

0946

BOX:

501

FOLDER:

4575

DESCRIPTION:

Jacobs, William

DATE:

11/22/92



4575

Witnesses:

Robert Seiger
off daily at

Counsel,

Filed day of Nov 1892

Pleas,

Myself Deed

THE PEOPLE

vs.

William Jacobs

[Section 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520]
Burglary in the Third Degree

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

John G. Sullivan

Foreman.

People
 10
 Jacobs } I.
 } Grand Larceny.

1892 Sept 26. Indicted for taking a truck valued at
 \$125.00 the property of one Frank Whittle

People
 10
 Jacobs } II.
 } Burglary 3d degree &c.

1892 Nov 22. Indicted for going in stable
 and taking horse and &c.
 valued at \$100.5

COURT OF GENERAL SESSIONS OF-~~THE~~ PEACE
IN AND FOR THE CITY AND COUNTY OF NEW YORK.

-----X
THE PEOPLE OF THE STATE OF NEW YORK;

-against-

W I L L I A M J A C O B S
-----X

SIR:-

PLEASE TAKE NOTICE that upon the annexed affidavit the Indictments and all papers and proceedings had herein, I will move this Honorable Court, in Part I thereof, at the Criminal Court Building, New York City, on the 9th day of September 1895, at 10.30 A. M. or as soon thereafter as counsel can be heard.

I:- That the Indictments filed against the defendant be dismissed or

II:- That he be discharged upon his personal recognizance and ~~shall~~ for such other order as to this Honorable Court shall seem just and proper.

Dated, New York, September 7th, 1895.

Yours &c.,

Abraham Levy

Attorney for Defendant,
61-65 Park Row,
123-125 World Building,
New York City.

TO

JOHN R. FELLOWS, Esq.,
District Attorney,
New York.

COURT OF GENERAL SESSIONS OF THE PEACE
IN AND FOR THE CITY AND COUNTY OF NEW YORK.

-----X
THE PEOPLE OF THE STATE OF NEW YORK ;

-against-

W I L L I A M J A C O B S
-----X

CITY AND COUNTY OF NEW YORK, SS:--

HANNAH SCHNAIR being duly sworn deposes and says:
I am the sister of the above named defendant and reside at No.
111 Madison Street in this City.

That the deponent previous to the alleged crimes
charged against him, ~~he~~ was never arrested and charged with
the commission of any offense.

That on two previous occasions my said brother was
confined at the Insane Hospital at Wards Island and discharg-
ed therefrom as having been cured.

That upon a trial had in this Court on February
24th, 1893, the Jury found that the said defendant was insane
at the time of such trial and he was thereupon sentenced to
the Mattewan Asylum and that he is still confined therein.

That deponent visited said institution about
five weeks ago at which time she met said defendant with whom
she conversed, and that he conducted himself, and his conver-
sation was in every way the act and saying of a sane person.

That in deponent's belief that at the time of the
commission of the offenses charged against said defendant, he
was not accountable therefore by reason of his temporary

-2-

aberation of mind, and that he did not intend to commit any offense against the laws of this State.

That deponent prays this Court that an order be made discharging the defendant upon his personal recognizance, or a dismissal of the indictments pending against him, and that the Court further order that the defendant be placed in the custody of deponent who is ready and willing to care and provide for him.

Sworn to before me this
6th day of September, 1895.

;
;
;*Hannah Schmaier*

Phil. Waldheimer
Notary Public
N.Y.C.

4

General Sessions,

The People *vs*

William Jacobs.

Affidavit and notice
of motion

ABRAHAM LEVY,
Attorney for *Defendant*
61-65 PARK ROW, (World Building.)
NEW YORK CITY.

Service of a copy of
the within papers hereby
admitted
myself, the 29th
day of Sept. 1907.

0953

D.

STATE OF NEW YORK.

Mattawaun State Hospital.

H. E. ALLISON, M. D.
Medical Superintendent

Fishkill Landing,

July 15, 1895 189

Abraham Levy, Esq.,
#123--125, World Building,
New York City.

Dear Sir:--

I have your letter of the 12th inst in the matter of
William Jacobs.

I regret to state that his condition is not such as to warrant
me in recommending his discharge to the District Attorney on the one
hand, or advising you to take him out on bond on the other. Just at
present he would appear to be in condition to resume his home life
and take care of himself, but during the past year he has had several
remissions of his trouble which have each and all been followed by a
period of profound depression during which he has been careless of
his appearance, violent in his behavior and inclined to refuse food.
He states that he is able to control these periods of confusion, but
that he feels at those times that there is no use in doing so. This
statement itself shows loss of and perversion in, reasoning capacity,
and is very likely untrue. He has been told that if he did control
them, ~~He~~ he would do all that was necessary to insure his discharge.
His present period of remission has been too short to assure me that
confusion will not again follow.

Address all Official Communications to the Medical Superintendent. Visitors admitted Daily from 2 to 5 P.M., excepting Sundays, Fridays and Legal Holidays.

0954

STATE OF NEW YORK.

Wattamawog State Hospital.

H. E. ALLISON, M. D.
Medical Superintendent.

Fishkill Landing,

(2)

189

As you have requested, I enclose you herewith forms
of bond.

Respectfully yours,

H. E. Allison

(ENCLOSURE)

Medical Superintendent.

Address all Official Communications to the Medical Superintendent. Visits, admitted only, on Wednesdays, Fridays and Legal Holidays.

Several Sessions.

The People,

vs.

William Jacobs.

Letter from Dr. Allison.
Expt. of Maltewman
Maurice Orylman

ABRAHAM LEVY,

Attorney for *Superior*

61-65 PARK ROW, (World Building)

NEW YORK CITY.

0955

20th Oct 29th

Va 17 1873

Many thanks to
District Attorney
Dear Sir,

At your request
I visited William Jacobs
a prisoner at the Toronto
police lock who is held
under indictment. I also
interviewed the various
keepers & watchmen.

As the result of
my examination I believe
that Jacobs is a person
of weak & unsteady mind
and the subject of Dep--

active masturbation is an-
 if - It is quite possible
 that he may simulate a
 has been alleged earlier sign-
 of other forms of imitating
 for a purpose that he
 found symptoms point
 to consistent attitude
 of mental process that
 is seen.

I think he is a
 subject for an asylum
 rather than a prison
 and must be removed that
 he be sent to the State
 Institution for insane criminals
 at Joliet.

Very truly
 your obedient servant

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE

^{vs.}
Wm. Jacobs -
was arraigned
on Dec 14th
for trial - He
appeared in court
if he was coming
so much so that
Plaintiff did not
wish to go to court.
District Attorney.

The officers of the
Court say he will
appear for the case

0959

2257

District Attorney's Office.

Mr. Jones

6/1/92

Dear Mr. Jones:

I am writing to you

in regard to the

case of 6/1/92 by

your attorney and

the District Attorney

will call you. PK

Was the indictment
tried as well as
the question of
defendants'
mental condition
at time of trial?

What is the
status of the
case?

0961

1689
District Attorney's Office.

PEOPLE

vs.

William Jacobs

Burglary

to Lunder, Please

have this deft
indicta for
burglary. The
witnesses have
been served to
appear before the
G.J. tomorrow
(Tuesday)

H. D. Macdonald

0962

A.C. Morley
J.L. Morley
1478 Pleasant
J. Morley
1679 Ave A
J. Morley
1437 Ave C.
J. Walch
882 10th Ave.
J. O'Leary
1335 2nd Ave.

0963

1689
District Attorney's Office.

PEOPLE

vs.

~~Miss G.~~

Mr. Rosa

43 Henry St

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

vs.

~~the~~ Prisoners
has been brought
down to Court
several times -

I think this
prisoner - Shugart
be Examined - for
the Contingency Bill, &c.
While at the District Attorney.

Twenty - Have told
Prisoners Spent to

no one. ^{Y.S.}
Dec 19-92 A.S.A.

0965

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE

vs.

Hyman Sigel

57 West 5th

did not respond

to subpoena

for Wednesday Nov 16

District Attorney.

0966

1725

Folio

TO THE CHIEF CLERK.

put
Please send me the Papers in the Case of
PEOPLE
VS.

Wm Jacob

G.L.

*on in Part III
for Nov 21*

H. W. H. H.

District Attorney.

New York,

Nov 16 1892

0967

No. 2.

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE

Subpoena

vs.
Hyman Lipat

57 Hester St

New York City

Barlow

Works for

District Attorney.

Jordan's Motion

Park Avenue

0968

1725

Folio

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE
VS.

Jacob
This defendant is
Crazy & the Case
is filed on the
Calendar only to
have him committed
to an asylum
Tollinger

District Attorney.

New York,

May 14 1893

Subpoena

Wm Hamilton

no Eng

0969

Patients desiring to write letters must apply to the Medical Officer on Saturday morning.
Letters containing news about other patients will not be forwarded.
Friends of Patients are requested not to send money or tobacco.

Letters of inquiry concerning patients should be addressed to
H. E. ALLISON, M. D.,
MEDICAL SURT MATTEWAN STATE HOSPITAL,
FISHKILL LANDING, N. Y.

Write here the Address of the person to whom this letter is to be sent.

1 So. Jacobs
Mrs. Hannah Shiner
#11 Madison Street
New York City
N. Y.

Fishkill Landing, N. Y., August 5 1895

Dear sister!

I am feeling well hoping you are the same. Dr. Allison has arrived from his vacation. Just writing after noon so I have not much to write at present and let me know-how things are. I want Flora & send my regards to all at home.

I remain your truly
H. E. Allison

Unwashed soon.

General Sessions
City and County of New York

The People &c.
— against —
William Jacobs.

City and County of New York ss:

Hannah Schwaib
being further duly sworn, do depose
and say I am the same person
who on the 6th day of September 1895
made an affidavit in the above
entitled case.

That upon the occasion of my visit
to see my brother the defendant which
I now fix as being on the 31st day of
July 1895. I was in his company
for about three hours and everything
relating to family matters was
talked about between us, his
replies and questions put to me
were in every way rational, - he
used correct and decent language
and expressed to me that inasmuch
as he was perfectly cured, he saw
no reason why he should still
be confined at the Insane Asylum

Noted J.W.

I fix the time of my visit at this time, ^{from the back} that I have found a letter from the defendant which I received ^{five} ~~three~~ days after being at Mallowan, which said letter and the envelope addressed to me I attach hereto as part of this my affidavit. I know the writing both of the letter and the address of the envelope and say that the same was written by the defendant.

I am ready and willing to care and provide for my brother and am able so to do, and I further say that I am in a position to furnish good and sufficient surety to the people of the State of New York, that the said defendant upon his release from the said Insane Asylum, will not become a charge upon the Comptroller of New York or of any other County for his support and maintenance.

Sworn before me this 13th day of Sept. 1871
 Phil. Waldbein
 Notary Public
 N.Y. Co.

E. Hannah Schmale

the District say
can not more
for the trial
of an insane
deft and upon
the grounds
presented the
Court is without
power to grant
the relief asked.

Arthur J. Lewis

Sept 19/95.

General Sessions Court

The People vs

vs

William Jacobs.

Additional Affidavit

ABRAHAM LEVY,

Attorney for Defendant

61-65 PARK ROW, (World Building.)

NEW YORK CITY.

0972

Officer M. Dailey.

I was standing on New Bower near Roosevelt, saw the crowd and went down. When I got there the truck was in front of Mr. Henschels store. Jacobs was standing on the sidewalk near the truck. He did not go to run away. I asked him where he was going with the truck. "I only want it for a little while. I have a jag around the corner". I asked many questions about the truck but he would not answer any of them. I thought he was timid on account of the crowd. I asked him several times what I would do with the horse. I asked "if I would put him on livery". "to tell me where he lived and I would send the horse home" + many similar questions. He would make no answer. Then I shook him. "Now said what will I do with the horse". He looked at me and said "what do you think I am, a damn fool". Then he asked a boy in the crowd for a cigarette.

When I asked the questions he held his head down.

On the way to the Station House I asked

0974
a number of questions. He answered none of them. I had a hold of his coat collar, he tried to shake me off, and wanted to walk faster than I was walking. He seemed surly and dogged. In the Station House he refused to answer all questions. He stood with his head down and paid no attention to any questions.

Frank Scheibel.

I chained the wagon to another in the evening. I was away at the time when I came home I heard my truck was stolen, but by that time it had been returned.

Ben Smith. }
Barlow. }

The two boys who stopped Jacobs are not here.

It is said by Jacobs' mother and sister that he has been in the Insane Asylum before.

NEW YORK, Oct 29th 1892.

Accusation of Dr. Jacobs.

Hyman Segel of 57 West St. at 9 o'clock in the evening of Sept 14th 1892 took a horse from that Stable to 1/6 Sullivan St. (place of stabling) leaving the horse in the yard to drink & cool off he went around the corner, returning half an hour after he found the horse being led up Sullivan St. by a man (Dr. Jacobs) he demanded an explanation & took the horse away from the man & returned with it again to 1/6. He cleaned the horse, put away the harness & locked up the stable by means of a padlock Jacobs waited around unperceived for some time then broke the lock (carrying it away with him) entered the stable, found the harness put it on the horse & driving the car started to lead the horse up to New-Berry a distance of 13 or 15 blocks in front of S & New-Berry Street two dragons chained together the property of Mark Heichel, Jacobs backed his horse into the shafts of Heichel's truck & drove away breaking the chain in some way, he had gone about five hundred feet when one of the loungers asked him where he was going.

