

0000

BOX:

462

FOLDER:

4237

DESCRIPTION:

Nagle, Martin

DATE:

12/09/91



4237

0009

Witnesses:

Edward Baker

Counsel,

Filed

Pleads,

1871

9th day of Oct

THE PEOPLE

vs.

Martin Hagler

Robbery, ^{2nd Degree} (Sections 224 and 229, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Emanuel W. Dunnington

Foreman.

Dec 10/91
J. J. J. J. J.
J. J. J. J. J.
J. J. J. J. J.

0010

Police Court— 2 District.CITY AND COUNTY }
OF NEW YORK, } ss

Edwin Ball

of No. 69 Clarkson Street, Aged 39 YearsOccupation Mine being duly sworn, deposes and says, that on the7th day of December 1889, at the 9 Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:one gold watch and gold chain together with a ten dollar gold Meccan coin, all of the value of aboutof the value of about one hundred and forty DOLLARS,
the property of deponent

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

Martin Kagle (now here) DeponentI wore the said property in his vest and attached thereto on his person about the hour of 6:30 O'clock P.M. on said date, and the deponent came up ^{in the street} and snatched the said property and ran off with it, from ^{near} No 69 Clarkson Street. Deponent had a good look at defendant and is now positive as to his identity.

Edwin Ball,

Sworn to before me, this
day of December 1889

Police Justice

0011

Sec. 103-200.

District Police C

CITY AND COUNTY } ss.
OF NEW YORK, }

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

Question. What is your name?

Answer. *Martin Nagle*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *42 Leroy St - 6 months*

Question. What is your business or profession?

Answer. *Printing*

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

Answer. *I am not guilty*

Martin Nagle

Taken before me this
day of *December* 1891

Police Justice

00 12

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.....

Martin Vaple

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 *Dec 9* 1891 *E. J. Hogan* 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.

0013

1513

Police Court---

2

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OFEdwin Ball
69 Clarkson St
Martin Nagle

2

3

4

Office

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street

Dated

Dec 9

188

91

Hogan

Magistrate.

Hunt & Sharkey

Officer.

9

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

1000

to answer

G. S.
Carr

00 14

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Martin Nagle

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

Martin Nagle

of the CRIME OF ROBBERY in the second degree, committed as follows:

The said Martin Nagle

late of the City of New York, in the County of New York aforesaid, on the seventh day of December in the year of our Lord one thousand eight hundred and ninety-one, in the night time of the said day, at the City and County aforesaid, with force and arms, in and upon one Edwin Ball in the peace of the said People then and there being, feloniously did make an assault; and

one watch of the value of ninety dollars, one chain of the value of forty dollars, and one gold coin of the ~~King~~ republic of Mexico, of the a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of ten dollars of the goods, chattels and personal property of the said Edwin Ball from the person of the said Edwin Ball against the will and by violence to the person of the said Edwin Ball then and there violently and feloniously did rob, 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.

De Laurey Nicoll
District Attorney

00 15

BOX:

462

FOLDER:

4237

DESCRIPTION:

Newman, James J.

DATE:

12/18/91



4237

00 16

POOR QUALITY
ORIGINAL

Witnesses:

May Newman

Counsel,

filed

day of

189

Pleads,

THE PEOPLE

vs.

James J. Newman

Grand Larceny, Second Degree,
(Sections 238, 239)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Amabel W. Boringdale

Dec 17/91

Foreman.

Plead Guilty
Charles R. P.

00 17

POOR QUALITY
ORIGINAL

Witnesses:

May Newman

134
Counsel,

Filed

day of

189

Plends,

THE PEOPLE

vs.

James J. Newman

Grand Larceny, Second Degree.
[Sections 623, 694, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Eugene W. Bloomingdale

Dec 10/91

Foreman.

Heads of Jury
Amos

00 18

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation Thomas Purleigh of No. _____

Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of Mary Herman

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

Sworn to before me, this

day of

1897

December 12 } Thomas Purleigh
John J. Kelly
Police Justice.

00 19

(1865)

Police Court— District.

Affidavit—Larceny.

