie S. Hascy
 otherwise called Mary Schoonmaker
 and he the said Edward B. Rogers called
 about the thirteenth day of February
 in the year of our Lord one thousand
 eight hundred and seventy nine at
 the aforesaid office of him the said
 John T. Lynch and asked for a loan
 on diamonds meaning thereby;
 that about the eleventh day of March
 [eleventh day of March in the year of
 our Lord one thousand eight hundred
 and seventy nine meaning thereby]
 that gentleman there [the said
 Edward B. Rogers meaning thereby]
 came in [came into the said office of
 him the said John T. Lynch meaning thereby]
 with the lady [the said Marie S. Hascy
 otherwise called Mary Schoonmaker
 meaning thereby] and then and there
 said she came for her diamonds;
 that he the said John T. Lynch then
 and there took the said diamonds
 out of the safe and placed them on
 the table and she [the said Marie S. Hascy
 otherwise called Mary Schoonmaker meaning
 thereby] then and there said she wanted
 to speak to this gentleman

[the said Edward B. Rogers meaning thereby]
 and that she [the said Marie S. Hasey
 otherwise called Mary Schoonmaker meaning thereby]
 then and there spoke to him the said
 Edward B. Rogers;
 that about the fourteenth or fifteenth
 day of March in the year of our Lord
 one thousand eight hundred and twenty nine, they
 [the said Edward B. Rogers and the said
 Marie S. Hasey otherwise called Mary Schoonmaker
 meaning thereby] went in there [maison
 in the aforesaid office of him, the said
 John J. Lynch meaning thereby]
 and there talked for a long time
 and then called him the said John J. Lynch
 into said room and he the said
 Edward B. Rogers then and there said
 to him the said John J. Lynch that
 the lady [she the said Marie S. Hasey
 otherwise called Mary Schoonmaker meaning thereby]
 was a cousin of his said Rogers and
 wanted him the said Edward B. Rogers
 to pay the money for the diamonds
 and that he the said Edward B. Rogers
 was then and there satisfied to pay
 the money for the diamonds provided
 he could bring an expert
 to look at them.

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that he the said Edward B. Rogers then
and there asked him the said John T. Lynch
whether he would have any objection
to his bringing an expert and that
he the said John T. Lynch then and
there said "certainly not":
that he the said Edward B. Rogers
then and there took him the said
John T. Lynch aside and said to him
the said John T. Lynch that this lady
[she the said Marie S. Hascy otherwise called
Mary Schoonmaker meaning thereby]
is a cousin of his said Rogers that
she gave a large amount for those diamonds
on the other side, that she says she will
go to her lawyer and have these goods
replevied because he the said
John T. Lynch charged her usurious interest:
that on the seventeenth day of March
in the year of our Lord one thousand
eight hundred and seventy nine
at the aforesaid office of him the said
John T. Lynch the said Edward B. Rogers
pointed to Mr. Fay [the said John Fay
meaning thereby] and said to him
the said John T. Lynch this [he the said
John Fay meaning thereby] is his expert
[is his said Rogers's expert meaning thereby]

that the lady [the said Marie S. Hascy
otherwise called Mary Schoonmaker meaning thereby]
handed him the said John J. Lynch
the bill of sale of said diamonds and
said that she was ready to take
her diamonds provided they were just
as she left them, let her see and
examine them first;
that he the said John J. Lynch then and
there took the said diamonds out
of the safe, put them on a table
and Mr. Fay (the said John Fay
meaning thereby) examined them very carefully.
Whereas in truth and in fact, she the said
Marie S. Hascy otherwise called Mary Schoonmaker
and he the said Edward B. Rogers did not
on or about the thirteenth day of
February in the year of our Lord
one thousand eight hundred and twenty nine
or ever together enter the office of
him the said John J. Lynch situate
at number nine hundred and eighteen
Broadway in the City and County of
New York or elsewhere and ask him
the said John J. Lynch for a loan
on any diamonds whatever as
he the said John J. Lynch
then and there well knew:

Whereas in truth and in fact, he the said John T. Lynch well knew her the said Marie S. Hascy otherwise called Mary Schoonmaker, when he the said John T. Lynch swore as herein stated that she the said Marie S. Hascy otherwise called Mary Schoonmaker and he the said Edward B. Rogers together entered the aforesaid office of him, the said John T. Lynch about the thirteenth day of February in the Year of our Lord one thousand eight hundred and seventy nine and asked for a loan on some diamonds. Whereas in truth and in fact, he the said John T. Lynch did not then and there or ever say that he the said John T. Lynch did not make any loans, that his mode of doing business was to buy and give her the said Marie S. Hascy otherwise called Mary Schoonmaker a promissory bill of sale back and at the expiration of thirty days she the said Marie S. Hascy otherwise called Mary Schoonmaker could buy back the diamonds upon the payment of a certain commission to him the said John T. Lynch or anything whatever to the foregoing purport or effect, as he the said John T. Lynch then and there well knew:

Whereas in truth and in fact, she the said Marie S. Hasey otherwise called Mary Schoonmaker did not then and there or ever show him the said John S. Lynch any diamonds and wanted a loan of seven thousand five hundred dollars on them and he the said John S. Lynch did not then and there tell her that she the said Marie S. Hasey otherwise called Mary Schoonmaker would have to sell them to him the said John S. Lynch, all which he the said John S. Lynch then and there well knew.

Whereas in truth and in fact, she the said Marie S. Hasey otherwise called Mary Schoonmaker did not then and there ask him the said John S. Lynch if he the said John S. Lynch would give her five thousand dollars for said or any diamonds whatever, nor ask him the said John S. Lynch to give her the privilege of buying them back in thirty days as he the said John S. Lynch then and there well knew.

Whereas in truth and in fact, he the said John S. Lynch did not then and there as aforesaid sworn by him consent

to give nor did he then and there
 or ever give her the said Marie S. Hasey
 otherwise called Mary Schoonmaker
 five thousand dollars for said or
 any diamonds whatever nor
 a promissory bill of sale for their return,
 as he the said John T. Lynch
 then and there well knew.
 Whereas in truth and in fact, he the said
 John T. Lynch very well knew and
 often saw her the said Marie S. Hasey
 otherwise called Mary Schoonmaker
 prior to the time he the said John T. Lynch
 swore and testified as aforesaid, that
 she the said Marie S. Hasey otherwise
 called Mary Schoonmaker and he the said
 Edward B. Rogers called about the thirteenth
 day of February in the year of our Lord
 one thousand eight hundred and seventy nine
 at the aforesaid office of him the said
 John T. Lynch and asked for a loan on
 diamonds, as he the said John T. Lynch
 then and there well knew.
 Whereas in truth and in fact, the said
 Edward B. Rogers did not on or about
 the eleventh day of March in the year
 of our Lord one thousand eight hundred
 and seventy nine come into

the said office of him the said
 John T. Lynch with the said
 Marie S. Hascy otherwise called
 Mary Schoonmaker nor did she the said
 Marie S. Hascy otherwise called
 Mary Schoonmaker then and there
 say that she came for her diamonds
 as he the said John T. Lynch
 then and there well knew:
 Whereas in truth and in fact, he the said
 John T. Lynch did not then and
 there take said diamonds out
 of any safe, whatever nor place them
 on any table ^{whatever} as he the said
 John T. Lynch then and there well knew:
 Whereas in truth and in fact, she the said
 Marie S. Hascy otherwise called
 Mary Schoonmaker did not then
 and there say that she wanted
 to speak to the said Edward B. Rogers
 nor did she then and there speak
 to him the said Edward B. Rogers
 as he the said John T. Lynch
 then and there well knew:
 Whereas in truth and in fact they the said
 Edward B. Rogers and the said
 Marie S. Hascy otherwise called
 Mary Schoonmaker did not