Hill. Heich's truck he replied "I have a job around the corner
 & will bring it back soon" & drove on - The Man. Not being
 satisfied called to the Policeman in the corner, he
 interrogated Jacobs who under a plausible answer & said
 rather than have any trouble I will go back & turn his
 horse around, goes to St. Charles de Bragan & backs it into
 its original position unaided - Soon it is discovered
 that he stole the truck - he is arrested & takes all the way
 to the Oak St. Station with officers Dailly & Morney - at the
 station the police believing the horse to be his & not suspecting
 otherwise ask him what to do with it he replies "What
 ever you desire please" At the station in the presence
 of officers Dailly & Morney in answer to a question
 replies "What do you take me for a damn fool"

Though he is a Pedlar with a Push Cart & his Mother
 says he never had anything else, when searched a license
 is found upon him for a horse & brayon - recently obtained.
 A Passlock & two Keys also found upon his person.
 The Police still being in ignorance of the burglary of the
 horse next day make a charge only for the stealing of
 the brayon - So it appears that without any shock or great
 mental perturbation to occasion brain trouble, he
 suddenly loses his speech - Yet five minutes before he
 talked to everyone - See how important it is to know
 that burglary - Respectfully Submitted

Robert Clifford Eastland

0977

NEW YORK POLYCLINIC,
A CLINICAL SCHOOL
FOR GRADUATES IN MEDICINE AND SURGERY,
214 TO 218 EAST 34TH STREET.

NEW YORK, Dec 29th 1892.

10/29/92

Dear Mr. Hughes. For two weeks I have been hunting
up the antecedents of Wm Jacobs ^{and} investigating his
crime. He is so clever ^{and} has so skillfully arranged
all the details of his crime that he is liable to
mislead any jury - To convince him to his error his
evidence it will be necessary to show that his acts
were not continuous, but interrupted ^{and} then continued
a most important point in his defense, therefore
if you will examine the papers you will find he
is only held for grand larceny while as a matter
of fact his crime began by a burglary ^{and} followed
by grand larceny - Now it is most important that
this burglary be shown for upon these separate acts I
depend to prove his malice aforethought. Perhaps if I give you
the facts as I have personally followed out the case
tonight you will understand better.

0978

1690

District Attorney's Office.

Recd

10-1-2

please put the
 case on file
 and report the

1901

Adams

2/2/92

The People
v.
William Jacobs

Court of General Sessions. Part I
Before Judge Fitzgerald. February 2nd 1893
A jury was empannelled to determine the
question of the sanity of the defendant.
Allan McLane Hamilton, sworn and
examined, testified.

By Mr. Hare Q You are a practicing physician in this
city, doctor? A. I am, sir.

Q How long have you been such about?
A Sir about twenty three years.

Q During the course of your practice, is it
not true as matter of fact that you
have made mental alienation a particular
branch of your professional study.

A I have.

Q And have been called upon in many
cases in Court and out to determine the
question as to a man's sanity or
insanity? A. I have.

Q You are frequently requested by the pro-
secuting officer of this County, are you not,
doctor, to examine into the mental
condition of people who are confined
in the Jails and under charge of
the commission of some crime.

A Yes, sir, am.

Q You have occupied the chair of Professor-
ship, have you not, regarding mental

2

education in some of our institutions of medicine. A. I have, in the New York poly-clinic for a year.

Q Is it not true that you have written a great many books upon that branch of the profession? A. I have, a number.

Q And they are recognized now as standard authorities in the medical world.

A They are, I believe they are used.

Q Doct^r have you at any time at the request of the District Attorney made an examination of this defendant.

A I have, I made an examination of the defendant, William Jacobs, on the 18th of January of this year.

Q Where was he at the time that you made that examination? A. I was in the doctor's room of the City Prison.

Q How long did the examination take if you recollect, doctor, about.

A It lasted a little less than an hour. I examined the prisoner and the guards, the people who were in contact with him.

Q You were there for the purpose of making an examination regarding his mental condition?

A Regarding his mental condition at the

time - his ability to instruct his counsel and appreciate his condition.

A Be kind enough in your own way to give the results of that examination to his bond and the jury.

A The prisoner was brought into the doctor's room. I was first struck by his manner. His appearance was pretty much as it is today. He was indifferent to his surroundings, and in consequence I could not get him to talk upon any subject connectedly. I asked him varied questions in different ways for the purpose of getting his attention. I found it was impossible to do so. His manner indicated that he was possessed by certain delusions of grandeur. He walked about the room and threw his arm up and pushed his hair back. He looked in the looking glass, and called attention to his good looks and so on, evidently not at all aware of my presence why I was there, although I stated to him, as I always do, that I was a physician, that I had come from the District Attorney's office. I asked him questions about the alleged crime; and I

found that he was resentful towards the people of the jail; that he imagined the people there were trying to injure him, steal his food, to maltreat him in different ways; that he was the object of suspicion upon the part of the other prisoners and their associates. And the result of that examination, so far as my questions were concerned, was barren; I could not get any satisfaction at all from him. I conducted the examination a little bit carefully because it had been intimated to me that he was feigning. While I saw some thing that suggested that he was possibly somewhat cognizant of his being in the Tombs, I still believe that he was seriously and really insane. I confirmed my examination, not relying at all entirely upon what he said by examining the keepers. I examined them very closely, and found that his behavior for months had been disorderly; that he had really been suspicious of people, that he had quarrelled with every one; that he would lie

for hours upon his bed covering himself up; that he would at night be up, noisy and troublesome; and I took these opinions, which I always value very much - men who had been there a great many years, and all intelligent men; and in conjunction with what I found in his case,

I came to the conclusion that he was chronically insane. My idea is that he is an insane man, and has been so for a long time.

He suffers from a form of primary degeneration - insanity. I have no doubt but what he exaggerates his insanity; I have no doubt that he has a certain degree of cunning, but I believe the man to be an insane, habitual criminal.

- ① Now, doctor, taking into consideration the experience that you have had in the examination of people to determine the condition of their mind, the examination that you made of this defendant at the time in the Truro, the personal examination of him, the information which you gathered by consulting and conversing with the guards or the

6

Keepers in the Tombs, what is your opinion now on the mental condition of this defendant, is he sane or insane.

A. He is insane.

Q. Is his insanity of that nature and character that at the present moment he is unable to aid or assist and instruct Counsel in the preparation of his defence.

A. I believe it is.

George DeForest Smith, sworn and examined by Mr. House & Doctor, are you engaged in medical practice in this city at present.

A. I am.

Q. And how long have you been engaged in the practice of that profession?

A. About sixteen years.

Q. Would you mind telling us the institution from which you graduated?

A. The College of Physicians and Surgeons in this city.

Q. And for a period of sixteen years or more you have been actively engaged in practice in this city? A. I have.

Q. During the course of your practice have you had any experience with people regarding the condition of their mind? A. I have.

Q. You have from time to time made examinations so as to be able to ~~tell~~ speak of the mental condition of the people? A. I have.

Q About in a rough estimate, doctor, how many examinations of that character have you made.

A I do not know - a hundred or two hundred.

Q Were you ever connected in any institution where people were treated for their mental condition.

A No, I have not.

Q But you have enough experience to enable you to speak advisedly upon cases where you yourself have made an investigation taking in connection with the history of the case that you have received.

A I think so.

Q Now have you examined this defendant.

A Yes sir I did yesterday in the Tombs.

Q Was there anyone present with you at the time? A. No one except the other inmates of the cell.

Q About how long did that examination last?

A I should judge three quarters of an hour.

Q You went there for the purpose, I take it, of making an examination so as to be able to speak advisedly regarding his mental condition? A. I did.

Q Did you talk with any of the keepers regarding his conduct while he had been there in the Tombs? A. I did.

Q And gathering from them information which with your practical experience and

examination of him personally puts you in a position where you can speak regarding his mental condition at present? A. Yes sir.

Q From the examination which you made of this defendant personally, the history of his case so far as his conduct while he has been confined in the Truhs is concerned, taking those facts together with the experience which you had in cases of this kind, are you in a position now to speak regarding this man's mind.

A I am.

Q I ask you then what is his condition is he sane or insane? A. Insane.

Q At present? A. Yes sir.

Q And his condition, the character of his mind at this time is such that he is unable to advise with and assist counsel in the preparation of his case.

A I think he is not.

Mr. Macdonna: That is the case. The people have no testimony to offer in opposition to this.

The jury rendered a verdict that the defendant was insane.

The Court.

The defendant will be committed to the State Asylum for the insane at Matthewan.

Testimony in the case
of the ^{officer}
People vs. J. A. Jacobs

Filed Sept. 1892

2012

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

THE PEOPLE OF THE STATE OF NEW YORK
against

William Jacob

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

William Jacob

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

William Jacob

late of the *10th* Ward of the City of New York, in the County of New York aforesaid, on the
fourteenth day of *September* in the year of our Lord one
thousand eight hundred and ninety-*two* in the *night* time of the same day, at the
Ward, City and County aforesaid, a certain building there situate, to wit, the *stable* of
one *Hyman Sigel*

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said *Hyman*
Sigel in the said *stable*
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.

SECOND COUNT—

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

William Jacob
of the CRIME OF *Grand LARCENY in the second degree*, committed as follows:
The said *William Jacob*

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, in the *night* time of said day, with force and arms,

one horse of the value of
one hundred dollars

of the goods, chattels and personal property of one

Hyman Sigel

in the

stable

of the said

Hyman Sigel

there situate, then and there being found, in the *stable*
aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute
in such case made and provided, and against the peace of the People of the State of New York
and their dignity.

THIRD COUNT:

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

William Jacobs
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

William Jacobs

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

*one house of the value of one
hundred dollars*

of the goods, chattels and personal property of

Hyman Sigel

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

Hyman Sigel

unlawfully and unjustly did feloniously receive and have; (the said

William Jacobs
then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0991

BOX:

501

FOLDER:

4575

DESCRIPTION:

Jagels, Claus

DATE:

11/21/92



4575

0992

Witnesses:

Geo R Clark

Counsel,

Filed, *21* day of *Mar* 189*2*

Pleads,

Wm Hillyer

THE PEOPLE

vs.

B

Clara Jagers

transferred to the Court of Sessions for trial and final disposal

VIOLATION OF THE EXCISE LAW.
[Chap. 401, § 33, of 1892, § 33.]

Part 2.....18

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

John G. Foreman

Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Colman Jagels

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

of the CRIME OF *Colman Jagels* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

Colman Jagels

late of the City of New York, in the County of New York aforesaid, on the day of *August* ¹⁸⁹⁸ in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

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

of the CRIME OF *Colman Jagels* OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Colman Jagels

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0994

BOX:

501

FOLDER:

4575

DESCRIPTION:

Jelinek, Louis A.

DATE:

11/25/92



4575

Witnesses:

Wm. V. Vetter 25th

310

Counsel,

Wm. V. Vetter
Filed, 25th day of Nov 1895

Pleas,

Wm. V. Vetter

THE PEOPLE

vs.

B

Louis A. Jelinek

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 33.]

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

John E. Sullivan

John E. Sullivan, District Attorney.

Passed & Made Law 1895

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Louis A. Jelueck

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

of the CRIME OF *Louis A. Jelueck*
SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND
BEER ON SUNDAY, committed as follows:

The said

Louis A. Jelueck

late of the City of New York, in the County of New York aforesaid, on the *16th*
day of *October* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against
the form of the statute in such case made and provided, and against the peace of the People of
New York and their dignity.

SECOND COUNT—

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

Louis A. Jelueck
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
WINES, ALE AND BEER, committed as follows:

The said

Louis A. Jelueck

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and
expose for sale to one

Philip Zeller
and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the
form of the statute in such case made and provided, and against the peace of the People of the State
of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0997

BOX:

501

FOLDER:

4575

DESCRIPTION:

Jennings, John

DATE:

11/07/92



4575

Capt. J. Morgan
 Off. Armstrong

189

us.

How Savings

District Attorney.

A TRUE BILL.

John S. Phelps Foreman.

2 mg 10 rubs off
 3 mg 10 rubs off
 3 mg 10 rubs off

Burglary in the Third Degree.

0998

Police Court—Fourth District.

City and County } ss.:
of New York,

Charles J. Morgan
of No. 229 Columbus Avenue Street, aged 38 years,
occupation Manager being duly sworn
deposes and says, that the premises No. 229 Columbus Street, 3rd Ward
in the City and County aforesaid the said being a four story brick
apartment
~~and which was occupied by deponent as a living apartment in the~~
~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly opening the
door leading from the hallway into
apartment

on the 29 day of October 1899 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

One overcoat of the value of forty five
dollars, and a quantity of jewelry of
the value of about three hundred dollars
the property being altogether of the
value of three hundred and forty five
dollars (\$345.00)

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

John Jennings, (now here)

for the reasons following, to wit: That deponent locked and
securely fastened the doors and
windows leading into the premises
that the said property was therein. That
deponent left the premises about the
hour of two o'clock P.M. That when
deponent returned about the hour of
four thirty deponent found that the
said premises had been entered and the

said property taken. That defendant is informed by Police Officer James M. Armstrong of the 24th Precinct that on said date he, the officer, found the defendant on the stairs of the premises. That the officer found part of the property in the person of the defendant, which property defendant fully and positively identifies as part of the property taken as aforesaid and defendant forgoes that said defendant deal with as the law directs
I do hereby certify
J. M. O'Connell
J. M. O'Connell

John M. O'Connell

Police Officer

Dated 188 Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

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

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

Police Court, District.

