

0647

BOX:

448

FOLDER:

4134

DESCRIPTION:

Coan, Patrick

DATE:

09/24/91



4134

765

Witnesses:

Budget Coan

Off Carey 16th

Counsel,

Filed

day of

1891

Pleas,

Sept 15

THE PEOPLE

vs.

Patrick Coan

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

DE LANCEY NICOILL,

District Attorney.

County
Court I Sept 30, 1891
1 000 1.00 1891

A TRUE BILL.

W. J. Liberry

Foreman.

*Printed & Computed by
Hess & Sons*

5th St. St. 1891

0649

Police Court—7 District.City and County }
of New York, } ss.:

Bright Coan
 of No. 542 West 77 Street, aged 46 years,
 occupation Rep House being duly sworn
 deposes and says, that on the 27 day of August 1894 at the City of New
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Patrick Coan, now here, who
struck deponent several blows on
the head and body with a large
shovel, which he then and there held
in his hand.

Deponent further says that
such assault was committed

with the felonious intent to ~~take the life of deponent, or to~~ ^{her} do 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 4th day
 of September 1894

John E. Kelly Police Justice.

Bright Coan
mark

0650

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK*Patrick Coan*

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.

Patrick Coan

Question. How old are you?

Answer.

48 yrs

Question. Where were you born?

Answer.

Ireland

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

Answer.

11522 West 77th St 2 1/2 yrs

Question. What is your business or profession?

Answer.

Laborer

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**Pat Coan*

Taken before me this

John J. McClellan

Police Justice.

0651

New York Hospital,

GEO. P. LUDLAM,
Superintendent.

West Fifteenth Street,

New York, *Sept 6th 1891*

*This is to certify
that Bridget Owen has
practically recovered from
her injuries & will probably
be able to go out tomorrow
Thos. J. Williams
House Surgeon.*

0652

New York Hospital,

GEO. P. LUDLAM,
Superintendent.

West Fifteenth Street,

New York, *Sept 8* 1891

*This is to certify
that Bridget Con is
much better & is now
considered out of danger.*

*Chas. H. Adams
House Surgeon.*

0653

New York Hospital,

GEO. P. LUDLAM,
Superintendent.

West Fifteenth Street,

New York, *Aug 31st* 1891

*This is to certify
that Bridget Coan is doing
fairly well but condition is
still considered critical.*

*The only thing to fear, is that
inflammation may set in.*

*Chas. F. Adams
House Surgeon.*

0654

New York Hospital,

GEO. P. LUDLAM,
Superintendent.

West Fifteenth Street,

New York, *May 28* 1891

4 P.M.

*This is to certify
that Bridget O'Connell is in a
fair condition & there is a good
prospect of recovery.
Inflammation is liable though
at any time & set in, & if that
should happen, there might
be a fatal termination*

*Chas. F. Adams
House Surgeon.*

0655

New York Hospital,

GEO. P. LUDLAM,
Superintendent.

West Fifteenth Street,

New York, *Aug 28* 1891

Yam

*This is to certify
that Delia Owen is doing
very well, but condition is still
considered somewhat critical.*

*Chas. F. Williams
House Surgeon.*

0656

My dear Sir,
I have the honor to acknowledge the receipt of your letter of the 27th inst. in relation to the matter of the New York Hospital, and in reply to inform you that the same has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,
Yours, etc.,
J. B. Jones, Secy.

New York Hospital,
West Fifteenth Street,
New York, N.Y.
May 27 1891

GEO. P. LUDLAM,
Superintendent.

0657

Police Court 2 District.

City and County } ss.
of New York.

of No. 523 West 77th Street, aged 11 years,
 occupation School being duly sworn, deposes and says,
 that on the 27 day of August 1891, at the City of New
 York, in the County of New York,

Patrick Coan, now here, assaulted
 Bridget Coan, about the hour of
 3.30 O'Clock P.M. From the fact that
 at about that hour said Patrick came
 into the house and began to quarrel with
 said Bridget. That Bridget ran out
 of the room into the hallway of the premises
 and while she was going down the stairs
 said Patrick threw a large shovel
 at Bridget, which shovel struck her
 in the back of the head thereby knocking
 her down the stairs. That while she Bridget
 was lying prostrate, this defendant went
 down the stairs and again picking up the
 said shovel struck her several blows on
 the body and one blow on the head.
 That immediately after an ambulance
 came and took Bridget to the New
 York Hospital where she is now
 confined from such injuries received
 at the hands of the defendant Patrick
 Coan.

Given before me this 27 day of August 1891, Edward Coan

Ed Coan
 Police Justice

0658

Police Court 2 District.

City and County } ss.
of New York.

of No. 522 West 74th Street, aged 28 years,
 occupation Laborer being duly sworn, deposes and says,
 that on the 27 day of August 1891, at the City of New
 York, in the County of New York,

Patrick Coan, known here, assaulting
 Bridger Coan, in the said premises at
 about the hour of 3:30 o'clock P.M.

For the reason that deponent heard a
 noise in the hallway and came out of
 his rooms and saw said Bridger
 lying prostrate in the hallway and
 saw this defendant Patrick Coan
 said Bridger one blow on the body
 with a large shovel which he Patrick
 then and there held in his hand.

Sworn to before me
 this 29th day of August 1891, Luke
 Shaughnessy

A. J. [Signature]
 Police Justice

0659

CITY AND COUNTY } ss.
OF NEW YORK.

POLICE COURT,

DISTRICT.

I, John Carey
of No. 166 Princeton Street, aged 28 years,
occupation Police Officer being duly sworn, deposes and says
that on the 28 day of August 189 1
at the City of New York, in the County of New York he arrested.

Patrick Coan, (now here), charged
with an assault by Bridget Coan
Said Bridget Coan, is now con-
fined to the New York Hospital from
the result of such assault and unable
to appear in Court to make formal
complaint. Wherefore deponent
prays that the defendant Patrick
Coan be held to answer the result
of such injuries.

John Carey

Sworn to before me this
day of Aug 189 1

29

day

John Carey

0660

Police Court, 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Patent Co.

ARVIDA VIT.

31st Aug 31st

1 P.M.

4. Sept. 7. 9. A.M.

Dated Aug 29 1891

Rogan Magistrate.

Gary Officer.

Witness, Luke Shaughnessy

522 West 27th St.

Edmund Coan

522 West 27th St.

Patent Graham

2035. 3rd Avenue

Disposition.....

[Signature]

1000 4 Sept. 6. 9. am

0661

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

Twenty five hundred Dollars,..... and he committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated *Sept 27* 18 *91* *John S. 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 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.