on or about the fourteenth or fifteenth
 day of March in the year of
 our Lord one thousand eight hundred
 and seventy nine or ever go into
 any room in the aforesaid office
 and there talk for a long time
 and then and there call him
 the said John T. Lynch into
 said room, nor did he the said
 Edward B. Rogers then and there
 say to him the said John T. Lynch,
 that she the said Marie S. Kasey
 otherwise called Mary Schoonmaker
 was a cousin of his said Rogers,
 and wanted him the said
 Edward B. Rogers to pay the money
 for the diamonds, and that he the said
 Edward B. Rogers was satisfied
 to pay the money for the diamonds
 provided he could bring an expert
 to look at them, nor did he the said
 Edward B. Rogers then and there
 say any thing whatever to that purport
 or effect as he the said John T. Lynch
 then and there well knew.
 Whereas in truth and in fact he the said
 Edward B. Rogers did not then and there
 ask him the said John T. Lynch

whether he the said John J. Lynch would have any objection to his the said Edward B. Rogers's bringing an expert nor did he the said John J. Lynch then and there say "certainly not" as he the said John J. Lynch then and there well knew. Whereas in truth and in fact he the said Edward B. Rogers did not then and there take him the said John J. Lynch aside and say to him the said John J. Lynch, that she the said Marie S. Hasey otherwise called Mary Schoonmaker is a cousin of ^{his} said Rogers, that she gave a large amount for these diamonds on the other side, that she says that she will go to her lawyer and have these goods replevied, because he, the said John J. Lynch charged her usurious interest, nor did he the said Edward B. Rogers then and thereover say to him the said John J. Lynch anything whatever to that purport and or effect as he the said John J. Lynch then and there well knew.

Whereas in truth and in fact he the said Edward B. Rogers did not on the seventeenth day of March in the year of our Lord one thousand eight hundred and seventy nine or ever at the aforesaid office of him the said John T. Lynch point to the said John Fay, and say to him, the said John T. Lynch, that he the said John Fay was his said Rogers's expert, as he the said John T. Lynch then and there well knew: Whereas in truth and in fact, the said Marie S. Hascy otherwise called Mary Schoonmaker did not then and there hand him the said John T. Lynch said or any bill of sale of said or any diamonds nor then and there say that she was ready to take her diamonds provided they were just as she left them, let her see and examine them first, nor did she the said Marie S. Hascy otherwise called Mary Schoonmaker then and there

say anything whatever to that purport
 or effect as he the said John T. Lynch
 then and there well knew.
 Whereas in truth and in fact, ^{he the said}
 John T. Lynch did not then and
 there take said or any diamonds
 out of ~~the~~ ^{any} safe nor did he ^{they did there} put
 them on any table whatever
 as he the said John T. Lynch
 then and there well knew.
 Whereas in truth and in fact, ^{he the said}
 John Fay did not then and
 there as sworn by the said
 John T. Lynch as aforesaid
 examine said or any diamonds
 carefully or at all, as he the said
 John T. Lynch then and there well knew.

And so the grand jury
 aforesaid upon their oath aforesaid
 do say that the said John T. Lynch
 at the City and County aforesaid
 on the aforesaid third day of May
 in the year of our Lord one thousand
 eight hundred and eighty one
 before the Honorable George C. Barrett
 such Justice as aforesaid (he the said
 George C. Barrett as such Justice aforesaid

having then and there full,
competent and lawful power and
authority to administer the said
oath to him the said John J. Lynch
in that behalf & of his own act
and accord feloniously, wilfully,
wickedly, maliciously and corruptly
did commit wilful and corrupt
perjury against the form of
statute in such case made
and provided and against
the peace of the people of
the State of New York
and their good rights.

Daniel G. Rollins
District Attorney

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**END OF
BOX**