THE PEOPLE, etc.,
on the complaint of

1. 2. 3. 4.

Offence—BURGLARY.

Dated 188

Magistrate.

Officer.

Clerk.

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

\$ to answer General Sessions.

10001

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

I am not guilty.
John Jennings

Taken before me this

day of

189

Police Justice.

1002

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.....

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

Dated Oct 9 188 John H. Wood 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--- 1369 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Chas J Morgan
John Phillips

[Signature]
Officer

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated Oct 31 1894

Forbis Magistrate.

Armstrong Officer.

Witnesses *Call the officers* Precinct.

No. Street.

No. Street.

No. Street.

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

Common *Bug 3 1/2*
9 1/2

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

James M. Armstrong
aged _____ years, occupation *Officer* of No. *The 74 Precinct* Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *Chas. J. Morgan*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this

day of

189

John P. ...
Police Justice.

1005

No. 957

RECORD.

Name, Marlin J. ReaganAlias, John JenningsDate of Arrest, Oct 29th 1892Place of Arrest, 24th StCause of Arrest, BurglaryDate of Sentence, Nov 11th 1892City where Sentenced, N.Y.C.Name of Court, Genl SessionsTo what Prison, Sing SingTerm of Imprisonment, Three Years & 10 MonthsName of Judge, FitzgeraldArrested by, Det ArmstrongName of Complainant, Charles J. Morgan

Date of Expiration of Sentence, _____

How many times convicted to your knowledge, _____

REMARKS:

urg. seized Compts house.He has served a previous term of One Year in the Penitentiary for stabbing a man

GEO. W. McCLUSKY,

Captain Detective Bureau,

300 Mulberry Street,

New York City.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Jennings

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

John Jennings

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

John Jennings

late of the *2nd* Ward of the City of New York, in the County of New York aforesaid, on the
29th day of *October* in the year of our Lord one
thousand eight hundred and ninety-*two*, with force and arms, in the *day* - time
of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Charles J. Morgan

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said *Charles*
J. Morgan 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.

THIRD COUNT:

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

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

The said

John Jennings
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

one overcoat of the value of forty-five dollars, one pair of earrings of the value of one hundred and ten dollars, one finger ring of the value of eighty-five dollars, one watch of the value of forty dollars, one chain of the value of twenty-five dollars, one pair of bracelets of the value of twenty-five dollars, and divers other goods, chattels and personal property, of a number and description to the Grand Jury aforesaid unknown, of the value of \$250 dollars, of the goods, chattels and personal property of *Charles J. Morgan*

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

Charles J. Morgan
unlawfully and unjustly did feloniously receive and have; (the said

John Jennings
then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

1000

BOX:

501

FOLDER:

4575

DESCRIPTION:

Johnson, Charles J.

DATE:

11/18/92



4575

Witnesses :

Counsel,

Filed

day of

Pleads,

THE PEOPLE

vs.

Charles J. Johnson

Murder in the first degree,

[Sec. 183, Penal Code]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL

John E. Poillon

Foreman.

May 22. 1893.

Fried and convicted
manslaughter in the
first degree

May 25. 1893

S.P. 740 6200

B. 223. 2. C.

Coroners' Office, New York County.

-----)
:
In the Matter of the Inquest into)
the Death :
:
- of - : Before
:
ANNIE JOHNSON.) HON. FERDINAND LEVY,
:
and a Jury
:
-----)

New York, October 19th, 1892.

APPEARANCES: Mr. Battle, representing the District
Attorney, appears for the People.

-----:o:-----

OFFICER JAMES J. O'NEIL, duly sworn:

I am attached to the 24th Precinct; on September 25th about ten minutes after two I was trying my doors about 54th Street; I heard screams of murder; I went back and found a woman on the sidewalk and another officer came, officer Bogan; at that time I met the prisoner Charles J. Johnson coming from No. 335 Ninth Avenue. I asked the woman who did it and she said her husband; I went for an ambulance and the other officer came there, I came there with the ambulance and sent her away. The Sergeant made me look this man up, and about four o'clock in the morning I brought the prisoner to the hospital, the night clerk admitted me to the Ward, I said, "Who did this"; she said "my husband; I brought him over to the bedside of Mrs. Johnson, and she said, "that is the man, that is the

man." She said, "Charlie, you threw me out of the window and broke my heart." Then she told me to take him away.

BY MR. BATTLE:

Q How soon was it after you heard the alarm that you saw this man coming out of the building? A. About two minutes to the best of my opinion.

Q Did he seem to be in a hurry? A. Yes, sir; he was opening the door when I caught him, he seemed to be in a muddle.

-----000-----

CORNELIUS LYNCH, duly sworn.

I live No. 785 Columbus Avenue, I am a blacksmith by trade; I was in the neighborhood at that time, and I heard screams and I ran back with a friend of mine, and we found the woman there, the officer was with her at the time he asked for assistance and I gave it to him, we assisted her up in a sitting position, and the officer asked her how she got that way, did her husband throw her out, and she said yes.

-----000-----

OFFICER JOHN DARMODY, (of the 24th Precinct.) duly sworn.

About ten minutes after two when I got down there I heard this officer rap and I went down ^{by this} as assistance, and I saw this woman on the sidewalk, she was lying on her back, and the blood was in her throat, and I asked Mr. Lynch to give me a hand, and we first turned her up on her left side

and put her in a sitting position, that kind of eased her; and pretty soon she talked, and we asked her how she came to get out there; and she said it was her husband threw her out. I asked if that was her husband standing in front of her, and she said yes; I asked her how it was he threw her out, and she said she was in bed and he just came in and threw her out of the window; those were the words that she used.

By Mr. Battle:

- Q Is that the man standing there? A. Yes, sir.
 Q She said that was her husband? A. Yes, sir.
 Q And he threw her out of the window? A. Yes, sir.
 Q Charles J. Johnson? A. Yes, sir; that is the man.

-----000-----

DR. EDWIN M. COY, JR., duly sworn.

I am one of the staff of Roosevelt Hospital; I received an ambulance call at a quarter past two in the morning on September 25th, at Ninth Avenue near 58th Street. I went there and found a woman lying on the sidewalk and some one in the crowd said she had been thrown or fallen out of a window. I made a cursory examination and placed her in the ambulance and took her to the Roosevelt Hospital, where I found she had a fracture of both fore-arms general contusions the exact number of which I couldn't determine just then. I had her sent to the ward after putting temporary splints on her fore-arm. And I did not see her again.

BY MR. BATTLE:

- Q What was the nature of her wounds? A. She had a

fracture of both bones of each fore-arm as near as I could make it, one of the fore-arms the left I think was the wound which I am not sure of, communicated with the side of the fracture. She had contusions of the abdomen on the upper part, contusions on both eyes, both her eyes were blackened. I did not find any other wounds.

-----000-----

MRS. MARY GREEN, duly sworn.

I live No. 201 West 62nd Street. I never saw the deceased in her lifetime, and I did not live where this occurred. I was coming home from my hot corn stand, and when I was coming from the stand I heard some one holler, "Oh Lord save me -- help". I looked up and seen some one falling from a window, I didn't know who it was at that time; I fainted away myself at sight, and I don't know anything more about it.

-----000-----

JEREMIAH MCCARTHY, duly sworn.

I live at the Hotel Boulevard, I am a clerk; I was coming from the corner of 55th Street and Ninth Avenue, on the same side where the woman was lying, and my vision was attracted to a form and hollering about four feet before she struck the sidewalk. When I seen the woman fall I ran up there and looked at the woman then, and the woman was trying to holler, or speak but she could not; she was

choking, the blood seemed to prevent her from speaking and I turned around, I couldn't look at it - and there was an officer caught hold of me, and he let me go, and went to the door and met this gentleman coming out.

By Mr. Battle:-

Q What gentleman did he meet coming out? A. Mr. Johnson; I didn't meet him, the officer met him.

Q That man there, is it? (indicating to prisoner)

A. Yes, sir.

Q You saw him? A. Yes, sir.

-----:o:-----

OFFICER ROBERT P. BECK, duly sworn:

I am attached to the 24th Precinct; in answer to a rap myself and Officer Darmody we went to the scene of the trouble and we found this woman lying on the stones all covered with blood; the prisoner was in charge of an officer; before he was accused he protested his innocence that he did not throw her out of the window, but after a little while she came sufficiently to and she accused him time and time again of being the cause of her being out on the side walk - of throwing her out.

By Mr. Battle:-

Q Did he protest that he did not throw her out before the accusation was made? A. Yes, sir.

Q No one had said anything about it? A. No, sir.

Q She stated that this man had thrown her out? A. Yes, sir.

-----:o:----- (57)

LOTTIE HALL, duly sworn:

I live No. 241 West 61st Street; all I know about it me and Miss Johnson were coming up the Avenue selling hot corn, and when we got to 65th Street some one hollered, "help" - and I dropped my basket and I screamed "murder"; As fast as I could. That officer there, he rapped his club as hard as he could; he knocked his club on the side walk.

Q Is that all you know about this case - did you see Mrs. Johnson after she fell? A. Yes, sir; she fell right down by the side of me; after the officers came there they got talking to her, and she said her husband threw her out.

Q Did she say that? A. That is what I heard her say.

Q Did you hear the officer speak to her? A. Yes, sir; the officer said, "Madam, how did you get there, did you fall down". She said, "My husband threw me down".

Q Did you know the woman? A. No, sir; I did not know the woman.

Q What time in the evening was it? A. It was in the night time I couldn't tell you what time it was.

-----:o:-----

OFFICER CHARLES ~~BOHMAN~~ ^{BOHMAN}, (of the 22nd Precinct)

duly sworn:

On or about ten minutes past two, I was going through 51st Street and Ninth Avenue; I heard rapping and I went up there and I found Officer O'neil having hold of the prisoner; he said to me, hold him until I get an ambulance; I did so, and a citizen was holding the lady on the side

walk; and we asked her if her husband threw her out of the window, and she said ,yes; the officer asked her twice.

By Mr. Rattle:-

Q Is the prisoner there at the Bar the man whom you arrested then? A. Yes, sir.

Q He is the man whom the deceased said threw her out of the window? A. Yes, sir.

-----:o:-----

DR. A. T. WESTON, duly sworn:

I made an autopsy of the body of the deceased at the Morgue, on the 27th of September, 1892; the body was that of a large woman about thirty-five years of age; there were a number of contusions on the body, on the breasts and on the abdomen and the thighs; both of the forearms were fractured, both eyes were black, and the bone of the nose and the upper jaw was broken, and upon examination it was found that the fracture also extended to the base of the skull, but the brain was but slightly injured; the operation of laborotomy had been performed at the hospital, and it was found that a rupture of about three inches and a half in length on the upper wall of the bladder had been sutured at the operation; there was a laceration about four inches in length on the Peritonium upon the left side of the abdominal wall, and just underneath a large bruise which was one of those I described at first; there was a slight beginning of peritonitis; cause of death was exhaustion and rupture of the bladder and peritonitis; fracture of the base of the skull.

The Coroner advises the prisoner of his rights, that he need not take the stand unless he desires to do so; and also advises the prisoner that any testimony he might give would be used against him.

-----:o:-----

MARTIN MORGAN, duly sworn:

I live No. 855 Ninth Avenue; the deceased woman was my sister; that man there, the prisoner, Charles J. Johnson was her husband. I know that she was his wife because I saw the marriage lines; they have a son seventeen years old, if not more. They lived on the first floor, one flight up at 855 Ninth Avenue.

-----:o:-----

VERDICT: We find that ANNIE JOHNSON, came to her death by reason of injuries received by being thrown from ~~xxx~~ a window at her residence on the second story of the house, No. 855 Ninth Avenue, on or about the morning of September 27th, 1892, by her husband, Charles J. Johnson.

-----:o:-----

10 18

Dr. Litterington

989

From Presbyterian Hospital.New York, Sept. 27 1892

To Coroner.....

Sir:

Please find an inquest on the body of

Name Marie Johnson Residence 855 9th AveAge 35 years (months days. Admitted 1st day SeptemberNativity 26. 9. 1872 in 1872 at 3:40 o'clock P. M.Mother John By ambulance Ain U. S. City in City. From Coroner's HospitalCivil Bond: 1000 Deputy: W. H. Litterington Examined by DrSuffering from symptoms of ruptured blood vessels andcongestion (hemorrhage)

Said injuries said to have been received by falling from second D

story occurred at her home 855 9th Ave.

on Saturday night Sept. 26th at 6 P.M.