City and County } ss.
of New York, }

of No. 5 Jones Street, aged 52 years,
 occupation Keep House being duly sworn,
 deposes and says, that on the 7th day of December 1891 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:

One double case gold watch and
one brass chain to go with of the value
of about thirty dollars
\$30.00

the property of deponent's husband

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 James J. Newman, "now living

from the fact that the said property was
 in the house in the morning of said date
 that in the afternoon the property
 was gone. That the defendant was seen
 the house that day. That deponent sus-
 pected the defendant and caused his
 arrest. That deponent is now informed
 by Detective Thomas Purdigh of the 9th
 Precinct Police that he the detective arrested
 the defendant, and the defendant admitted
 to the detective that he took the said
 property and pawned the same. That
 the detective went to the pawn office
 and recovered the property which deponent

Sworn to before me, this
 of _____ day of _____
 1891

Notary Public.

0020

fully and positively identifies as the property
and says that the defendant he held and
dealt with as the car driver.

Now I refer me to
12 day of December 1891, } Mary Keenan

John E. Kelly
Police Justice

~~Mary Keenan~~

0021

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

James Newman being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is h's right to
make a statement in relation to the charge against h; that the statement is designed to
enable h if he see 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's waiver cannot be used
against h on the trial.

Question. What is your name?

Answer. *James Newman*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *65 Jones St.*

Question. What is your business or profession?

Answer. *Nothing*

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**James Newman*

Taken before me on this

James Newman

1884

Police Justice.

0022

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.....

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

Dated *Dec 17* 18 *4* *John E. Kelly* 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.

0023

Police Court--- 7 1536 District.

THE PEOPLE, &c
ON THE COMPLAINT OF

Mary Newman
James Newman
2
3
4
Officer *John A. Kelly*

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *Dec 7* 1891

Kelly Magistrate.

Barclay Officer.

Call the Officer Precinct.

Witnesses _____

No. _____ Street.

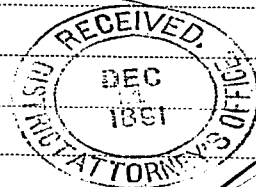
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *1.000* to answer *GS*

Law 9x2



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 J. Newman

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

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

The said

James J. Newman

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

*one watch of the value of
twenty-eight dollars, and one
chain of the value of two
dollars*

of the goods, chattels and personal property of one

Mary Newman

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.

De Lancey Nicoll
District Attorney.

0025

BOX:

462

FOLDER:

4237

DESCRIPTION:

Nolan, John F.

DATE:

12/22/91



4237

Witnesses:

James Clark

1877 J. J. Goldsmith

Counsel,

Filed

day of

1891

Pleas

W. H. L. 23

THE PEOPLE

vs.

John S. Nolan

May 14/92

Grand Larceny,
(From the Person),
[Sections 528, 530,
Penal Code.]

W. LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Geo. C. Fisher

Foreman.

W. L.

5 yrs 3 months

0027

(1305)

Police Court—

4th District.

Affidavit—Larceny.

City and County } ss.
of New York,of No. 42 West 65th Street, aged 55 years,

occupation Livery Stable being duly sworn,

deposes and says, that on the 13th day of December 1891 at the City of NewYork, in the County of New York, was feloniously taken, stolen and carried away from the possession
and person of deponent, in the night time, the following property, viz:

One Gold Watch of the
value of One Hundred and Twenty-five
Dollars and One Gold Scarf Pin
set with and containing three
Diamonds of the value of Twenty-five Dollars
and all of the value of One Hundred and Fifty Dollars
the property of deponent

Sworn to before me this
1891

Police Justice.

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen
and carried away by John F. Nolan (now here)

from the Jack Truck at about the
noon of 10 P.M. on December 13th 1891, deponent
was standing on West 43rd Street and
said defendant came up to deponent
and asked deponent the time what
time of night it was, deponent took out
the said watch from his vest pocket
and as deponent could not see the hands
on the watch said defendant took the watch
saying he could see, deponent held
on to the chain attached to the watch
when said defendant suddenly detached
the watch from the ring fastening it to the
chain and also at the same time snatched

and took ~~the~~ the aforesaid Scarf Pin
 from off the Scarf then and
 there worn on defendant's person
 and said defendant did
 then run away
 defendant therefore charges
 said defendant with having committed
 the aforesaid larceny and asks
 that he may be ~~compensated~~ held
 with as that may may direct
 your to before me this
 19 day of December 1891
 J. B. Clark
 Police Justice

Done

0029

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK ss.