0662

Police Court---

1179
District.

THE PEOPLE, &c.,

IN THE COMPLAINT OF

Bridget Coan
337 W. 27th St.
John Coan

2.

3.

4.

Office

Dated

Sept 7 18*91*

Magistrate.

Officer.

Precinct.

Witnesses

No.

527 West 77 Street.

No.

527 West 77 Street.

No.

7500 Street.

\$ *to answer*

BAILED.

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

42
The People

Patrick Coane

Court General Sessions. Part I
Before Judge Fitzgerald. Oct. 1. 1911.

Indictment for assault in the first degree.
Budget Coane sworn and examined, testified:
I live at 512 West Twenty Seventh St.; the def-
endant is my husband. I remember the
27th of August of this year. I saw my husband
that evening. I guess about half past three
in the afternoon. I was in my own kitchen
when he came in. I asked him if he
came from work and he said, yes. Then
he asked me if I had pen, ink and paper.
I looked for paper and there was no paper
would answer. I did not give him the
paper. I knew it would not suit him. Then
I walked towards the door to call one of the
boys to get some paper and I don't know
what happened after that. There was no
one else in the room beside myself and
husband. I got as far as the door and I
do not recollect any more. I could not
tell you a thing more. Did you receive
a blow from anybody? I could not tell
you whether I got a blow or what happened
after that. When you had your senses
did you find your forehead was cut?
No. I do not recollect my husband hitting
me. When you came to your senses
did you find a cut across your forehead?

No sir. I did not. You have got a big scar on your forehead? When I came to my senses there was a bandage on, I did not see any scar. Before you went to the door to get the paper for your husband there was not any bandage on your head then? No sir. After you took your bandage off was this scar that is now across your forehead? Yes, but I do not know what put it there. You did not have any scar there before? No sir. After you took the bandage off were there any other scars on your head? Not on my face. There was another little scar on my head on the top of my head. Will you take your scarf off and show me where it is? You would not ask me to do that. I do not like to do so. I don't want to prosecute my husband. Did you go to the Hospital? Yes sir. I was there nine or ten days. Do you recognize this shovel (showing witness a shovel) I never saw it before.

Luke Thompson sworn and examined, testified: I live 512 West Twenty-Seventh St., the same house Mr. and Mrs. Evans live in: Did you see anything of the disturbance between them on the 27th of

August of this year? All I seen about
 that was I happened to open the door
 I heard a noise coming down stairs. I
 did not know what was going on. I opened
 the door and Mr. Levan hit her a blow
 with the shovel in the back, about the
 shoulder as near as I could tell. How
 near were you to them? I was just open-
 ing the door, she was about a few yards
 away from the door. Is that the shovel
 (showing shovel) That is as near as
 I could tell it. What became of the shovel
 after he struck her with it? The policeman
 got the shovel. I suppose, I did not see
 it afterwards. After he struck her between
 the back and shoulders as you describe
 it what became of her and what became
 of him? As near as I could tell he
 went up stairs and some woman
 went to pick her up and I went out
 on the sidewalk. What did you do out
 on the sidewalk? I stayed there for a
 while till the policeman came and
 went up stairs afterwards. I did not go
 up stairs with the policeman. What did
 the defendant do after he cut her with
 the shovel? I saw him going up stairs
 to his own room. Where was she struck?
 Down at my door in the hall.

By the Defendant.

Cross Examined, Did you ever know me to be quarrelsome with my neighbors or with anybody while I have been in the neighborhood? I never seen anything wrong with you since I was in the house until that time. You swear that you seen me strike this wife of mine with a shovel? Yes. Do you know the consequences of what you are swearing? I do. You understand do you that you are depriving those children of a living? I cannot help that. You understand you are making yourself an informer and a spy for the special benefit of a corrupt police force? No I am not. Do you know that the country you came from that they despise informers and spies? What I have seen I have told. I know that you have done this simply because you do not know any better? What I seen I told. Every man is liable sometimes to make a mistake in his life - you know that I did not mean to do any hurt to my child nor my wife? I could not help that.

The Defendant. If I did do anything I done it on the impulse of the moment and I believe I can prove by my wife and by everybody else it was a momentary affair. I never seen that shovel before.

competent.

Edward Coan, sworn and examined, testified.

I am a son of Patrick Coan. I remember the Thursday night that my father and mother had some trouble. When I was coming up stairs my mother sent me down for some clothes pins, and while I was going up my father was after her in the hall and he chased her to the stairs and he hit her with a shovel and when she was going down stairs she fell. Then he walked down and he hit her again with it.

Would you know the shovel if you saw it? I do not know. I might know it. Is that the shovel (pointing to it)? Yes sir.

Mr. Weeks.

I will offer that in evidence.

After that what happened? He hit her while she was down with the shovel, and he threw the shovel down and he ran up stairs, and then I ran into the main house to tell him to come up and pick my mother up. What did they do with your mother after that? They picked her up and put her sitting up. What then? I ran down for my ~~mother~~^{sister} to the shop where she worked. When she came up my mother was gone away in an ambulance.

Where did he hit your mother? I could not say. I think it was on the back of ^{head}.

by the defendant.

Cross Examined: Did this policeman tell you to swear against me? No sir. He did not tell you to swear against me? No sir. ² You are sure about that? Yes sir. Do you know what the nature of an oath is? No. Do you know ~~that~~ it is perjury to take a false oath — no, of course you do not. You know this evidence has a right to be excluded. This boy is not competent.

The Court: Have you got any more questions to ask him?

The defendant: That is all.

Samuel H. Waitzfelder, sworn and examined, testified. I am an officer of the municipal police attached to the 16th precinct. Did you arrest the defendant? No sir. Tell what you did in connection with this case. I was on what we call "house duty" on the afternoon of this affair and a woman came into the station house and said there was a woman murdered at Twenty Seventh St. Where where did you go? To No. 522 West Twenty Seventh Street. What did you do there? I went there and seen Mrs. Coon sitting on the floor with her back to the wall and with her head very badly cut. I asked who done it. Was the defendant there at that time?

No sir. Where were the cuts on her head?

There was one here (on the forehead) and one about here (pointing) and one on the right side, the crown of the head. Her whole body looked more or less bruised. I noticed two cuts in the head. After you had

spoken to her what did you do? I did not speak to her; she was unconscious when I got there. I spoke to the neighbors who were there. What did you do after you had spoken to them? I asked who done it and I immediately looked for Mr. Coan up stairs. You went up stairs?