Death took place 1st day September 27th 1892 at 9 o'clock P. M.

The Autopsy revealed..... F

Remarks: Autopsy reported G

J. H. Litterington M. D.

HOUSE SURGEON PHYSICIAN.

- Ad. 1. State the day of the week.
 Ad. A. State whether by Ambulance or Friends.
 Ad. B. State whether from a Precinct or a Residence and give the name.
 Ad. C. State whether from Natural Causes or from Shock (conscious or unconscious) due to Injuries, and if so, give name, place, date, number, character and Extent of injuries, always stating where indicated, whether right or left.
 Ad. D. State when, where, how, by what means or persons received, also whether Accidental, Suicidal or Homicidal; in falls, the distance, location and place; in Burns and Scalds, the circumstances attending the same; in runover cases, the line of Street Car, Railroad or Conveyance; in Weapons, the character of the same, &c., &c., always giving such information as will lead to an accurate knowledge of the case and facilitate judicial inquiry and justice.
 Ad. E. State name, date, place, character and results of any operation or amputation performed.
 Ad. F. Give a short resume of the Autopsy, with the Pathological Diagnosis and the Cause of Death at the end.
 Ad. G. State here any important facts not embodied in the above statements.

TESTIMONY.

A. J. Weston M. D., being duly sworn, says:
 I have made An autopsy of the body of
Annie Johnson now lying dead at
Bellevue Hospital and from such Autopsy & Examination
 and history of the case, as per testimony, I am of opinion the cause of
 death is By falling or being thrown
from window (5th story) at 855
4th Ave., Sept. 24th 1892
Rupture of bladder and
peritonitis; Tapering,
Exhaustion;
V. J. Weston M. D.

Sworn to before me
 this

day of Sept 1892
Edmund Lent

CORONER.

MEMORANDA.

AGE		PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months			
38		M.S. Ballantray Hosp.		Sept 27 th 1892

Said to have been thrown from window by husband or to have fallen, at 855-9th St., N.Y., & A.C. was taken to Woodhouse Hospital then transferred to Ballantray the following day.

Placed 5th Feb.
 Quoniam Hospital,
 D. J. Dillingham,
 Ballantray Hosp.

F. L.

No. 1411

To d Quar.

1892

AN INQUISITION

On the VIEW of the BODY of

Amie Johnson

whereby it is found that he came to
his death byInquest taken on the 19th day
of Oct - 1892
FERDINAND LEVY, Coroner.

1411

1022

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } SS.

Charles J Johnson being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz.:

Question—What is your name?

Answer—*Charles J Johnson*

Question—How old are you?

Answer—

43 years

Question—Where were you born?

Answer—

New York City

Question—Where do you live?

Answer—

855-9th St.

Question—What is your occupation?

Answer—

Fish & Oysterman

Question—Have you anything to say, and if so, what, relative to the charge here preferred against you?

at present I have nothing to say —

Charles J Johnson

Taken before me, this

19th day of *Oct* 189 *2*

CORONER.

1023

MEMORANDA

AGE			PLACE OF BIRTH	WHERE FOUND	Date When Reported
35	Years	Months	Days	Illinois Hosp.	Sept 27 '42

For. Quar. 10/11 - 1892
HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Annie Johnson

whereby it is found that she came to
 her Death by the hands of

Charles J. Johnson

Inquest taken on the *19th* day
 of *October* 1892

before
Frederick S. [Signature] Coroner.

Committed

Barred

Discharged

Date of death

Police Court 4 District.

City and County of New York ss.

The 22^m Precinct Police Officer James J. O'Neill Street, aged years, being duly sworn, deposes and says, that on the 25 day of September 1897, at the City of New York, in the County of New York, he arrested one

Charles Johnson. (now here, on complaint of his wife Anna Johnson. That on said date about the hour of 2:10 O'clock A.M. Deponent was on foot on 9th Avenue between 55th and 56th Streets, that depONENT's attention was attracted to No. 885. Ninth Avenue and on arriving in front of said No. 885-9th Avenue forced said Anna Johnson lying in the sidewalk. That the defendant came out of the house No. 885-9th Avenue and depONENT immediately placed him under arrest. That depONENT caused the removal of said Anna to the Roosevelt Hospital, and while she was in the Hospital, depONENT brought the defendant there and said, Anna, in presence of depONENT charged said defendant, with having assaulted her by throwing her out of the second story window of her apartment, at said No. 885-9th Avenue. That said Anna since that time was removed from Roosevelt Hospital to Bellevue Hospital and on the 27th day of September about the hour of 9 O'clock A.M. died from the result of such injuries inflicted on her by having been thrown from the window as aforesaid by the defendant. That depONENT was at the Bellevue Hospital and saw the body of said Anna Johnson after she died. Therefore depONENT charges the defendant with feloniously causing the death of said Anna Johnson and prays that the defendant be dealt with as the law directs James J. O'Neill

James J. O'Neill was sworn 29th day of September 1897
Charles W. Smith
Police Justice

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss:
OF NEW YORK, }*Charles J. Johnson*

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

Question. What is your name?

Answer.

Charles J. Johnson

Question. How old are you?

Answer.

43 years

Question. Where were you born?

Answer.

New York City

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

Answer.

655-9 Avenue in work

Question. What is your business or profession?

Answer.

Oysterman

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 have nothing to say at present as I am not represented by counsel and before getting into an examination would like to be represented before the Court by counsel

Charles J. Johnson

Taken before me this

day of

1892

Charles J. Johnson
Police Justice.

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

guilty thereof, I order that he be held to answer the same without bail
~~Hundred Dollars~~ and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated October 1st 1892 Charles N. Luntz Police Justice.

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

Dated _____ 18 _____ 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 _____ 18 _____ Police Justice.

Committed without
 bail for 9x
 Sept. 28/92. 9 AM.
 Oct. 1. 1892/9 AM.

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Witnesses for the people
 Mrs Green
 234 West 62 St
 Jeremiah McCarthy
 Hotel Baurgard
 124 Lexington Ave
 Arthur Brown
 High Court Room 11
 100 Wall St

B-10/158 1229
 Police Court--H District.

THE PEOPLE, &c.,
 ON THE COMPLAINT OF

James J O'Neill
 Charles Johnson

2 _____
 3 _____
 4 _____

Offence *Armed*

Dated Sept 27 1892

Clawtor Magistrate.

O'Neill Officer.

Charles Bolan Precinct.

Witnesses.

No. 22 Precinct Street.

John Samsony

No. 24 Precinct Street.

Lathi Hall

No. 241 West 62 Street.

Without fail to answer

Comme



Mr H. Dorsey - Ogle boat - Gunshot
 Hunter "Help" - after wife
 fell -

No ~~front~~ of help before
 the truck & the gunner
 Did he say "God save me?"

"Hold him!"

Front of ambulance -

Any statement by wife before
 ambulance came?

Doctor's certificate -
 Subpoena Evidens

Pentostitis in the knee

Eczema in the knee

McCarthy

Contradict as to second visit by O'Neil

Officer Chas Bohan 77th Precinct
I went to assist officer Oniele, when I went
there officer Oniele, had the prisoner, he gave him
to me and went for an ambulance,
I had the prisoner standing over her, she pointed
to him & said he threw her out of the window
This was on the morning, of the 25th of September
1892

Department of Public Charities and Correction.

ELLEVUE HOSPITAL,

WARDEN'S OFFICE,

WM. B. O'BRIEN,
Warden.

New York.

Sept 27

1892

This is to certify that the person
patient in ward 12 died this
A.M. about 7 o'clock.

Cause of death - Compromised
fracture of left femur
General debility and
neglect of standards. Direct
Cause of death - Fracture.

Andrew H. H. H.
Surgeon

Department of Public Charities and Correction.

BELLEVUE HOSPITAL,

WARDEN'S OFFICE,

WM. D. O'ROURKE,
Warden.

New York,

Sept 26 1892

This is to certify that Mrs. Johnson—
is under treatment at present—
in Ward 12 of this Hospital.

Her condition this morning is
fair in consideration of the
very serious injury she has
received. Said injury necessitating
the operation of laparotomy last night.

Of course the outcome of the
case is uncertain, but in general
the chances are against her
recovery.

T. B. Caudex
acting House Surgeon

CITY AND COUNTY } ss.
OF NEW YORK.

POLICE COURT, 4 DISTRICT.

James O'Neil
 of No. 22 Pearl Street, aged 24 years,
 occupation Policeman being duly sworn, deposes and says
 that on the 25 day of September 1892
 at the City of New York, in the County of New York at 2 PM he

arrested Charles Johnson, now present,
 whose wife Kate Johnson, now in
 Roosevelt Hospital, charged said
 defendant in presence of deponent
 with throwing her out of the second
 story window of 855. 9th Avenue,
 inflicting her so severely, that she is
 unable to appear in Court.

James J. O'Neil

Sworn to before me, this 25th day of September 1892

Police Justice.

100
Police Court, 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

US
Charles Johnson

AFFIDAVIT.

Assault

Dated 25 Sept 1892

Deputy Magistrate.

Orill Officer.

Witness, Latta Hall
J. H. M. 8:30

Ex

To await result of
inquiry - Sep 26 2 PM

Disposition

at 2 PM

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the ~~house of~~ *Coroners Office*
No. 27 Chambers Street, in the 6th Ward of the City of
New York, in the County of New York, this 19th day of October
in the year of our Lord one thousand eight hundred and ninety two before

Adam and Levy Coroners,
of the City and County aforesaid, on view of the body of *Arrie Johnson*
lying dead at

Deu Upon the Oaths and Affirmations of
good and lawful men of the State of New York, duly chosen and
sworn, or affirmed, and charged to inquire, on behalf of said people, how and in what manner
the said *Arrie Johnson* came to his death, do upon
their Oaths and Affirmations, say: That the said *Arrie Johnson*
came to his death by reason of injuries
received by being thrown from a window
at her residence on the second story of the
house No. 855 Ninth Avenue, on or about the
morning of September 27th 1892, by her husband
Charles J. Johnson

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisi-
tion set our hands and seals, on the day and place aforesaid.

JURORS.

<i>Wm M. Friedman 1273 2nd</i>	<i>Charles C. Heydt 628 3rd</i>
<i>E. S. Schwary 602 3rd</i>	<i>Arnold Shutt 32 West St.</i>
<i>Christiano Meyer 99 West St.</i>	<i>John F. F. Hamm 73 West St.</i>
<i>Gus. Blick 9 West St.</i>	<i>L. Harris 17 West Street</i>
<i>John E. Harris 550 3 Ave.</i>	<i>P. Koenigsberger 604 1st Ave.</i>

Adam and Levy

Coroner E. S.

Presumption That every man intends natural consequences of his act

Not is he relieved by ~~the~~ pretext of intoxication. ^{Presumed} ~~Presumed~~ duty of husband to protect ~~to protect~~ voluntary intoxication furnishes no excuse for crime

It does not lie in the mouth of a drunkard to plead his own act -

Seriousness of their duty -

Prosecute Public Prosecutors Fair trial - If innocent, acquit - If satisfied of guilt, Duty to People I demand ask you in the name of the peace & integrity of the State to fulfil the obligations of your oath & return a verdict of guilty -

Reputation of Murder in the 1st degree
 Definition of "manslaughter" 2nd " "
 Deliberation (Poon. Conn. 97 K)

Duty of jurors - Listen to evidence
 & if convinced, to convict

Singer & Pease - the Murder
 1) - "Lothe Hall & Mary Green"
 "Lord save me - Help!"

2) Officers O'Neill
 Damady
 Beck
 Bohan
 McCarthy
 Lynch

Officer O'Neill ~~rapped for help~~
 hearing screams of "Murder"
 ran up - Arrested Defendant
 running down from 855 9th St.
 Rapped for help - Officers
 Beck, Bohan, Damady & two

citizens, McCarthy & Lynch
 came up - The officers asked
 the woman who had the
 information how the thing had happened
 and in the presence of
 Defendant & of the first
 Officer and of McCarthy
 and Lynch, she stated

repeatedly, that her husband had thrown her out of the window; that he had come into the room, pulled her from her bed and thrown her out of the window.

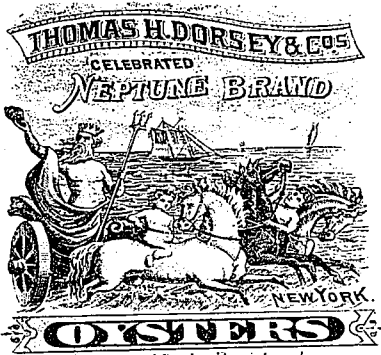
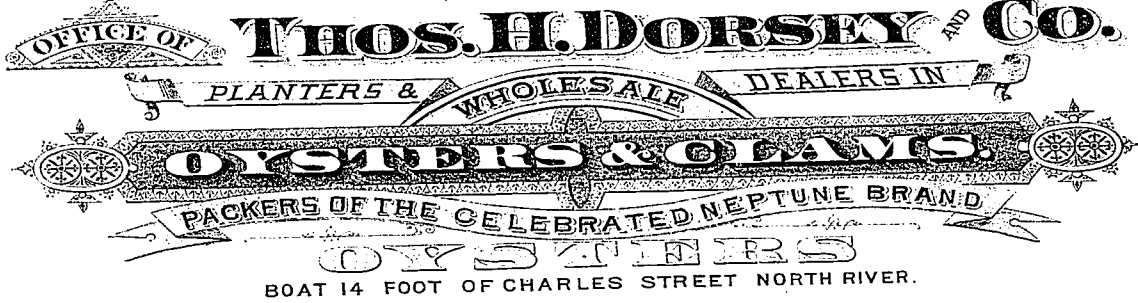
An ambulance was called and the woman was taken to Roosevelt Hospital. The prisoner was taken to the station house and about four o'clock in the morning, ~~the~~ Officer O'Neil took the prisoner to the hospital and then confronted him with his wife. The officer asked her "Who did this?" She replied "My husband" & added "That is the man" "Charlie you threw me out of the window & broke my heart" The prisoner replied "Oh Annie take me out of this, don't accuse me of this" - The woman then told the officer to take him away?
She died.