John F. Molan

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

Question. What is your name?

Answer.

John F. Molan

Question. How old are you?

Answer.

29 years

Question. Where were you born?

Answer.

New York

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

Answer.

N^o 642 - 7 Avenue and about 2 weeks

Question. What is your business or profession?

Answer.

Bar-tender

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 F. Molan.

Taken before me this

day of

Sept 1891
Police Justice

0030

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 Twenty 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 Dec 19 1891 John H. Brady 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.

0031

BAILED.

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

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Clark
112 West 65th St
John F. Nolan

2 _____
3 _____
4 _____

Dated Dec 19 1891
Magistrate.
Officer.
Precinct.

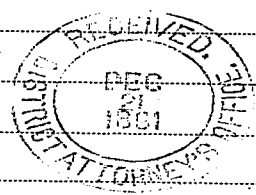
Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 2500 to answer G.S.



Comm
5-11
70 on

26

The People

John Nolan

Court of General Sessions. Part I
 Before Judge Fitzgerald. January 4, 1912
 Indictment for grand larceny in first degree
 James Clark, sworn and examined, testified:
 I live at 42 West Sixty-fifth street and on
 the 13th of December last I lived in the same
 place; on the night of the 13th of December I was in
 West Forty-third street in this city, probably
 five or ten minutes before ten o'clock; it
 was probably 150 feet from Sixth Avenue on
 the south west side, the lower side on the
 east side of the Avenue. I had a gold watch
 in my vest pocket, which was attached to a
 chain. I had an English crown head dia-
 mond pin, three diamonds one set in
 each point; the pin was in a scarf. I
 valued the watch at twenty five dollars; it
 was worth more money. The defendant came
 up to me in Forty-third street and asked
 me if I would please tell him what time
 it was. I pulled out my watch and I sprung
 it with my ~~finger~~^{thumb}. I could not see
 the hands; they were close together, it was
 near ten o'clock. He reached out his
 hand and took hold of my watch and
 said, "I can see." Our hands were pretty
 close together, pretty near in my face.
 He unhooked this chain from the
 watch. Did he do anything else when

he snatched the watch from the chain? He had the watch and he took the pin at the same time and went off with the watch and left me the chain in my hand. I had hold of it pretty close to the watch. He ran and I ran to the corner and halloed, but I could not see anybody, he was out of my sight. This was on the 13th a Sunday night. I noticed at the time he took the watch I noticed that one of his fingers was gone. I next saw the defendant on the following Friday on Seventh Avenue near Fiftyeth street. He was walking on the street. I was going down the Avenue and I saw him on the opposite side. I knew him. He was going towards Fifty first street. He went into a liquor store and I went to Sixth Avenue and Fifty Second street and got a policeman. The first I met I asked him to come down there. I told him the defendant was the man. He asked me what he had done? I told the officer, and he went in. I pointed him out and he took him out of the saloon; he walked away with the officer when he gave him a twist and broke away. How far had he gone with the officer before he broke

away? Not more than two or three yards. He pursued him, he ran back across Seventh avenue two or three times and went down Seventh avenue to thirty ninth street and through thirty ninth street to eighth avenue. By that time he was gaining considerable, he was a fast runner, he went up to eighth avenue between forty and forty first street. He bolted in a hall way and he went up to the top floor and jumped over an extension to the next house and came down the hall into a coal cellar where he was arrested. When the officer took him into custody he denied taking the watch, he said that it was a mistake, that he had never seen me, he did not know me at all, he was not the man.