Yes, in his apartments. I searched them and could not find them. I came down stairs and enquired and found that he went —. After you came down stairs and made enquiry what did you do? In the mean time the ambulance came; the sergeant told me that he would send an ambulance right after me; the ambulance came and the doctor examined her and gave her a couple of hypodermics — I don't know what, morphine. Injections? Yes sir; hypodermic injections, bandaged her head temporarily. He placed her on a stretcher and sent her to the hospital.

Then what did you do? I immediately

went to the station house and took the shovel I found. You found this shovel exhibit No. 1? Yes sir. Where did you find it? I found that standing in the corner alongside of where Mrs. Coon was sitting with her back to the wall. Was there any blood on the shovel? Yes sir. There was some right here (the handle of the shovel) and there was some right here (pointing to the upper point of the shovel) You took that to the station house didn't you? Yes.

Cross Examined. How long is it since you left the livery business? I guess it must be about four years. How much did you have to pay to get on the police? You are four years on the force, did you ever see me in that precinct before? Not to my knowledge. Did you ever see me any place before? No sir, not to my knowledge.

Defendant. I know you since you were a kid that high. That will do.

John Carey, sworn and examined.
You are an Officer of the Municipal Police attached to the Sixteenth precinct?
Yes. Did you arrest the defendant? I did not actually make the arrest. Were you present at the time of the arrest? No sir

When did you first see the defendant after this? About three o'clock on the 28th. He was brought to the station house by two officers. What had you been doing during the afternoon of the 27th and the day of the 28th if anything in connection with this case? About four o'clock on the 27th I went to No. 512 West Twenty Seventh street the ambulance was taking away Edward Coan (the boy). I stayed around that vicinity looking in cellars and making enquiries for the defendant until about four o'clock in the morning of the 28th. I caused a general alarm to be sent out, giving the name and description and so on, and about four o'clock on the 28th I saw him (the defendant); he was brought to the station house. I then took him from the station house to the New York Hospital to the bedside of his wife, Bridget Coan, and I asked her if she knew the defendant? She did not say she did at first. We spoke to her two or three times and then she said, "Is that Patrick? is that my husband?" He said to her, Bridget, don't say anything, don't give him any information. I asked her who struck her? She said she did not know. She said,

have I been struck?" I took him to Court the next morning and made a short affidavit to have him held to await the result of the injuries. Did you have any other conversation with him or at the Police Court? No. When I took him out in the morning he says, "you have no case," and he said, "now you have made a charge you can fire it off at the station house." Where was the little boy Eddie, you say he was in the ambulance? He was in the ambulance. Where was he taken? He was taken to the New York Hospital and returned home again that night.

Cross Examined by Defendant: You say you gave a description of me, how did you know my description? I know you several years. I could not state the exact length of time. Did you not try to find out from me by intimidation in the station house what I had done and all about it? I did not do anything. Does the law give you any right to make me make a confession to you? I am responsible if I have done anything wrong. I want to know why you said I had a hard shaped nose and you would like to break it, and why you

said you would kick my guts and all that sort of thing? I did not say that you got the club from behind the bar and while I was not looking at you you hit me on the back of the neck and knocked me down? I did not knock you down. Are you not in the habit of keeping stool pigeons for putting away young boys and other parties that are innocent? I do not care to answer that at present till the Judge tells me to. You know that you put away my son for three years and that it was a conspiracy between you and the District Attorney to do so. Mr. Gunning J. Bedford? No. You put him away didn't you? No sir, I had nothing to do with that. I was the Officer in the case. I came here and testified. Did not you beat and intimidate a boy named Sherman in the station house to say that this young Coan was in his company at the time he committed this crime? I did not. I never done anything of the kind.

The defendant. This boy is put away anyway. I am willing to prove to the Jury that you did it.

Mr. Neeks. That is the case for the people.

The Defence.

The Defendant: If your Honor please, I wish to adjourn this case to get witnesses from Louisiana. I do not wish to testify in my own case. I wish to adjourn this case till tomorrow.

The Court. Motion denied.

The Defendant: I believe as a citizen of the United States and a citizen of the State of New York that I have a right to United States Counsel.

The Court. I have heard you on that subject and I have denied your application.

The Defendant: I have the right under the law to transfer my allegiance to the country I was born. I claim the right of British Counsel.

The Court. Any other defence?

The Defendant. I have no other defence to make. I want a full investigation of this case. I have been put away for four years, and I want to show this jury the cause, when, where and how I was put away. This is a case of coercion. I don't wish to make a speech to this jury now, but I expect to address them. I wish to see Counsel this evening.

The Court. This case goes on now. If you have any evidence to offer introduce it. If you have not, address the jury.

The defendant addressed the jury.

They rendered a verdict of guilty of murder in the second degree.

0675

Testimony in the
case of
Patrick Coan

filed Sept.

1891.

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 Coan

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

Patrick Coan

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

The said

Patrick Coan

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

Bridget Coan

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

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

Patrick Coan 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

Bridget Coan then and there feloniously did wilfully and wrongfully strike, beat 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

0677

BOX:

448

FOLDER:

4134

DESCRIPTION:

Coary, John

DATE:

09/14/91



4134

0678

Witnesses;

Julia H. Grace
Callhartau 55d

Counsel,
Filed 14 (day of Sept 1891)
Plends, 17 (month of 1891)

THE PEOPLE

vs.

John B. Coary

Murder in the Third degree
[Section 498, 499, 500, 501, 502, 503, 504, 505]

DE LAURENCE W. COLL
JOHN R. FELLOWS

District Attorney

Ex. 3
May 1891

A True BILL

W. A. Berry
Foreman
Sept 23/91

W. A. Berry
Sept 23/91

The People
 John B. Coarey (Before Judge Fitzgerald. Sept. 23 1891)
 Indictment for burglary in the third degree.
 Julia Vito, sworn and examined through
 the Interpreter. I am married and live on Ninth Ave.
 and Fifty Ninth St.. I keep a fruit stand
 on the corner. I remember the first of August
 I was in my rooms on that day. I have
 two small rooms and a bigger room. I went
 to the stand to call my husband for his
 dinner. I secured the doors when I went
 out. It was a hot day and I left one of the
 windows opened that leads into one of the
 smaller rooms; the window opens in the
 hallway. I was absent that day about fifteen
 minutes. When I left there was in those
 rooms furniture, wearing apparel, ten
 dollars in money, which I received from
 the fruit stand. I had that money ready
 to pay my landlady. There was also in
 the room where I left a suit of clothes
 which cost thirty dollars, a coat belonging
 to another suit, and a revolver worth ten
 dollars. When I came back there was a
 chair standing with some clothing on
 it near the window; and not seeing
 the chair at the place I left it, I looked
 around and then I saw that some-
 thing was missing from the house

I went and called the landlady and she told me something. I went to look for my husband's clothing and I found them missing. I looked in the chest where we keep the clothing and found they were not there. The Revolver, which was hanging against the wall was also missing, and the ten dollars. The window, which was open, was about two feet by one foot and six inches. I saw the prisoner on the corner and near our door. Then I came back from my husband's stand. I saw the defendant going out of my house - out of the hallway with a bundle under his arm. At that time I did not know that my place had been robbed; so I allowed the defendant to go away. Afterwards the police officers showed me some wearing apparel that was stolen from my house; it was at the station house. I saw a coat and vest belonging to my husband which were new and another coat. These were in my premises on the first of August.