1040

Telephone Call - 904 Spring

Thos. H. Dorsey.

ESTABLISHED 1848.

Geo. B. Dorsey.Trade Mark Registered.
DORSEY & CO. ESTABLISHED 1848FISH DEPARTMENT
165 WEST ST.*New York* May-24-1893-188

Albert J W No. 2

Market on 34th Ave. in the vicinity of 50th St., in the day time Johnston worked for us while his wife attended to the market, owing to strong competition they lost what little capital they had and Johnston requested a loan from us of \$100.00, we advanced this amount to them and they gave us a mortgage ~~to us~~ on fixtures and furniture, after this loan the writer had occasion to call Johnston and his wife together on several times for a renewal of the mortgage and he always found Johnston's action to be affectionate towards his wife

Yours Very Truly

Thos. H. Dorsey & Co.
for Geo. B. Dorsey

Lynette — disinterested

I heard screams, this husband
did it.

Mr. Carthy disinterested, Herald screams

Why are you screaming =

Mary Green I saw a woman falling
she heard God screams.

Lottie Hall — I heard screams
screams & I heard deep, deep
cries

She was screaming, her eyes were
blackened

I heard a scream
officer. Officer had declaration
made in hospital — Had declaration
made in hospital

Officer Darmody, 24th Precinct
 about 7 o'clock AM we saw a woman lying
 on her face, she was all bloody, the husband was
 there, & she said he was there & he threw her out of
 the window = He said Oh! mamma why do
 say that, she said she was lying in the bed
 & he came in, he began fighting her,
 Officer Beck - 24th Precinct

His statement is substantially the
 same.

Skirt

Waist

Officer Duill of 27th Precinct.
 On September 25th Sunday morning about
 2:10 am I was coming down 9th Ave trying
 doors, when I got to 54th St. I heard a
 cry for help. I found that the cry came
 from about 55th St & Smith Ave. I ran up
 & saw a woman lying on the side walk and
 a young man standing over her. I got Officer
 Bohan & I started to go upstairs in 855-Smith
 Ave, & passed me & went up Smith Ave. I
 looked at him, & he said it wasn't me who
 threw her out of the window. I said if it wasn't
 you give me a hand to get medical attention.
 I then handed him over to Officer Bohan.
 I then ~~with Johnson~~ the ambulance came, I then
 took the defendant to the Station House, & then
 to the Roosevelt Hospital. I then brought him before
 the woman she states that he had broken her
 heart & had thrown her out of the window. he
 said Oh! Annie take me out of this, don't ac-
 cuse me of this, he commenced to cry.
 She was in her night clothes.
 As he came down stairs, he said I didn't do it.
 I went to the Hospital afterwards & saw that
 they had made an autopsy upon her.
 The window was open I closed it.

District Attorneys Office
City & County of
New York.

1888

People

Chas J. Johnson,

Officer James O'Neill 22nd Precinct
Cornelius Lynch 785 Columbus Ave
Officer John Darnody 24th Precinct
Dr Edwin M. Hof Jr Roosevelt Hospital
Mrs Mary Green 234 W 62nd St
Jeremiah M. Carthy Hotel Boulevard cor
of 55th & 9th Ave
Officer Robert P. Beck 24th Precinct
Lottie Hale 741 W. 61st St
Officer Charles Boharis 22nd Precinct
Dr A. T. Weston Coroner's office
Martin Morgan 855 Ninth Ave.
Dr J B. Ender Belleau Hospital

JOURNAL PROMPTLY ATTENDED TO.

Sped. Simmons. Undertaker	378.	10	ave.
Lolley Hall.	434	w.	34 st.
Geo. Morgan.	509	w.	34 st.
Martin Morgan.	851	9	ave.
Mrs. Green.	232	w.	62 st.
John M. Carly			
Kate Morgan.			
agent of House Louis Gilpe	625	6	ave.
of 853-9 ave.			

Manus of the witnessed in the base of-
 Charles J. Johnson of 853-9 ave.
 off James J. O'Neill 22nd ave.

Mar 31 1893

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK.

against

Charles J. Johnson

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse *Charles J. Johnson* —

of the crime of *murder in the first degree,*

committed as follows:

The said *Charles J. Johnson,*

late of the City of New York, in the County of New York aforesaid, on the
Twenty-fifth day of *September*, in the year of our Lord one thousand
eight hundred and ninety-*two*, — at the City and County aforesaid,

in and upon one *Dora Johnson*, then
and there being, with *force, violence*
and *of his malice aforethought* did
make an assault, and then the said *Dora*

Johnson from a great height, to wit: the
 height of thirty feet, down into and
 upon the ground, there, with great force
 and violence, then and there descending,
 with great and violent violence of the height,
 did strike, catch and throw, by reason and
 by means of which said striking, catching
 and throwing, the the said Anna Johnson
 did then and there fall with great force
 and violence down into and upon the ground
 there, the the said Charles G. Johnson, giving
 into her the said Anna Johnson then
 and there by the means aforesaid, in and
 upon the head, neck, belly, back, sides
 and arms of her the said Anna Johnson,
 divers mortal wounds, bruises, fractures
 and contusions, of which said mortal
 wounds, bruises, fractures and contusions, the
 the said Anna Johnson, from the said
 twenty fifth day of September in the
 year aforesaid, until the twenty seventh

was defended in the name of the said
 at the City and County of the said,
 did Janapine, and Janapine of the said, on
 which said the said, save the said of the said
 in the name of the said, for the said Anna
 Johnson, at the City and County of the said,
 of the said mortal wounds, fractures, bruises
 and contusions, did die.

And so the Grand Jury aforesaid
 do say, that the said Anna Johnson,
 for the said Anna Johnson, in manner and
 form and by the means aforesaid, willfully,
 feloniously and of her malice aforethought,
 did kill and murder, 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.

For the said Anna Johnson,

District Attorney.

1051

BOX:

501

FOLDER:

4575

DESCRIPTION:

Johnston, Mary

DATE:

11/01/92



4575

Witnesses:

Rosa Branch
Willie Jones

Counsel,

Filed

Day of

189

Pleads,

THE PEOPLE

vs.

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

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

B. Woodward

Foreman.

Wm. Woodward

Foreman.

Wm. Woodward

Police Court— 2nd District:City and County { ss.:
of New York, }

of No. 302 West 40th Street, aged 30 years,
 occupation Housekeeper being duly sworn
 deposes and says, that on the 26 day of October 1882 at the City of New
 York, in the County of New York,

She was violently and feloniously ASSAULTED and BEATEN by

Mary Johnston (now here) who did willfully
and maliciously strike deponent two
blows on the head, with a plung shot
that she then and there held in her
hand, cutting and wounding deponent
pererely

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

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

Sworn to before me, this

day

1882

of

Milly Jones
mdk
 Police Justice.

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer.

Mary Johnston

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

N.Y.

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

Answer.

312 West 40th Street - 8 months

Question. What is your business or profession?

Answer.

Housekeeper

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
Mary Johnston
mark

Taken before me this
day of

John H. [Signature]

Police Justice.

1055

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

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

Dated, March 27 1892 John R. Ryan Police Justice.

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

Dated,..... 189..... Police Justice.

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

Dated,..... 189..... Police Justice.

1351
1891

Police Court---

2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Milly Wnes
302 West 40
Mary Johnston

Offense
Lisance

BAILED,

No. 1, by.....

Residence Street.

No. 2, by.....

Residence Street.

No. 3, by.....

Residence Street.

No. 4, by.....

Residence Street.

2
3
4

Dated,

October 27

189

Magistrate.

Officer.

Precinct.

Witnesses

No.

No.

No.

\$

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

578 E 29th St

to answer

Leopold Metzger.

Defendant lived with me for two weeks while he was out of employment. I missed my full dress suit. The janitor saw the suit and told me Louis Frank had taken it. I went to 722 Amsterdam Ave, Mr Cohen took me in to Frank's room, and I found the pants there. I went to the Station House with Mr B. Cohen. The Captain sent a policeman with us and arrested Frank.
(Defendant pleaded guilty at the Police Court.)

Officer Joseph Marione.

When defendant was brought to the Station House, I asked him if he stole the clothes, he said "he did". asked where he pawned them, He said 99th St and Columbus Ave. I took Mr Metzger to the pawnshop mentioned by defendant and found the coat and vest. I took him to the police court and ^{he} said he was guilty.

Ben

Nagadofsky

Janitor of the house 2187-7th Ave.
saw a full dress suit in a
bundle in an ash barrel in the
cellar. Frank came down and
said "Save it for me". Said that
I had no place he put it on his
arm and went off with it.

Milly Jones.

Formerly hired a room from Mary Johnson. Took rooms in rear house: she loaned me a boiler and mop. She came at 10:30 P.M. and said "I want my boiler and my mop" I got them and put them in the hall. She said "I want every thing that belongs me. I want my shades" I went to get the shades and when my back was turned she hit me on the back of the head. Then I turned around and she hit me in the forehead. Both blows were with a "black-jack" or stung shot. I got the ball of it in my hand. But Johnson came and ~~cut~~ cut it off the rope and took the ball out of my hand (the rope end of it was given to the policeman — but it is not here). I said "Did you come to use a black jack on me?" She said "Yes. I came over here to bust your ~~head open~~ ^{brain out}". I put on a coat and started for a policeman. When I was coming down stairs, she said "I'll use this hammer on you if you fool with me". She had a hammer in her hand. I got the officer and pointed her out to the policeman. Went to Roosevelt Hospital and had the wound dressed: had it dressed three times since.

I saw the black jack when I lived in the rooms with Mary Johnson.

David O. Sansay.

I live with Milly Jones. I heard the knock in the door. I was in bed at the time. I saw Milly Jones give her the mop and boiler. I heard all the talk - swearing &c. I saw the first blow struck, then got up and before I could reach her she struck the second blow. I grabbed Mary Johnston's hand to get the black jack. Burt Johnson came up and cut off the ball (I seemed to be of lead and was covered with leather). Burt and Mary Johnston started down stairs, she had the hammer in her hand, and threatened to use it. She said "I came over to night to walk the wires on your life."

Rosa Branch

Lived on top floor. Heard the swearing and came down stairs. When I got down Mary Johnston was just about striking Milly Jones. Could not see the black jack but heard the blow: it sounded like a stone thrown down. Saw the blood covering Milly Jones' head. Saw David Sansay trying to part them. When they were going down stairs Mary Johnston

"I'll use this hammer on you, if you
fool with me".

I also heard Milly Jones say "Did you
come over to use a blackjack on me".
Mary Johnston said "Yes I came over
here to bust your brains out".

2-192-

The People

Mary Johnston

Court of General Sessions. Part I
Before Judge Fitzgerald November 10. 1892

Indictment for assault in the first degree.

Milly Jones, sworn and examined testified.

I live at No. 302 West Tenth Street. I know the defendant and I know her over a year.

I have lived with her. I had a furnished room off her in the front. I then took

a room for myself in the rear. On the 26th of October at 10.30. p.m. I saw

the defendant; she came to my house and knocked on my door. I was un-

dressed and me and my old man had gone to bed. I says. "Who is there?"

She says. "It is Marnie Johnson. I came here to get my boiler and my mop."

I goes to work and I gave her this boiler. I put it at the door. She halloed.

"God damn you, I want every damned thing you have got of mine; give

me my curtains." She gave me the curtains and that is the reason I

did not get the curtains down. I thought anybody give you anything you

consider it yours. I turned around after taking two of the shades down

and she struck me in the back of the head with a slung shot and

Then when I turned to defend myself she
 gave me a second blow in the forehead.
 and cut me in the head. I caught hold
 of the slung shot to defend myself to
 keep her from giving me a third
 blow. I says, "you come to cause a
 disturbance and strike men with a
 slung shot." I did not call it a slung
 shot, I called it a black jack, using
 this thing he said, "yes, I came to
 cut you with it and I am going
 to knock you in the head." I got the
 black jack in my hand. She saw so
 much blood from the wound, she struck
 me she got frightened, she halloed.
 "murder." At that time her old man
 runs in and ~~gets~~^{catches} this black jack
 off her arm, takes the black jack
 with a knife. Of course he had more
 strength than my old man who was
 there. I had the belt in my hand (mean-
 ing the string part of the slung shot)
 in my hand; he took it away from
 me. I left the string in my hand
 and the officer came up and I showed
 him the blood on me. I gave him
 the strap that was on the black jack.
 I have a woman witness who is sick

I went down stairs after the officer. She said, "If you fool with me, I will take this hammer and beat your brains out." He had the hammer in his hand and the pitcher. I got the officer and another lady pointed her out to the officer. I went to the Roosevelt hospital and had my wound dressed there. I had it dressed altogether four times. I don't know anything more about the case.