Cross Examined I am a livery stable keeper. I do not know a man named Wm Jagger. I don't know a man who keeps a saloon on Seventh avenue between forty and forty first streets. I am not acquainted in that neighborhood. Were you in a saloon in that neighborhood on the night of the 13th of December 1891? I was in a saloon some place on my way up from thirty sixth to forty third street. I went in with my friend and had a drink; his name

is Moscow. Do you know the party who owned that saloon? No, I never was there before in my life. Do you know if your friend knew this man named Jaeger? That I do not know. Were you not speaking to him while you were in that saloon that night? I don't know the man at all. Was your friend speaking to him at all? He might have. I don't know. I am not acquainted with him. I don't know the man at all. The 13th of December was Sunday. I got up that morning about eight o'clock. I had my breakfast that morning. I did not have any drinks with my breakfast that morning. I am not in the habit of drinking. I had no drinks that day until evening when I took this one drink in Seventh Avenue, that is all I had that day. I did not discuss politics that night, I am not a politician of any kind. Did you meet Mr. Nolan in the saloon that night? Not that I know of. I did not notice anybody, for I never was in there before in my life. I never saw Nolan until he took the watch that I know of. Will you positively state that you did not see him in that saloon that night? Not to my knowledge, he might have been there, but I did not notice

him. Was there any man standing between you and your friend in that saloon on that Sunday night? I could not say that. My visit there was very short. I did not take notice to anybody. I could not say whether anybody was standing between me and my friend because I was on my way to go to a situation as groom. I was never intoxicated in my life and I am 35 years in the city. I am well known in public business here in this city. The night of the 13th of December was not so very dark; there was gas light but not very clear gas light because it was opposite the Sixth Avenue car stalls and the lights are not so bright there as they are in the avenue. I could not see the hands of the watch very well because it was close to ten o'clock and the hands were close together. I could not see the time very well. There was light enough for me to see plainly that the man who stole my watch had one finger of his hand missing there is a wide difference between the hands of a watch and a man's hands close to your face. I went to the station house the time that Nolan was arrested; the officer was with me. I got the officer on Sixth Avenue. I could not tell the number of the

place where he was arrested. Is it not a fact that you went to this saloon of ~~Wm~~ Jeger and told him that you had your watch stolen on the 13th of December that previous Sunday night, and he told you that the only man whom he knew who would have taken that watch was Nolan, he was the only thief came into this place and he has got a finger on his hand missing, and probably that is the man, is not that so? No sir. I did not go there to tell him; when I lost my watch that night I went to Fifth first st. station and reported it a few minutes after I had lost my watch. I then came back and stayed for about half an hour around that neighborhood to see if I could see the man coming out of the place. I could not see him. I went home on Monday. I kept on the streets until I saw him go into this liquor store. I went over Sixth Avenue. I got an officer and I told him; he was careless about going with me until I stated to him, I pointed him out to this man standing at the bar with a lot of other men. I took him to this saloon where I saw him go in. I could tell this

man anywhere. I looked at the man sharp. I did not take him for a thief when he took my watch or I never would let him take my watch in his hand. I never suspected that he was going to rob me. Is it not a fact that Sunday night in West Forty third street that it was dark, that the moment you say this man took the watch from the ring and also at the same time grabbed your pin from your cravat he ran away? Yes. Did you see his face? I saw his face while he was looking at the watch, he was close to my face, and the hands were close together. I looked in his face. I looked at the man before I pulled out the watch at all, but I did not take him for a thief. I did not think he was going to take it. He was pretty near my face. I had a good look at him. The moment he had the watch he ran away. I could see that he had no forefinger on his hand. I could not say which hand the finger was off. He had both hands up at the time the watch was taken. I saw the finger off; it was done very quick. I did not go to the saloon immediately after this I went to the Fifty first street station

Yes sir, I am positive of that because I could identify the man any time after he had left me. I never was drunk in my life.