Cross Examined. The larceny occurred on the 1st of August. I do not remember exactly the date when the defendant was arrested but to the best of my recollection it was either the 20th or 21st of the same month, August.

The first time I saw the defendant that day was when I met him going out of my house. I do not know where he lived, but I used to see him very often on the corner of ~~the~~ street. I left the house that morning a quarter to one or one o'clock and I was away about fifteen minutes. I did not see anybody else but him leaving the door of the house where I live. I am sure this is the man I saw, there are other witnesses who saw him also. The bundle was made up with a dirty sheet. I found out immediately afterward that my house had been robbed. I called the landlady and afterwards I met my husband. My husband saw the defendant the next morning after the robbery and I saw him ten days after. I did not speak to him and yet I knew he was the boy who went out of the house with the bundle. As soon as he saw me looking on him he ran away, and the second time I saw him and approached him he ran also. I know a man who keeps a grocery store opposite my place, but I do not know his name. I don't know whether or not this young man is in any way related to him as I do not speak English. The defendant

did not in the presence of the grocery man speak to me about this matter before his arrest. It is not true that I see the defendant every day in my neighborhood. I only saw him twice. I immediately reported the case to the police; the police officer came down and I gave him all the details. On the night of the robbery I did not see my husband drive from in front of our house three young men who were congregated there.

Henry Mahler, sworn and examined. I go to school. I remember the first of August. On that day I was in one of Cushing's wagons, the baker. I was standing on the step of the wagon; it was right by the door of the complainant, opposite her door in Fifty Ninth St; it was between one and two o'clock. I saw the defendant there that day, he was coming out of the hall 411 where Mrs. Vito lived. My mother owns the house. I saw the defendant coming from the steps; he had a bundle under his arm, it had a white sheet on. There was no one with him; he went down on the other side; he was alone when he came out of the hallway. He met boys on the other side of Fifty Ninth St.

The defendant met one other boy, and they walked away together down towards South Avenue. The defendant carried the bundle till he got out of sight. I learned afterwards, that ~~the~~ same day, that Mrs. Vito's place had been broken into by somebody.

Cross Examined. I am ten years old and live at 411 West Fifty South St., in the next house to the complainant. I did not speak to anybody about this case before I came into the court room. I did not speak to the boys around the block about it. I have heard of "Bull M. Quire's" gang; they have headquarters in the neighborhood, but I don't go with any of those boys and I do not speak to any of them. When I was standing on the step of the wagon at the time I saw the defendant my cousin was with me; he is not one of the M. Quire gang; the wagon was on the other side of the way from my house. I was looking at the defendant coming out of the hallway. I took particular notice of the bundle. I did not follow him but I went up in the house. I did not wait to see whether anybody else came out of the hallway. I had no trouble with the defendant, I am sure of that; he did not hit my cousin. I know Casey around there and that he ran with the Bull M. Quire gang and he went with Joe Cosgrove.

Joe Losgrave was one of the Bull McQuire's too.
I don't remember the time when this defendant
slapped me in the face in front of my house
when I called him some names.

William Martens sworn and examined. I
am eleven years old and go to school. I
live at 1008 West Fifty Ninth St. I remember
seeing the defendant on the 1st of August com-
ing out of the hall with a white bundle. I know
him before. I had not played with him. I
heard the same day that I saw the defendant
with the bundle that Mrs. Veto had been robbed.
I never had any trouble with the defendant.
I have been living in the neighborhood a
year and one month.

Frederick Range sworn. I am eleven years
old and go to school. On the 1st of August
I was on my father's coal box at 413, 5th
Ninth Street, next door to where the complainant
lives. I saw the defendant coming out of the
hall on Fifty Ninth St with a bundle having
a white cover. There was another boy
on the other side and he went straight
over to him and went down towards South
Ave. I don't know where they went.

Cross Examined. After I saw the boy go out with
the bundle I went in the house and told
my father because I heard somebody robbed

some other place. That led me to believe that the defendant was committing a robbery. The lady came one Friday and asked my father if I might become a witness. I was present when she asked him.

Robert Charlton, sworn and examined, testified: I am a police officer connected with the 22nd precinct. I was informed of this case on the 1st of August, a few hours after its occurrence. I got a description of the defendant and his name. I arrested him about the 21st of August. Mrs. Vito identified him as the party who came out of the hallway. The defendant told me a party came to him and asked him if he would go with him to an Italian who owed him a bill and he wanted to collect it. He went with him and stayed outside until the fellow went up and collected the bill. He came out with a bundle and said, "I have collected the bill. He carried the bundle a portion of the way down the street and handed it to another fellow. He said the three of them afterwards went around to different pawnshops. He described the pawnshops where they went. I took Mrs. Vito to the pawnshops and she identified her husband's clothing. I recovered all but the revolver and the ten dollars. The defendant did not acknowledge committing the burglary; he simply told me he was with the people who did it.

John B. Coary, sworn and examined in his own defence testified. I am nineteen years old, and was born in New York. I was employed by James M. Varnum about two years in Tuxedo Park and he recommended me to Mrs. James Brown Lord, Delaney Nicoll's sister and I was with Mr. Nicoll four months. I was also engaged by R. M. C. Curran at Tuxedo Park. I was shining silver ware at these places. I can get good recommendations from all these parties. On the 1st of August at 7:30 in the morning I was looking for a place. I went to my uncle's at West Fifty Ninth St. I only stayed there half an hour and came back and got my dinner. I was not in the neighborhood of Fifty Ninth St. at one o'clock. I was up in Central Park. My uncle has a grocery store four or five doors from the complainant's place on the other side. I go there pretty nearly every day. I have not tried to evade arrest. I was not in the complainant's house on the first of August. I know the first little boy who was on the stand. He called me out of my name once and I slapped him. I told the officer I was with a boy who went to collect a bill from Italian, but it was the day previous to this robbery. I told the officer I was not concerned in the burglary at all. The jury rendered a verdict of guilty of grand larceny in the second degree.