Cross remained. House was living at 1632 West 127th Street about three months and before that I used to live in Twenty Seventh Street and on. I was away last July. I had the misfortune to be sent away and I had a year and fifty dollars fine for keeping a house down town - I had furnished rooms. I was not sent away for keeping a house of prostitution. I don't know what you mean by prostitution. A woman robbed a man in my house and they took me. How many things did you have belonging to Miss Johnson? I had a boiler, a mop, a pitcher and a hammer; she gave me the curtains. Of course I did not think they were hers after she had given them to me. I had the other things over a week

and she never said to me she wanted them and I did not think she needed them at that hour of the night. I gave her the boiler, the hammer and the pitchfork and set them at the door. She was at the door. I did not find the boiler at her. She said she wanted every damned thing she had, and I gathered up everything that I knew belonged to her. I then went to work and got the curtains down, and when I took the two curtains down I went into the little room to get the ^{third} curtain, and she struck me this first blow. I turned my back; she did not go far; she struck me again and when I had my back to her I ran to defend myself and she gave me a third blow. Did you not get the hammer and hit her in the knee? No sir. I did not. You never had any trouble with her before that night? No had often been quarreling; that is the reason I moved. I could not get along with her. I never thought she would do anything like this to me. She had the sharp shot tight around the

wrist. She could not get it off without cutting it. She had it all around her wrist and her sleeve was pulled down, so it did not look as if she had anything in her hand. I was not thinking she had anything. Does not this (the slung shot) belong to you and your "old man?" No. He is my husband; we pass for man and wife. I tell the truth. I was not married to him. He was lying in the bed all the time this quarrel took place. He got up out of bed and tried to get this black jack out of her hand and keep her from hitting me again. After seeing her give me the second blow, he jumped out of bed and tried to help me. I often told him when we got quarreling never to interfere with a woman, and that is the reason he did not take my part at first. When he saw she was getting the best of me naturally a man would jump up and help me out. He jumped up in his night clothes. I worked at cooking and general work for an actress in 31st between 7th and 8th aves. Her name is Miss O'Keefe. I cooked for her from the time I came home till I went to live at the Johnsons.

David O. Sarssey, sworn and examined
 I live with Melly Jones and work for a
 living. I have been working at the race
 track at Westchester for quite a time, but
 I am a waiter by trade. I heard a knock
 at our door on the 26th of October. I was
 lying in bed. Melly used to live with
 this woman Johnson. This night she knock
 ed at the door and said, "I have come
 over here to get my things." Says, "Melly,
 give her her things." So we got up to give
 her her things; she gave her a mop,
 boiler and pitcher. I heard the talking.
 He gave Melly everything but the curtains.
 I stood in my drawers and under
 shirt and I said, "Give her the curtains."
 She got up and pulled a curtain down
 and as she went in the back room
 the defendant struck her in the head
 with a piece of lead on the end of a
 string; she had it rolled round her
 hand, and as she (Melly) turned the
 next time she (the defendant) struck
 her on the forehead and made a mark.
 I took her to the Roosevelt Hospital that
 night myself. This woman (the defendant)
 struck my woman first, and she was
 the first one that halloed "murder." There

That man (Burt Johnson) appeared on
 the scene. I did not catch hold of the
 defendant. I caught my woman and I
 tried to push them back to separate them.
~~Mary Johnson~~ at that time had hold of the
 Black Jack and Burt was the man
 who cut it at that time. Mary Johnson
 had hold of the Black Jack. Burt took it
 out of her hands. I got that part (the
 string) and he got the lead. After he
 cut it it fell on the floor. She said,
 "I came over here to walk the wires
 on your life." I don't know what she
 meant by it. I followed her down
 to the door to have her locked up by
 the officer. I brought the officer over.
 (p. 22) Examined. I came from Saratoga and
 went to the Westchester race track. I
 worked there fifteen days. I had the foot
 Black stand and the Gent's toilet. I also
 worked at Guttenberg on the 26th of October.
 The string that was wrapped around
 her hand that way (showing) and
 the man cut it when she told him to.
 I don't know whether he cut it with a
 knife or scissors - I will swear it was
 not scissors but a knife, for I seen the
 blade. I did not hit the woman
 but I got up to separate them when

she halloed "murder".

Rosa Branch sworn and examined. I live in the top floor of the house where this fight occurred. I heard the swearing and came down stairs. I saw the Defendant hit the other woman. I heard the sound of the blow I could not imagine what it sounded like. I saw the blood streaming down I saw her hit on the forehead and I saw the man who was a witness here trying to separate them. I heard Mary Johnson say, "if you fool with me my uncle, I will use the hammer on you" that is what she said when they went to go down stairs after the officer. I heard Abby Jones say, "Did you come in my house to use a Black Jack?" What did Mary Johnson say? She said, "I came here to night to burst your brains out." ~~Cross Examined~~ I was looking at her when she said that. I was down two flights below my floor and I could see all in her room. I heard people rushing out. If I had stayed in my own room I would have seen none of this and would not have had to talk about it. I did not see the Black Jack. I saw a boiler, a mop, a pitcher and some

shades at the door. I saw a man they call But in the room and I saw the race track man there. I saw the woman when she hit the other. I could not see the thing in her hand, but it brought blood. I heard her halloo she had a black jack in her house. I was not in her room. There was a crowd of people around there. I am a first class cook and I am losing my place fooling with this thing.

More than V. Stephenson, sworn. I am the officer who arrested the defendant; the complainant Billy Jones came for me, she showed me the wounds on her head. There was another colored woman there who pointed the defendant out and said, "here is the woman who assaulted her standing in the hall." I did not take the complainant to the Hospital, but she went up in a car after she was at the station house and made a complaint against the defendant. I said to the complainant, "Is this the woman assaulted you?" She said, "yes." I says, "What did she assault you with?" She said, "a black Jack." I says to Mary Johnson, "What did you assault her like that for?" She said, "I did not assault her."

I said, "How did she come to get cut? She said, "she fell down stairs. I guess." Millie Jones, the complainant, gave me the string of the slung shot. I have seen Black Jacks. They are made of lead covered with leather and a string on the end. When you saw Mary Johnson, the defendant the night you arrested her, did she have any mark on her? She had a few scratches on her cheek.

Millie Jones recalled. Did you ever see the weapon that the woman brought into your room that night before in your life time any place? Yes, she showed it to me in her house; she showed me how she used it, she ran out backwards and forwards and put the belly up her sleeve to carry it so that no one would discover it. I saw it that night and felt it too. I was over at her house talking supper on Monday night, a couple of nights before this thing took place, me and another lady friend of mine. This trouble was on a Wednesday I did not go to her house four or five o'clock that Sunday morning. I did not have a fight with a man on the corner

Seventh Avenue that Sunday morning. I did not touch her that night; she did not give me a chance. I saw Burt when he came in. He said, Burt, take this, take this (the slung shot) He said, "Give it to me;" and then she says, "I cannot get it off;" cut it off;" and he cut it off and I had the ball of it in my hand. He cut the rope to relieve her, and then he took it out of my hand. I saw the knife Burt cut it with, only the blade, not the handle. I could not tell how large the knife was.

Mary Johnston, sworn and examined in her own behalf testified. How long have you known Milly? I have known Milly about a year and six months. How far away from her do you live? She lives in the rear house and I live in the front. On that night about nine o'clock you went to her room? Yes. Tell exactly what happened? I went to Milly's door and knocked on the door. She says, "Who is that?" Says I, "Do you know me, Milly?" He got up and opened the door. I said, "Give me my boiler that I asked you for the night before." She slammed the door in my face. So her man says

Give her her boiler." So when she had
 given me the boiler she set it down at
 the door. Says I, "Milly, being the name
 you called me last night I guess you
 had better give me all my things—
 chairs, maps, hammer, shades, pitcher,
 bed vessels, everything belonging to me."
 So she began to fire first one thing
 and then another. I snatched up the
 boiler and fired it back at her. She
 took down the shade and struck me
 across the head. Says "Milly, you
 did not get my things that way; there
 is no need of firing them at me and
 striking my ^{over the} head". While we were
 tussling I struck her with my fist.
 Her man came and clapped my
 jaws. I said, "Hare, you ought not
 to do that, you have got no right
 to hit me." With that I screamed
 "murder". He marks that I have got
 on my face came from her scratching
 me. Did you have a black jack? No sir.
 Did you ever have that string (showing
 it)? No sir. Did you ever see that
 before? No sir, never in my life.
 Were you ever convicted of any crime?
 No. Tave for soliciting? No sir, never

in my life. You only went for your things. I only went simply for my things. The night before she was going to fire a blazing lamp in my face; we had been good friends. You helped her? Yes the night before she was going to fire a lamp in my face. We were all sitting there eating together. I called her now to get supper. He had nothing to eat in his house. He had just started housekeeping. I had been over a few days when she went to housekeeping to help her to scrub and my husband called me out to go and get his dinner. But is your husband, you have been living with him as your husband? Yes. How long? Two years. Did he come in this room? He came where he heard the scream of murder. Did he have a knife? No sir. Did he cut that off your hand (the stump)? No sir. I did not have anything in my hand for him to cut off from my hand.

What floor is Billy's room on? It is the second floor, the second or third floor in the rear. I am pretty sure it is the third. The night before that

she called you a bad name? She called
 me a terrible name; she was going
 to fire a blazing lamp in my face;
 she started to do it. What time was it
 you went to her room that night, about
 10.30? No, I do not exactly know. I think
 it was between nine and ten o'clock.
 He was in bed when you went there?
 I do not remember; she had not any
 night dress on. Was Quet lying in bed?
 No sir, he was just coming off the
 road, he just came in. I don't mean
 Quet, what is the name of the other man?
 He was in his chamber. He was there
 yes. Where you saw him he was
 lying in bed when the door was open?
 Yes, he was lying in bed at that time.
 Was not this other woman in bed
 too? No sir, he was up. Certainly when
 I opened the door. Did she have
 on her night dress? No sir, she did
 not have a night dress; she had a
 skirt on and waist; she might
 have been lying on the bed, but
 she did not have any night dress on.
 You do not remember the hour? I
 do not remember exactly the hour, but
 I think it was between nine and

ten o'clock. The way she got hurt in
 the head was when you throw the
 boiler back at her. Yes, yes.
 at Westchester, where and examined.
 by formed. Do you know Mary? Yes in Mary
 lives with you as your wife, is that right?
 Yes. How long going on three years
 Westchester, you are a sister, are you? Yes.
 Where were you employed last? The
 Keaton restaurant, Jersey. In the last
 two months have you been at work?
 The last two months I have been sick.
 I am sick at present. You are now
 on the sick list is that correct? Yes.
 Up to the time you were taken sick
 were you working in the restaurant? I
 just on account of my sickness.

You left there on that account? Yes in
 time close to the night that Mary was
 arrested, do you remember that night?
 Yes in time did you come upon the
 scene? I came upon the scene when
 I heard some one hallooing "murder."
 Did you know who it was that hallored
 "murder"? I did not at that time. I tried
 to locate it. Knowing the parties that
 lived there I rushed up to see what
 it was and I found those three
 all together. I did not know what

1077

he was doing. As quick as I could on the scene the door was open he stepped aside and naturally of course I rushed in to part them. Did you have a knife in your hand? No sir. Did you have a knife in your pocket at all? I do not think I did. Did you cut that piece of string, there off Mary's hand, the string shot? I do not know as I ever saw the string before. Did you cut that off her hand? No. Did you see the Black Jack? I did not. You did not use a knife in that room for anything? No sir. Has Mary cut? Her face was all cut and scratched and bleeding. Cross Examined.

Tell the jury candidly what do you know about it, Jack? You if Mary Johnston was a prostitute? I do not know it, I could not swear to it. When you went in they were all together? They were all three clinched together. I went in to separate them. I took my woman down stairs. That is all I know about it. The jury rendered a verdict of guilty of a assault in the third degree. He was sent to the penitentiary for six months.

Testimony in the
case of
Mary Johnston

filed

Nov. 11/92

4003

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Mary Johnston

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

Mary Johnston

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

The said

Mary Johnston

late of the City of New York, in the County of New York aforesaid, on the *twenty sixth* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, with force and arms, at the City and County aforesaid, in and upon the body of one *Willie Jones* in the peace of the said People then and there being, feloniously did make an assault and *beat* the said *Willie Jones* with a certain *slung shot*

which the said

in *her* right hand then and there had and held, the same being a deadly and dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, ~~stab~~ and wound,

with intent

beat

the said

Willie Jones

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

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

The said

Mary Johnston

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Willie Jones* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *beat* the said *Willie Jones*

with a certain

slung shot

which the said

in *her*

right hand then

Mary Johnston

and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully strike, beat, cut, ~~stab~~ and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT—

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

Mary Johnson

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

The said

Mary Johnson

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said

Willie Jones in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and *beat* the said

with a certain *slang shot*, *Willie Jones*

which *shot* the said *Mary Johnson*

in *her* right hand then and there had and held, in and upon the *head* of *her* the said

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

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

DE LANCEY NICOLL, District Attorney.