John J. Nolan, sworn and examined in his own behalf testified. I live in West Thirty first street. I am a gas fitter. Do you know Mr. Clark, the complainant? I never saw Mr. Clark until this Sunday night when I went in this saloon. I seen him there. The saloon 508 Seventh Avenue is owned by brothers, Wm and Frank Jaeger. Mr. Clark was in there when I went in. I was working for the Jaegers four weeks. I was employed as bar tender and waiter. I was to receive nothing only enough to eat and a recommendation if he found me worthy. I knew Mr. Jaeger before my imprisonment a year; Clark came into the saloon with another gentleman. They were dressed alike and both had silk hats. Mr. Clark's friend was intoxicated, and he was under the influence of liquor himself. I was sober at the time. Mr. Clark invited me to have something to drink. I was standing at the bar and one man was between us. He came over to me and asked me to have a drink after talking to me for several minutes. I had been standing

about ten or fifteen minutes at the bar before he asked me to drink. His friend was making a speech about the Republican and Democratic nomination, and that is what started Clark talking to me about his friend being bold and forward making that announcement in such a place as that. I told Clark that nothing would be thought about it because the men who were in there did not care what he said as long as they got drinks, and another thing his friend was under the influence of drink and consequently not responsible for what he was saying. I shook hands with Clark and left him. I went down Seventh Avenue to Thirty Fourth St. I left the two men in the saloon. It must have been somewhere between nine and half past nine o'clock when I left the saloon 538 Seventh Avenue. I left Mr. Clark and his gentleman friend in the place. I left them for several reasons; how long I went before them I do not know. I did not go home. I went down Seventh Avenue as far as Thirty Fourth Street, and being a mild evening I went up Thirty Fourth St. to Broadway and down Broadway to Sixth Avenue, and I went down near Twenty

Eighth street. There is a friend of mine
 with whom I had lived for one week; she
 gave me a room for two days and I
 had no key for the place. I rung the bell;
 there was no answer after ringing twice.
 I came back again. I went back up Sixth
 Avenue to Broadway up as far as Fifty first
 street. Knowing my watch was stopped, I
 looked at the clock on Barretts hotel and
 wound my watch up. It was twenty minutes
 to eleven o'clock. I went back up to Seventh
 Avenue through Fifty first street back to this
 saloon No. 588 Seventh Avenue. I stayed
 in there fifteen or twenty minutes and then
 went home. After that night I went back to
 that saloon day after day until the very
 day I was arrested. I was not in Fifty
 third street the night this robbery was sup-
 posed to have been committed. and had
 not been there for several days previous.

Cross Examined: I have been in prison three times,
 twice in the Penitentiary and once in
 Sing Sing. The first time I was sent to prison
 was for ~~stealing~~ ^{attempting to steal} a valise with clothes in it
 and I got one year in the penitentiary
 for it. The next time I went to the penitentiary
 was about three months after I left it the
 first time. I went to the penitentiary first
 in 1884. The second time I was sent

to Sing Sing. The second time that you were sent to the penitentiary what were you sent there for? I was sent there for one year for stealing an overcoat. That was another case of grand larceny? Yes, I got it down to petty larceny. I pleaded guilty because I was guilty. When you went to the State prison what were you sent there for? For obtaining goods under false pretences. How did you obtain that from? M. A. Armstrong, a suit of clothes and an overcoat. How long were you sent to the State prison? Two years and three months. What other times have you been convicted of crimes? That is all. Are you quite sure? Yes sir. When did you leave the State prison? Left the State prison October 7, 1890 on Tuesday morning. When did you leave the penitentiary the last time? The 7th of November of last year. You stated that the last time you went to the penitentiary you got a year? That is what I did. How long are you out? I was sent there on December 8th by Judge Martine and I was discharged November 7th 1891. Since the last time you were liberated what have you done for a living? I have worked for this man Wm. Jaepers; he is the man that keeps the saloon.

You got no compensation from him? No sir.
 Where does your wife live? No. 444 West thirty
 first street. I understood you to state a
 little while ago that on the night in question
 Dec. 13th, that you went down to twenty eighth
 street did you get a room there from the
 lady? When I first came from the penitentiary
 I did. I did not state that I went to
 Twenty eighth street with a view of sleeping
 in a room which some woman had
 given me. I said I went to see a party
 from whom I had a room. Why didn't
 you live with your wife? When I was away
 some how or other I did not receive
 any letters, and when I came home
 I did not know where she lived. I went
 to this party with whom we did live at
 the time when I was arrested; she did
 not know where she lived either. This lady
 was living with her husband; he is
 keeping a picture store on Sixth avenue.
 When did you find out where your
 wife lived? About a week after I was home.
 It was in November. I did go to live with
 my wife after I found out where she
 lived. Have you worked since you have
 been out of prison? Only these four weeks
 I was working for this man. Did you
 ever work for a dollars compensation.