0687

Testimony in the
case of
John B. Cooney
filed =

Sept. 1941

0588

Police Court— District.

City and County } ss.:
of New York,of No. 411 W. 54th Street, aged 44 years,
occupation Keep house being duly sworndeposes and says, that the premises No. 411 W. 54th Street, Ward
in the City and County aforesaid the said being a four story brick
apartment house
and which was occupied by deponent as a dwelling
and in which there was at the time a number living by name

were BURGLARIOUSLY entered by means of forcibly opening
a window leading from the hallway
in the second floor of said premises
into adjacent bed room in said second
floor and entered said room with the intent to commit
on the 1st day of August 1899 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

two coats, a vest, a revolving
pistol and ten dollars in lawful
money of the United States, all of
the value of sixty dollars.

the property of deponent

and deponent further says, that she has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away byJohn D. Carey (now here) and two
others not yet arrested.

for the reasons following, to wit: That— at about the hour
of 12.45 a.m. on said date.
deponent left her apartment
alone, leaving said property therein.
and after an absence of ten
minutes when deponent returned
deponent discovered that said room
had been entered as aforesaid and
said property taken therefrom. And

0589

While defendant was absent from her apartment as aforesaid. Defendant saw this defendant with a package under his arm. with two others in the act of coming out of the front door of said premises. Defendant is informed by Officer Robert Chastan that the defendant admitted to him that he and a boy named Gleason went to said premises and that he carried a bundle which Gleason had got from said premises. and also informed him the Officer where they had secured the coat and vest. Wherefore defendant charges this defendant and said two others not arrested with being together and unlawfully entering said premises and stealing said property therefrom. Sworn to before me this 23rd day of Aug 1891

Julius Vito
Mark
Police Justice

Dated 1891

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

There being no sufficient cause to believe the within named

Dated 1891

I have admitted the above named

Dated 1891

of the City of New York, until he give such bail.

Hundred Dollars and be committed to the Warden and Keeper of the City Prison

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District.

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

Offence—BURGLARY.

Dated 1891

Magistrate.

Officer.

Clerk.

Witness.

No.

No.

No.

No.

No.

No.

No.

No.

No.

No.

0690

CITY AND COUNTY }
OF NEW YORK, } ss.

Robert Charlton
aged _____ years, occupation Police Officer of No. 22
Precinct Police Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Julian Cito
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 23
day of August 1898.

Robert Charlton

W. D. Malone
Police Justice.

0691

Sec. 198-200.

District Police Court.

CITY AND COUNTY
OF NEW YORK,

John B. Bony 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. *John B. Bony*

Question. How old are you?

Answer. *17 years old*

Question. Where were you born?

Answer. *New York City*

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

Answer. *512 W. 89th St. Boro*

Question. What is your business or profession?

Answer. *bookbinder*

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 B. Bony

Taken before me this

*21st**at New York City 1891**W. B. Bony*

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 _____

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Fifteen 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 May 23, 1867, W. D. Burdick 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.*

0693

1102

Police Court-- 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Julia C. Grace
John B. Clouy

2
3
4

Angeline

Dated Aug 23 1891
W. E. Mahan Magistrate.
Robt Charlton Officer.

22 Precinct.
Witnesses *Robt Charlton*

No. 22 Precinct Pace Street.

Wm Mertens
No. 408 N. 54 Street.

Henry Mahler
No. 44 N. 54 Street.

No. 7 N. 54 Street.

\$ 1500 to answer



BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0694

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 D. Coary

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

John D. Coary

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

The said

John D. Coary

late of the *Twenty-second* Ward of the City of New York, in the County of New York
aforesaid, on the *first* day of *August* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
day - time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one

Julia Vito

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

Julia Vito
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.

0695

SECOND COUNT—

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

John B Coary
of the CRIME OF *Grand* LARCENY in the second degree, committed as follows:

The said

John B Coary

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 *day* — time of said day, with force and arms,

two coats of the value of twenty dollars each, one vest of the value of five dollars, one pistol of the value of five dollars; and the sum of ten dollars in money, lawful money of the United States of America, and of the value of ten dollars

of the goods, chattels and personal property of one

in the dwelling house of the said

Julia Vito
Julia Vito

there situate, then and there being found, from the dwelling house 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.

De Lancy

0696

THIRD COUNT—

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

John D. Coary
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:
The said *John D. Coary*

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,

two coats of the value of twenty dollars each, one vest of the value of five dollars, one pistol of the value of five dollars, and the sum of ten dollars in money, lawful money of the United States of America, and of the value of ten dollars;
of the goods, chattels and personal property of *Julia Vito* —

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

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

John D. Coary

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,
~~JOHN R. FELLOWS,~~
District Attorney.

0697

BOX:

448

FOLDER:

4134

DESCRIPTION:

Collins, Joseph

DATE:

09/22/91



4134

Witnesses:

Julius Rockman
Jacob Bengars
J. Off Morley

Read for
per

Counsel,

Filed 22nd day of Sept. 1891

Pleads,

THE PEOPLE

vs.

Joseph Collins

Burglary in the Third Degree.
[Section 408, Code of Criminal Procedure]

De LANCEY NICOLL,
District Attorney.

A TRUE BILL.

W. J. O. Berry
Foreman.

Reads July 2, 1891

Ed. J. O. Berry

0699

Police Court—3rd District.City and County } ss.:
of New York,of No. 174 Essex Street, aged 37 years,
occupation Butcher & Egg Dealer being duly sworndeposes and says, that the premises No. 174 Essex Street, 10 Ward
in the City and County aforesaid the said being a three story frame
brick building and which was occupied by deponent as a store and dwelling
and in which there was at the time a human being, by namewere **BURGLARIOUSLY** entered by means of forcibly forcing open the
shutters of one of the rear windows
and entering thereinon the nineteenth day of August 1891 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:A quantity of Carpets of about the
amount and value of One Hundred
and twenty five dollarsthe property of Deponent
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away byJoseph Collins
now here

for the reasons following, to wit:

from the fact that deponent
is informed by his son Elias Hochman
that at about the hour of 2 1/2 o'clock
and thirty P.M. on that day the 19th instant
he locked and fastened the doors and
windows in said premises and on the following
morning at about the hour of 1 1/2 o'clock
A.M. deponent discovered that burglary
had been committed and said property

0700

Take John and Carrier away dep. make
further steps he found and report at
no 98 Delancey Street per month further
said he is informed by Jacob Bogan two
charges with said Bogan that the defendant
Collins in company with two other men
not arrested got said money to said
Bogan

Sworn to before me this
31st day of Aug 1891 Julia K. Rodman
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
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1891 Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1891 Police Justice.
There being no sufficient cause to believe the within named
guilty of the offense therein mentioned, I order he to be discharged.
Dated 1891 Police Justice.