BOX:

501

FOLDER:

4575

DESCRIPTION:

Johnson, William

DATE:

11/18/92



4575

Witnesses:

Off Book 13th

Def. 159

Counsel,

Filed

May of

189

Pleads,

W. J. G. 21

THE PEOPLE

21

vs.

William Johnson

William Johnson

Grand Larceny, Degree 2
[Sections 228, 229, 230 Penal Code.]

DE LANCEY NICOLI,
Dist. Court, 20/10 District Attorney.

Charles Christy, Esq.,

S. J. W. 10/10

A TRUE BILL.

John E. Follen

Foreman.

*more 10
9.10*

Police Court

District.

Affidavit—Larceny.

City and County
of New York, ss:

of No. 150 Christopher Street, aged 21 years,
occupation Driver

being duly sworn,
deposes and says, that on the 15 day of November 1897 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the night time, the following property, viz:

One Horse & again harness and
four barrels containing frame
all of the value of three
hundred dollars
(\$300.00)

the property of Mynders Freigh and in
deponent's care and custody

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by William Shuman (nowhere)

from the fact that at about 7 o'clock
P.M. said date deponent left the
said property in front of No 631
Madison Avenue while he went
into the said premises to deliver
some goods that shortly thereafter
deponent came out of said premises
and the said property was missing
Deponent is informed by Officer
Backus that he arrested the defendant
with a horse wagon and harness in
his possession

Deponent further says that
he has since seen the property.

Sworn to before me this 15th day

of 1897

Police Justice.

found in the possession of the defendant
and fully identified as the property
feloniously taken from and
carried away as aforesaid.
Sworn to before me by Robert Franklin
the 16th day of Nov-1892 } x

Police Justice

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

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

Question. What is your name?

Answer. *William J. Shanahan*

Question. How old are you?

Answer. *28 years.*

Question. Where were you born?

Answer. *Quebec*

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

Answer. *212 E. 18th St. N.Y. 18 mos.*

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. *I am not guilty*
William J. Shanahan
Artist

Taken before me this
day of *May* 189*9*

John J. [Signature]
Police Justice.

1086

7
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.....

Alfred...

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

Dated..... 18..... *W. H. ...* Police Justice.

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

Dated..... 18..... 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..... 18..... Police Justice.

Police Court--- District. 1429

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Joseph H. Hadden
65 Christopher
William H. Hadden

James H. Hadden

2
3
4

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *Nov 16 1892*

Deuffy Magistrate.

Goek Officer.

13 Precinct.

Witnesses *Call Hadden*

No. Street.

No. Street.

No. Street.

to answer

Call *922*

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged _____ years, occupation _____ of No. _____

13 Presmol street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Robert Frank

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

Sworn to before me, this 16 day of August 1892 Casper Brock

W. K. Coffey Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK.

against

William Johnson

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

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

The said

William Johnson

late of the City of New York, in the County of New York aforesaid, on the *15th*
day of *November* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,

*one horse of the value of one hundred
and fifty dollars, one wagon of the
value of one hundred dollars, one
set of harness of the value of fifty
dollars, four barrels of the value
of twenty-five cents each, a quantity
of produce, a more particular descrip-
tion whereof is to the Grand Jury
aforesaid unknown, of the value
of twenty-five dollars,*

of the goods, chattels and personal property of one

Mynderve Treleigh

then and there being found, then and there feloniously did steal, take and carry away, against
the form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

SECOND COUNT—

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

— *William Johnson* —
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

William Johnson

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

*the same goods, chattels and
personal property described in the
first count of this indictment*

of the goods, chattels and personal property of one

Mynders Treleigh

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

Mynders Treleigh

unlawfully and unjustly did feloniously receive and have; the said

William Johnson

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

BOX:

501

FOLDER:

4575

DESCRIPTION:

Johnston, John

DATE:

11/11/92



4575

1092

BOX:

501

FOLDER:

4575

DESCRIPTION:

Keefer, Frederick

DATE:

11/11/92



4575

Witnesses:

Edna A. Ward

Johnston & Keefe
Att W.C.C.
Counsel to R.A.
Prot. B.

72
Counsel,
Filed day of 189
Plends,

THE PEOPLE

vs.

John Johnston
and

Frederick Keefe

De LANCEY NICOLL,
District Attorney.

Grand Larceny, Second Degree,
[Sections 883, 884, 885, Penal Code.]

A TRUE BILL.

John G. Foreman
Foreman.

401 1077
Leand. G. G. G.
R.A. Protection B.

Police Court

4 District.

Affidavit—Larceny.

City and County
of New York, } ss:

of No. 150 East 37 Street, aged 32 years,
occupation nurse being duly sworn,

deposes and says, that on the 4 day of November 1892 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the day time, the following property, viz:

Thirty-seven Dollars, good and
lawful money of the United States

\$37.00

the property of

Deponent

and that this deponent

has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by John Johnson and Frederick
Keefer (both now here) from the fact, that
on said date, about 11 A.M. deponent was
in Station 7, Post Office, at Third Avenue between
28th and 29th Streets and her pocketbook containing
said money was lying on a table beside her.
That deponent saw said pocketbook being
taken from said table and saw defendants
run out of said post-office: that deponent
followed defendants and procured their
arrest: that deponent is informed by Officer Carey
of the 21 Precinct that he, said officer, found
a pocketbook on the roof of the premises No.
271 East 28th Street, which house deponent saw
defendants go into and deponent identifies as

he property; that said officer also informs
deponent that the defendant Kiefer had
thirty-two dollars in his possession when arrested
and that both defendants admitted said officer
that they had stolen said money. Wherefore
deponent accuses defendants of having
stolen said property and prays that they
may be dealt with as the law directs

Done to before me this } Ella A. Heard
14th day of November 1892 }

Charles N. Trinita
Police Justice

CITY AND COUNTY }
OF NEW YORK, } ss.

John Casey
aged 21 years, occupation Police - officer of No.

21st Precinct Police Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Ella A. Hurd

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

Sworn to before me, this

day of November 1897 }

John Casey

Charles W. Laintier

Police Justice.

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss:

District Police Court.

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

Question. What is your name?

Answer. *John Johnston*

Question. How old are you?

Answer. *11 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *203 East 33 Street 1 Year*

Question. What is your business or profession?

Answer. *Go to School*

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 xxxx guilty I took the pocket book and gave it to Fred Kuper*

John Johnston

Taken before me this

day of

Charles J. Donato

Police Justice.

Sec. 198—200.

4

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss:

Fred Keefer being duly examined before the under-
signed according to law, on the annexed charge, and being informed that it is h right to
make a statement in relation to the charge against h ; that the statement is designed to
enable h if he sees fit, to answer the charge and explain the facts alleged against h ;
that he is at liberty to waive making a statement, and that h waiver cannot be used
against h on the trial.

Question. What is your name?

Answer.

Fred Keefer

Question. How old are you?

Answer.

13 Years

Question. Where were you born?

Answer.

New York

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

Answer.

339 East 36 Street. 1 Year

Question. What is your business or profession?

Answer.

Go to School

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

Fred. Keefer.

Taken before me this

day of

1891

Charles H. Stewart

Police Justice

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

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

Dated Nov. 5 1887 Charles N. Lammie Police Justice.

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

Dated 188 Police Justice.

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

Dated 188 Police Justice.

\$500 each for 2
Nov. 5/1892 9.30
C.M.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

146
Police Court--- District. 1388

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Ella A. Hurd
108 E 35

1 John Johnson
2 Frederick Kiefer

3
4

Offence

Dated Nov. 4 1892

Faint

Magistrate.

Casey

Officer.

21

Precinct.

Witnesses Officer John J. McCoy
No. 18th Precinct: Street.

No. Street.

Frank G. Barkley, 108 E 23rd

No. Street.

\$ to answer

Comm

922

Court of Gen. Sessions:

People,

^{upb}
Fred. Keifer

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

100 EAST 2ND STREET,

New York, Nov. 8 1892

CASE NO. 68666
DATE OF ARREST
CHARGE

OFFICER

Barbrey

Nov 4

Grand Larceny

AGE OF CHILD
RELIGION
FATHER

13 years
Catholic

MOTHER

Keifer

RESIDENCE

110 7th No. 339 E. 36th St.

AN INVESTIGATION BY THE SOCIETY SHOWS THAT

Nov. 18,

1891, Fred Keifer was arrested for
the larceny of a watch from a boy
on the street. He was, however, dis-
charged in police Court by Justice
Grady.

Fred Keifer is a thoroughly bad
boy. His parents have a good
home and are temperate, respecta-
ble, but boy is wayward,
does not attend school, and is
a constant source of anxiety to
parents, who have been placed
in an awkward position.

All which is respectfully submitted,

Edw. Loring
Ryft

To District Atty.

*Court of
General Sessions*

People

City of New York

PRIMAL CODE

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

ELBRIDGE T. CERRY,

President, &c.

100 East 23d Street,

NEW YORK CITY.

1102

Court of Gen. Sessions:
People

REPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.
100 EAST 2ND STREET.

^{agst}
John Johnson

New York, Nov - 8 1892

CASE NO 68666
DATE OF ARREST Nov
CHARGE

OFFICER

Barbuley

Grand Larceny

AGE OF CHILD
RELIGION
FATHER

11 years
Protestant

MOTHER

John

RESIDENCE

Mary 253 E. 33d St.

AN INVESTIGATION BY THE SOCIETY SHOWS THAT on June 20th

1892, John Johnson was arrested
in the 18th Prec. on charge of larceny
of \$1.00 from a child on the streets.
Was discharged by Justice Hogan as
child could not fully identify the
boy.

John Johnson has been for 17
years in New York Juvenile Asylum
placed there by his parents for in-
firmity.

He is a thoroughly bad boy
and his parents express a wish to
have her returned to the Juvenile Asylum

All which is respectfully submitted

Edwards Leekings
191

Respectfully

Court of
General Sessions.

Joseph

Elbridge

PENAL CODE, N.Y.

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

ELBRIDGE T. CERRY,

President, &c.

100 East 23d Street,

NEW YORK CITY.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John Johnston
and
Frederick Keefer*

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

John Johnston and Frederick Keefer
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said

John Johnston and Frederick Keefer, both

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

*the sum of thirty seven dollars
in money, lawful money of the
United States of America, and of
the value of thirty-seven dollars,
and one pocketbook of the value
of one dollar*

of the goods, chattels and personal property of one

Ellen A. Howard

then and there being found, then and there feloniously did steal, take and carry away, against
the form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

SECOND COUNT—

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

John Johnston and Frederick Keefer
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

John Johnston and Frederick Keefer, both

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

*the sum of thirty-seven dollars
in money, lawful money of the
United States of America, and
of the value of thirty-seven dol-
lars, and one pocketbook of the
value of one dollar*

of the goods, chattels and personal property of one *Ella A. Ward*

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

unlawfully and unjustly did feloniously receive and have; the said

John Johnston and Frederick Keefer

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

1107

BOX:

501

FOLDER:

4575

DESCRIPTION:

Jones, Patrick

DATE:

11/21/92



4575

Witnesses:

affr. Cagney 27th

168 a May a

Counsel,

Filed

21st day of Nov^r 1892

Pleadg,

against

THE PEOPLE

vs.

Patrick Jones

Assault in the Second Degree.
(Section 218, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Poulson

Foreman.

Part 3 January 17/93

Def't discharged on his
verdict recog.

Part 3 Dec 12
G. L. H.

The witness atty
firms that the
man be unable
to obtain a certificate
reg to the fact
that the complainant
cannot be found - the
defendant has been
in prison since the
2nd of October '92.
Each satisfied the
cor. Inmate of prison
should be discharged upon
his own recognizance
Att. for the
Dec 17th 92. Adm. make.

1109

PART II.

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

Serve Person
SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

1702

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

To Josie Lamb
at No. 227 E 10th Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of NOV 30 1892 at the hour of 11 in the forenoon of the same day,

as a witness in a criminal action prosecuted by the People of the State of New York, against

Patrick Jones

Dated at the City of New York, the first Monday of
in the year of our Lord 1892

DE LANCEY NICOLL, District Attorney.

1110

Court of General Sessions.

THE PEOPLE

vs.

Patrick Jones

City and County of New York, ss:

David Sheerin being duly sworn, deposes and says: I reside at No. *3* *Patchen Place* Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the *29th* day of *Nov.* 189*2* I called at *227 East 102nd St.*

the alleged *residence* of *Josie Lamb* the complainant herein, to serve h*er* with the annexed subpoena, and was informed by *the* *tenants* of said house, that no person by the name of *Josie Lamb* resides there

Sworn to before me, this *30th* day of *November* 189*2*

David Sheerin
Subpoena Server.

H. W. Illwaco
Com. of deeds
N. Y. Co

Court of General Sessions.