since you have been out of prison the last time? No sir. Tell me anybody for whom you worked during the last two or three years. I worked for nobody during the last two or three years. Have you ever earned an honest living? I did, I worked in Sigers sewing machine factory in the Foundry in Eighty Second street. I quit about 1884. Was that the last time that you worked? Yes. You have not worked since 1884? I have not. Most of the time between 1884 down to the time of November last you were in penal institutions; were you not? Yes, several times. During the intervals that took place between your discharge from one institution and your incarceration in another who did you work for? I worked for nobody. I looked at ~~my watch~~ ^{the clock} when at the Barrett house on Fifty first street because my watch was stopped. It was a gold filled watch; it is now in pawn. I pawned it on Monday, a week ago today. I was in the Truhs and sent it out with a party and had it pawned. Where was it pawned? I believe in Thirty seventh St. How much did you get on it? Six dollars. My wife is a seamstress, and she is working but I do not know who for; she works wherever she can get it. I saw

Mr. Clark in Jaeger's place between nine
 and half past nine o'clock. I did not see
 him have a watch on his person. but I saw
 a chain and he had a pin in his cravat.
 Clark was under the influence of liquor
 but he did not stagger. Did he talk incoher-
 ently? He was talking to himself. His friend
 was talking about the Republican and dem-
 ocratic party. I was in the saloon on
 the night of the 12th of December. I went there
 early in the evening about five or six
 o'clock and left it about ten o'clock. I
 saw the ordinary customers that come in.
 I don't know them by name but I know them
 by sight. I had no stated hour for leaving
 Jaeger's place; sometimes I leave earlier and
 sometimes later. Mr. Jaeger knew I was a
 thief. I told him to give me a hand to lead
 an honest life. The night that Clark was
 there there was twelve or eighteen people. I
 know several by their first name but not
 their last name. I do not know their residences.
 Mr. Jaeger was behind the bar that night
 but his brother was not there, he goes away
 mostly every night at five o'clock. I
 knew during the day that my watch had
 stopped. I did not wind it up. Mr. Jaeger
 is not in court. I told my lawyer
 where he lived. I did not think it was
 necessary to have him here.

John F. Nolan recalled by District Attorney I remember when I was arrested. I remember the officer taking me into custody. Why did you run away from the officer? Mr. Clark came into the saloon with a roundsman and I was talking with the proprietor; he came in and accused me of highway robbery. I says, "You are mistaken; that is a very serious charge to make; what is your idea of making that charge towards me?" Then he told me. The proprietor said, "If he is guilty, take him to the station house." I says, "I will go." My feet rushed to my mind. I know a convict had no show no matter where he is; if he is working in a place and anything is done an officer comes down, and he says he is guilty because he is an ex convict. I knew I got no show and I like a wild animal I was ran. I had no sense. I ran down a cellar in Eighth Avenue. I did not care where I went in as soon as I got away.

Daniel D. Kash, sworn and examined. I am an officer of the 22nd precinct. I did not arrest the prisoner. Roundsman McDowell did. I was in Eighth Avenue when McDowell found him in a coal bin. I did not hear him say anything. The jury rendered a verdict of guilty of grand larceny second degree.

0047

Testimony in the

Case of

John F. Nolan

Filed Dec.

1971.

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 F. Nolan

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

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

The said

John F. Nolan
late of the City of New York, in the County of New York aforesaid, on the *13th* day of *December* in the year of our Lord one thousand eight hundred and ninety-*one*, in the *night*-time of the said day, at the City and County aforesaid, with force and arms,

one watch of the value of one hundred and twenty-five dollars, and one scarf-pin of the value of twenty five dollars,

of the goods, chattels and personal property of one *James Clark* on the person of the said *James Clark* then and there being found, from the person of the said *James Clark* 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.

De Lancey Nicoll,
District Attorney

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows :

The said

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

of the goods, chattels and personal property of one

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

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

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.