Police Court, District,
THE PEOPLE, vs.,
on the complaint of,
1
2
3
4
Offense—BURGLARY.
Dated 1891
Magistrate.
Witness,
No.
No.
No.
No.
to answer General Sessions.

0701

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 30 years, occupation Mattness Maker of No. 95 Dehuang Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Julius Kohn

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

Sworn to before me, this 31

day of Aug 1899

Police Justice.

0702

Sec. 198-200

CITY AND COUNTY } ss.
OF NEW YORK,

District Police Court.

Joseph Collins 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 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. *Joseph Collins*

Question. How old are you?

Answer. *18 years*

Question. Where were you born?

Answer. *Washington*

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

Answer. *109 Delancey St 7 years*

Question. What is your business or profession?

Answer. *Shoemaker*

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*
Joseph Collins

Taken before me this

day of

August 1891

Police Justice.

0703

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT,

3rd DISTRICT.

of No. 99 Delancey Street, aged 36 years,
occupation Beard Bank Clerk being duly sworn deposes and says
that on the 26 day of August 1888

at the City of New York, in the County of New York

Joseph Collins
nowhere charged with committing
a Burglary Dependant being arrested
and held for said Burglary Dependant
further says that he bought a quantity
of carpets from the Defendant which
Dependant subsequently discovered was
stolen property
Wherefore Dependant prays that said
Defendant may be held for
examination in order to procure
sufficient evidence

Sworn to before me this

of

1888

(day)

Police Justice.

0704

267

Police Court-- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

AFFIDAVIT.

Dated, Aug 1 188

Magistrate.

Officer.

Witness,

Disposition,

Ex Aug 28 - 1 P.M.
31 - 1 P.M.

0705

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.....

Deputy Clerk
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *three* 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 *Aug 31* 18*91* *[Signature]* 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.

0706

169
Police Court--- 300 1155 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Julius Rockman

vs.
Joseph Collins

Offence *Amplang*

BAILED.

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by *i* _____
Residence *↓* _____ Street.

No. 4, by _____
Residence _____ Street.

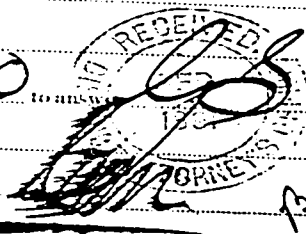
Dated *Aug 31* 18*91*

Wm Duff Magistrate.
J. M. Duff Officer.

Witness *Jacob Burgan* Precinct.
G. S. Belancy Street.

No. *3rd Dist* Street.

No. *300* Street.



Aug 3. 91
921
12pm

0707

462

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

THE PEOPLE OF THE STATE OF NEW YORK
against

Joseph Collins

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

Joseph Collins

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

The said

Joseph Collins

late of the *10th* Ward of the City of New York, in the County of New York aforesaid, on the
eighteenth day of *August* in the year of our Lord one
thousand eight hundred and ninety-*one*, with force and arms, in the *night* time
of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Julius Kochman

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 *Jul-*
ius Kochman 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.

SECOND COUNT—

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

Joseph Collins
of the CRIME OF *Grand* LARCENY in the first degree committed as follows:

The said

Joseph Collins

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,

*sixty yards of carpet of the
value of two dollars each yard*

of the goods, chattels and personal property of one

Julius Kochman

in the dwelling house of the said

Julius Kochman

there situate, then and there being found, from the dwelling house 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

Joseph Collins
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

Joseph Collins
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,

*sixty yards of carpet of the
value of two dollars each yard*

of the goods, chattels and personal property of

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

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

Joseph Collins
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.

0710

BOX:

448

FOLDER:

4134

DESCRIPTION:

Coman, John

DATE:

09/25/91



4134

0711

Judge Peckham 782

Counsel,
Filed 25th day of Sept 1891
Plends, *W. J. Barry* Oct 21/91

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

THE PEOPLE

vs.

B
John Cornan

DE LANCEY NICOLL,
District Attorney.

April 11/92
On de'ch'ent dismissed

A TRUE BILL.

W. J. Barry

Foreman.

get 5th W. L.

Nov 9th 1891

For examination

Witness:

Geo. P. Edgecombe

After a full examination into all the facts herein I am convinced that no conviction can be had of the defendant. The evidence shows that a gun fight was in progress when the complainant and his friend took part and which resulted in the injury to the complainant as well as to most severe beating of the defendant. The defendant was in the place and will be willing to assume a wound for the sake of the complainant. There being so much doubt as to the real truth in this case and in view of the fact that the complainant has no other witnesses, I therefore recommend that the indictment be dismissed.

W. J. Barry

Dist. Atty.

April 11/92

0712

George R. Edgecomb
agent

John Conner

Anged
with Thomas
Graham

Aug 11/1891

Samuel C. Bailey

Police Justice

Complainant being duly sworn
deposes and says C. J. E.

How did you come to get into
trouble with this man?

A Some time ago I discharged
him he was a coon on the
steamer and I saw nothing of
him until last Friday, he
came on the dock and he
asked me why I was keeping
out of the steamer, and I said
you told me you could do
so much better and I am ashamed
you want to know why now
and he stood close to me and
saying he was a dangerous
man and might do some harm
I pushed him away by the

arm, and as I let go of him
 he rushed at me and got
 me around the neck and
 hit me on the head and when
 we started coming at me
 the 3rd time when the foreman
 succeeded him down Ed & other
 him, but I went into the office
 to attend to a man or age, Mr
 Gorman succeeded him down
 Gandybaker & Co.
 He was Master

When did you find out that
 you were out?