THE PEOPLE, on the Complaint of

Josie Lamb

vs.

Patrick Jones

JOHN E. FELLOWS,

Verancy Goodell District Attorney.

Affidavit of

David Sheerin

Subpoena Server.

Failure to find Witness.

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

----- x
The People, Ac., :
vs. :
Patrick Jones. :
----- x

SIR:-

Please take notice, that the defendant will on the
annexed affidavit of John B. Mayo, verified herein the 13th
day of January, 1893, and on the indictment and all papers
and proceedings heretofore had herein, move this Honorable
Court at a term thereof to be held in the Court House,
(32 Chambers Street), in the city of New York, on the 16th
day of January, 1893, at the opening of the Court on said
day, before Hon. James Fitzgerald, Judge, (Part III), for
an order that the said indictment against this defendant
be dismissed, and for such other and further relief as may
be just according to the statute in such case made and
provided.

Yours, Ac.

John B. Mayo

of Counsel to defendant.

To

320 Broadway, New York

Hon. DeLancey Nicoll,

District Attorney,
32 Chambers Street,
New York City.

New York, January 12th, 1893..

COURT OF
GENERAL SESSIONS OF THE PEACE

----- *
The People, &c. :
vs. :
Patrick Jones. :
----- *

City and County of New York, ss:

John B. Mayo, being duly sworn,
deposes and says, that on or about the 30th day of November
1892, he was assigned by Honorable James Fitzgerald, one
of the Judges of this Court, as counsel to defendant here-
in, and that he has ever since served and is now serving as
such counsel.

That, as deponent is informed and verily believes,
said defendant was indicted by the Grand Jury of this
County, at the November term 1892, of this Court, for
felonious assault.

That at said November Term said defendant pleaded
not guilty, and said cause was continued till the December
Term 1892, of this Court.

That at said December Term of said Court, said
cause appeared on the day Calendar of this Court in Part
III thereof, and was called. That said defendant answered
ready, and was then and there ready for trial. That the
People were not ready and the cause ~~was~~ was put over the
term by the People.

That said cause has been twice on the day Calendar
of this Court in Part I thereof during the January Term

1893, and defendant was on each occasion ready to proceed to trial and that the People were not ready so to do, on either occasion, as deponent is informed and verily believes.

Deponent further says, that he is informed and verily believes that the trial of said case has never been adjourned for trial at request of defendant, or his counsel, and that the People are without evidence to substantiate the charge as laid in the said indictment against the defendant.

Sworn to before me, this :
13th day of January, 1893.:

Aug. St. Allen,

Notary Public

N.Y. Co.

John B. Mayo

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

The People, &c.

vs.

Patrick Jones.

Notice of Motion for Order
dismissing indictment, and
Affidavit.

John B. Mayo,
Counsel to Deft.
320 B'way, City.

To
Hon. David S. Nichols,
District Attorney
32 Chambers Street,
City.

1116

DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

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

To Josie Laint
of No. 90 off. Cagney 27 Precinct

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of NOVEMBER 1892, at the hour of 10¹/₂ in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against Patrick Jones

Dated at the City of New York, the first Monday of NOVEMBER in the year of our Lord 1892

2045

DE LANCEY NICOLL, District Attorney.

1117

Court of General Sessions.

THE PEOPLE

vs.

Patrick Jones

City and County of New York, ss:

David E. Cagney being duly

sworn, deposes and says, I reside at No. 27th Precinct Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the

City and County of New York. On the 20th day of November 1892 and on several other occasions,

I called at No. 225 East 102nd Street

the alleged residence of Josie Lamb

the complainant herein, to serve her with the annexed subpoena, and was informed by

one of the tenants in said premises, that the family of which she was a member had been dispossessed, during the past week.

I had called there several times previous to this and had been informed that the said complainant had gone with her husband to Boston Massachusetts.

The defendant herein is the father of the complainant and I am of opinion, from interviews had with said complainant that she did not intend to prosecute

Sworn to before me, this 5/12 day of November 1892

David E. Cagney

Noted and
corrected
at 100. 100.

Court of General Sessions.

THE PEOPLE, on the Complaint of

John Lamb

vs.

Patrick Jones

Offence:

JOHN R. FELLOWS,
District Attorney.

Affidavit of

Off David E. Ayer
Subpoena Sealer.

Failure to Find Witness.

Police Court—5th District.

City and County } ss.:
of New York,

of No. 227 Christie Street, aged 23 years,
occupation Wash-house being duly sworn
deposes and says, that on the 2nd day of October 1882 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Patrick James
(murderer) who willfully and maliciously
struck defendant in the neck with
a table knife thru and thru the
in his hand

with the felonious intent to ~~take the life of defendant~~ ^{do her} ~~or to do her~~ grievous bodily harm; and without
any justification on the part of the said assailant :

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

Sworn to before me, this 2nd day }
of October 1882 } Mrs Josie Lamb.

John McDoon Police Justice.

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY } ss:
OF NEW YORK,

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

Question. What is your name?

Answer. *Patrick Jones*

Question. How old are you?

Answer. *45 years*

Question. Where were you born?

Answer. *Belmont*

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

Answer. *223 E. 12 St. New York City*

Question. What is your business or profession?

Answer. *Electrician*

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.*

Patrick Jones

Taken before me this *22*

day of *October* 189 *7*

Edmund B. McLaughlin

Police Justice.

1121

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

..... Defendant
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of \$500 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Oct 2 189..... John B. [Signature] Police Justice.

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

Dated, 189..... Police Justice.

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

Dated, 189..... Police Justice.

Police Court--- 5th District. 1224

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1 Joe E. Smith
227
Patrick Jones

Offense: 4th Avenue
Circuit

2
3
4

Dated, October 2 1892
Vernis Magistrate.
Wagner Officer.
27 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 1000 to answer G.D.

Comm

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

1123

PART III.

THE COURT ROOM IS IN THE FIRST STORY.
 If this Subpoena is disobeyed, an attachment will immediately issue.
 Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.
 [SEE OTHER SIDE FOR OTHER DIRECTIONS.]

Affidavit Mauter

1703

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To *Joni Lamb*
 of No. *227 E 142*

Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of *189* *2* at half past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Patricia Jones

Dated at the City of New York, the first Monday of

in the year of our Lord 189 *2*

DE LANCEY NICOLL, District Attorney.

Sworn, Deposed and signed before me at No. *1158 11551 18 66*

Court of General Sessions.

THE PEOPLE

vs.

Patrick Jours

City and County of New York, ss:

sworn, deposes and says: I reside at No. *John J Madden* being duly
428 West 18th
Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the
City and County of New York. On the *12th* day of *December* 189*2*
I called at *227 West 102^d Street*

the alleged *Residence* of *Josie Lamb*
the complainant herein, to serve her with the annexed subpoena, and was informed by

*A Lady residing in the house number
227 East 102^d Street that there had been
lady by the Name of Mrs Lamb living in
this house but she had moved away and
she was unable to tell me where Mrs Lamb
had gone to or where I might be able to
find her so I was unable to serve her
with the annexed Subpoena*

Sworn to before me, this *16th* day
of *December* 189*2*

John J. Madden
Court of Sessions

John J. Madden
Subpoena Server.

Court of General Sessions.

THE PEOPLE, on the Complaint of

Jose Lanza

vs.

Samuel J. Jorio

Offense

JOHN R. FELLOWS,

District Attorney.

Affidavit of

John J. Madden

Shelton Server.

Failure to find Witness.

1125

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Patrick Jones

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

Patrick Jones

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

The said

Patrick Jones

late of the City and County of New York, on the *second* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, in and upon one

Josie Lamb in the peace of the said People then and there being, feloniously did wilfully and wrongfully did make an assault; and the said *Patrick Jones*

with a certain *knife* which *he* the said

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

De Lancey Nicoll,
District Attorney

1127

BOX:

501

FOLDER:

4575

DESCRIPTION:

Jordan, Bernard

DATE:

11/01/92



4575

Witnesses:

Rich W Stone

3rd Black Myers
Counsel,
Filed, 1 day of 189
Pleads, Myself

THE PEOPLE

vs.

Bernard Jordan

LARCENY, 2nd
(MISAPPROPRIATION)
(Sections 528 and 537 of the Penal Code.)

DR LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Filed, 16th day of May, 1892

B. Lockwood

Foreman.

Post 3rd day 1892 - V. M. R.
Bail discharged. Del.
on his personal recognizance

I have carefully examined this Case and am satisfied that no further action can be taken by the Pro. The Defendant had acted several times as Agent for the complainant - and the Case involves a check in my hands for a Misappropriation of money received by the Defendant from the complainant. With a view to the recovery of the same

Police Court

District.

Affidavit—Larceny.

City and County } ss:
of New York, }

Patrick McShane

of No. 316 East-126-

Street, aged 36 years,

occupation Manager

being duly sworn,

deposes and says, that on the 22nd day of June 1897 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the ~~very~~ time, the following property, viz:

Three clocks and one rug.
together of the value of about.
Twenty-seven dollars

the property of In care and charge 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 Bernard Green, now ~~known~~ from the fact, that this defendant was in the employ of deponent. Defendant had said property in his possession to sell for deponent, when deponent ~~was~~ ^{paid} him for the return of said property, or the money for the same, defendant paid no attention to deponent's letters, wherefor deponent charges defendant with the larceny of said property, and asks that he may be dealt with according to the law directs.

J. McShane

Sworn to before me this 22nd day of June 1897

Notary Public
Office of Justice.

1130

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss:
OF NEW YORK,

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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.

Taken before me this 189

William J. ...
Police Justice

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

Defendant

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

Dated, *Oct 22* 189 *2*, *Cromwell* Police Justice.

I have admitted the above-named

Defendant

to bail to answer by the undertaking hereto annexed.

Dated, *Oct 23* 189 *2*, *Cromwell* Police Justice.

There being no sufficient cause to believe the within named

guilty of the offense within mentioned, I order he to be discharged.

Dated, 189 Police Justice.

Police Court--- 5 District 1370
THE PEOPLE, &c.,
ON THE COMPLAINT OF
Patrick McShane
316 & 156
Bernard Jordan
1
2
3
4
Dated, October 22 1892
Meador Magistrate.
Levy Officer.
Court- Precinct.
Witnesses Mammie Lee
355 East 89th Street.
No. 1000 to answer J.D.
Bailed

BAILED,
No. 1, by Bennett Witkowsky
Residence 642 East 156th Street.
No. 2, by
Residence Street.
No. 3, by
Residence Street.
No. 4, by
Residence Street.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Bernard Jordan

The Grand Jury of the City and County of New York, by this indictment, accuse
Bernard Jordan
of the CRIME OF *Grand* LARCENY, in the second degree, committed
as follows:

The said

Bernard Jordan

late of the City of New York, in the County of New York aforesaid, on the 22nd
day of *June* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, being then and there the clerk
and servant of *Patrick McShane*

and as such *clerk and servant* then and there having in his
possession, custody and control certain goods, chattels and personal property of the said

Patrick McShane

the true owner thereof, to wit:

*three clocks of the
value of nine dollars each, and
one finger ring of the value
of ten dollars;*

the said

Bernard Jordan

afterwards, to wit:

on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,
did feloniously appropriate the said *goods, chattels*

and personal property

to his own use, with intent to deprive and defraud the said *Patrick McShane*

of the same, and of the use and benefit thereof; and the same goods, chattels and personal
property of the said *Patrick McShane*

did then and there and thereby feloniously steal, against the form of the statute in such case
made and provided, and against the peace of the People of the State of New York and their
dignity.

DE LANCEY NICOLL,
District Attorney.

1134

BOX:

501

FOLDER:

4575

DESCRIPTION:

Jordan, James F.

DATE:

11/28/92



4575

320

Witnesses:
Officer Morris
220 p. 21

Counsel,

Filed, *28* day of *Nov* 189*3*

Pleads, *Magistrate Deed*

THE PEOPLE

vs.

VIOLATION OF THE EXCISE LAW.
[Chap. 401, Laws of 1892, § 83].
Selling, etc., on Sunday.

B

James F. Jordan

Trusted friend in the County of Suffolk, Mass.

Sessions for trial and final disposition

Part 2. From 213.....1893

DE LANCEY NICOLL.

District Attorney.

A TRUE BILL.

John C. Foreman

Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James F. Jordan

The Grand Jury of the City and County of New York, by this indictment, accuse
James F. Jordan
 of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND
 BEER ON SUNDAY, committed as follows:

The said

James F. Jordan
 late of the City of New York, in the County of New York aforesaid, on the
 day of *September* 11th in the year of our Lord one thousand eight hundred and
 ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong
 and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
 of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
 one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-
 ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against
 the form of the statute in such case made and provided, and against the peace of the People of
 New York and their dignity.

SECOND COUNT—

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

James F. Jordan
 of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
 WINES, ALE AND BEER, committed as follows:

The said

James F. Jordan
 late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the
 same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of
 wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one
 gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of
 a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and
 expose for sale to one

Frank Morris
 and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the
 form of the statute in such case made and provided, and against the peace of the People of the State
 of New York and their dignity.

DE LANCEY NICOLL

District Attorney

1137

**END OF
BOX**