As soon as Martin said
 you are bleeding you better
 get away

And that was the first time
 you knew that you were struck
 with a knife

When the doctor told me
 of course a man's feet have done
 it,

As for the ear is cut clean across

the top
 Q What is your business?
 A Post Stevedore of the Mallory line
 C H

Robert Matthews asked
 by the people being duly
 sworn deposes & says
 Q What is your business?
 A Dock Superintendent Mallory
 Steamship line
 Q Where do you live?
 A Fulton Ferry Hotel
 Q Were you on the wharf
 last Friday?
 A Yes I was.
 Q How close were you to the
 complainant?
 A I was pretty close to him, at the
 beginning of the affair I was
 400 feet away from him
 Q Now relate what you saw of
 this difficulty

0715

4

A In coming up the dock
with a private detective we
here, and I saw the Trouble
and I saw Edgcomb and this
defendant and they were
fighting, and the watchman
in the dock stopped the fight
and told defendant to get off
of the dock and then this other
man came in the dock and
he was ordered off and then
this defendant grabbed Edgcomb
here that (showing) and put his
hand in his pocket and grabbed
something that looked like a
joker knife and he made 3
dashes at Edgcomb's head
and I struck him and I threw
him down and I said to
Edgcomb you better go away
going you see the knife?
A only a little part of it
Hope Ex
If you were walking up the dock

0716

when the men were fighting?
Ayessui
Parby want the detective interpre
And out know anything about it
Belongs out for the Corp.
Go to a regular policeman?
Ayessui
If you want see who shot first
Ayessui

—

6

Michael Gorman being duly
 sworn deposes and says
 where do you reside?
 A 36 Maxwell Street
 How old are you?
 A 41 years
 Where are you employed?
 A CH Mallory, pres 20 BR
 State what you know of this
 occurrence?
 A Me and Edgcomb, were
 speaking together when the
 suspect came up and
 asked him why he stopped him
 from getting work on the
 boats and after some talk
 he came close to Edgcomb, and
 Edgcomb shoved him and
 I shoved him out and I saw
 this other man coming in
 on the other side and I shoved
 him out of the other gate
 and as I looked around
 I saw Edgcomb and the

0718

9

dependant clutched together
and so an Edgecomb sub
and I struck him

Cap Ex

gave him his ^{first} blackened
his eye?

A stout man

gave him a kick

Arassii

gave him a kick down

Arassii

gave him a kick down

Ayer moved him down

gave him a kick down

Arassii

gave anybody a kick

Ayer that I saw

gave the other man a kick
down

Ayer

gave him a kick down

Arassii

Reverend Ex

0719

8

After the fight and they both
Came back again on the dock
Ayer in about 4 minutes afterwards
and I started to put them off
the dock again

How many people are
morning on that dock?
About 500.

Many policemen on that dock
A rising function there in
Prof. Ex.

If you saw no wife did you
to her?

—

9

John Cowan dependant
 being duly sworn deposes
 says

Sheriff's examination

I swore your name off the City
 A Deputy to ask Mr. Cowan
 why I could not get on the
 ship and before I got a
 chance to say what I wanted to
 this man (pointing) pushed
 me down and Mr. Gorman
 pushed me out behind the
 assistant porter on the deck
 when I was there and after that
 was done and before I could
 get on my feet he came up
 and pushed me down again
 Now as you came here last
 Saturday to get a warrant?
 Answered and I was told there
 were no warrants issued
 it was half past 11 o'clock
 and I came here today and
 got summons and the

judge took me to bring witnesses
and he named you me the
summons.

Q You didn't mean they had a
warrant out for you?
A Yes Sir

Q Did you have any knife that
day?

A No Sir I had no need on at
all.

Q Did you strike him at all?
A Yes Sir it was done so suddenly
I was scared and confused
and this man (pointing)
jumped on me.

Cap. Ex

Q Don't forget that you never
saw this man the complainant
before in your life until
Friday?

A Yes Sir 2 months ago

Q Didn't he ask you to get
off the wharf and not
make any noise there?

0722

11

Amassi

After this disturbance and death
you go away and return again
with your friends
Amassi

11

14

Pross Martin being duly
 sworn deposes and says
 I where d you reside
 A 309 W 11 Street

I where are you employed?
 A Have been employed on the
 Masonry line

I you are not employed there
 now?

A No Sir

I where you present a letter
 turned up the gun well on the
 dock?

A Had not exactly on the dock
 Came and left me at four
 o'clock to see the port steward
 and to say to me you wait
 until I come back and he
 walked across the street and
 Edgemont and Jones were
 sitting on a string piece together
 and what they said I didn't
 hear and I was not there
 more than a minute before

13

I saw this party making a
pass at him and the other
party putting him up and
down, to see what was going
on and I saw Ed go on
with a club in his hand Ed
Gorman knocked me down
and my hat went overboard
and I got a race to get it out
and when I came through
the dock Gorman knocked
me down again
I did myself a very large
McComan's hands

A yes sir

If he had any wound you
have seen it

A yes sir

Capt. Ey.

You met him in Fulton Street
What morning?

A yes sir

I did not say to him that you
would get over with him

0725

14

a something of that kind
A Jassu' I asked him why I should
not go on the dock and I
said you send me to the
stevedore and the stevedores send
me to you
He has nothing to do with the
freight load it
A Jassu'

—

George Edgcomb.

Recalled by the people
This man met me between
9 & 10 o'clock in the morning
and he says what's the reason
don't get work on the dock
and I say it is the 3^d time
I told you ^{that} we had some
pork and he said he was
not one of my pet-
governments all that
A well he said you had not
heard the last of this
I know after the fight was over
and they return to the U.S.
again

Very Sir

Yours Truly

Dependant need to bail in
sum of 500 for General Rossini



0727

Police Court—

District

City and County } ss.:
of New York,of No. Per 207 East 10th Street, aged 32 years,occupation Steward being duly sworndeposes and says, that on 7 day of August 1889 at the City of New

York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John Conson

who cut and stabbed deponent
in the head with the blade
of a knife which he then
held in his hand and
said assault was com-
mitted

with the felonious intent to take the life of deponent, or to do 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 dealt with according to law.

Sworn before me this 10 day
 of August 1889

To J. C. B. [Signature] Police Justice.

0728

Sec. 198—200.

CITY AND COUNTY } ss.
OF NEW YORK.

District Police Court.

John Coman 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 Coman*

Question. How old are you?

Answer. *49 years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *464 Canal 8 years*

Question. What is your business or profession?

Answer. *Cook*

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 Coman

Taken before me this

11th

day of August 1891

J. C. H. [Signature]
Police Justice

0729

Sec. 151.

POLICE COURT, _____ DISTRICT.

CITY AND COUNTY } ss. *In the name of the People of the State of New York: To the Sheriff of the County*
OF NEW YORK, } *of New York, or any Marshal or Policeman of the City of New York, GREETING :*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned one of the Police
Justices for the City of New York, by *George R. Edgcomb*
of No. *100* Street, that on the *7* day of *December*
188 at the City of New York, in the County of New York,

and feloniously
he was violently **Assaulted** and **Beaten** by *John Connam*

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to
answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you, the said
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring
forthwith before me, at the _____ DISTRICT POLICE COURT, in the said city, or in case of my absence
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to
be dealt with according to law.

Dated at the City of New York, this *10th* day of *December* 188*7*

Do J. C. Connam POLICE JUSTICE

0730

Police Court.....District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Warrant-A. & B.

Dated *Aug. 10* 188*9*

Reilly Magistrate.

English Officer

The Defendant *John Coman*

taken, and brought before the Magistrate to answer the within charge, pursuant to the command contained in this Warrant.

Officer.

Dated *Aug 11* 188*9*

This Warrant may be executed on Sunday or at night.

La. J. C. Bell Police Justice.

having been brought before me under this Warrant, is committed for examination to the WARDEN and KEEPER of the City Prison of the City of New York.

Dated 188

Police Justice

The within named

49
W
22 D
Cook
M
yes
464 *Canal*
st

0731

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 Byundant

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 Aug 11 18 91 Do J. C. B. Smith Police Justice.

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

Dated Aug 12 18 91 Do J. C. B. Smith 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.

0732

W
Police Court--- District. 1060

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Pil 20

vs. E. Prior

John Coman

1
2
3
4

Office
J. J. [Signature]

BAILED.

No. 1, by Margaret Willhuck
Residence 332 W 27 Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated Aug 12 188
W. P. Kelly Magistrate.
English Officer.
Court Precinct.

Witnesses Gilbert Matthews
No. Det. Supt. Malloy Precinct.
Pil 20 E. R.
Michael J. [Signature]
No. Pil 20 E. R. Street.

No. _____
\$ 5.00 to answer G. S.

Committed
Bailed

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 Cornan

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

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

The said

John Cornan
late of the City of New York, in the County of New York aforesaid, on the *seventh*
day of *August* in the year of our Lord one thousand eight hundred and
ninety-*one*, with force and arms, at the City and County aforesaid, in and upon
the body of one *George R. Edgumbe* in the peace of the said People
then and there being, feloniously did make an assault and *him* the said
George R. Edgumbe with a certain *knife*

which the said

John Cornan
in *his* 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

John Cornan
him the said *George R. Edgumbe*
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

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

The said

John Cornan
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
George R. Edgumbe in the peace of the said
People then and there being, feloniously did wilfully and wrongfully make another assault,
and *him* the said *George R. Edgumbe*
with a certain *knife*

which the said

John Cornan
in *his* right hand then 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.

De Lancey Nicoll,
District Attorney.

0734

BOX:

448

FOLDER:

4134

DESCRIPTION:

Condon, James

DATE:

09/21/91



4134

0735

BOX:

448

FOLDER:

4134

DESCRIPTION:

Wallace, William

DATE:

09/21/91



4134

0736

BOX:

448

FOLDER:

4134

DESCRIPTION:

Hallisay, William

DATE:

09/21/91



4134

0737

Witness:

David Cohen

in this case, from an evidence
showing the testimony that can
be produced, I am of opinion
that no case can be made
against the deft. Halliday
and for reasons stated
in the evidence of the witness
and the testimony of the
defendant.

186
189

Counsel,

189

Filed *Sept 28*

Plends, *Sept 28*

THE PEOPLE

vs.

James Condon,

William Wallace

William Halliday

Grand Larceny, Second Degree,
[Sections 123, 237, 550 Penal Code.]

DE LANCEY NICOLI,

District Attorney.

Sept 28 1891
Wm. J. Berry
Sept 28 1891
A TRUE BILL.

W. J. Berry

Sept 28 1891

Sept 28 1891

Sept 28 1891

Sept 28 1891

0738

Police Court

3rd District.

Affidavit—Larceny.

City and County } ss:
of New York,

Harris Cohen
of No. *40 Division* Street, aged *25* years,
occupation *Jeweler* being duly sworn,
deposes and says, that on the *7th* day of *August* 189*7* 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 *forenoon* time, the following property, viz: ✓

*Two silver watches together
of the value of about five hundred
and thirty six 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 *James Gordon* *William Wallace*
and William Halliday (all three here)

from the fact that at about the hour of
12 o'clock and fifteen minutes A.M. on said
date while deponent was sitting down on a
chair outside the store door of No 40 Division
Street deponent fell asleep and while deponent
was asleep the defendants went into the store
of deponent No 40 Division Street and did take
therefrom and carry away the aforesaid property
from a show case in said store.
Deponent further says he is informed by Officer
George Arfken of the 11th Precinct Police that
they arrested the defendants together on Canal
Street and the defendants *Gordon* *Wallace*

Sworn to before me, this

189

Police Justice

0739

had twenty watches here shown in Court in
their possession which the Defendant has
been identified as a portion of the
property taken stolen and carried away
as aforesaid

I sworn to before me
this 7th day of Aug 1909, Harry Cohen
J. H. [Signature]
Police, [Signature]

0740

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 34 years, occupation Police Officer of No. 115

French St Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of James W. O'Connell

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

Sworn to before me, this

day of Aug 1890,

George L. Arden

John J. Murphy
Police Justice.

0741

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK }

3 District Police Court.

James Condon 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. *James Condon*

Question. How old are you?

Answer. *20 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *103 Monroe St 3 years*

Question. What is your business or profession?

Answer. *Printer*

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

Answer. *I am not guilty*

James Condon

Taken before me this

day of

Police Justice.

0742

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK.

William Wallace 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.

William Wallace

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

New York City

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

Answer.

14 Butler St all my life

Question. What is your business or profession?

Answer.

Cabinet Maker Apprentice

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
J. M. Wallace*

Taken before me this
day of

[Signature]

Police Justice.

0743

Sec. 198-260.

3

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

William Halsey 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 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* waiver cannot be used against *h* on the trial.

Question. What is your name.

Answer.

William Halsey

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

New York City

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

Answer.

429 Cherry St. 5 months

Question. What is your business or profession?

Answer.

Clerk

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
Wm. Halsey

Taken before me this
day of

John J. [Signature]
Police Justice

0744

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

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

Dated Aug 7 18 91 [Signature] 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.

0745

Police Court---

326 1035 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Harris Cohen
140 Division

James Condon

William Wallace

William Halliday

Office

incen
felony

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *Aug 27* 18*91*

John H. H. Magistrate.

George C. Carphen Officer.

11 Precinct.

Witnesses *Call the Officer*

No. _____ Street.

Isaac Goldstein

No. *32 Division* Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *1000* each *to answer*

Call the Officer

Call the Officer

Call the Officer

0746

GEORGE VASSAR & SON,
MASONS AND BUILDERS,
131 & 133 MONROE ST.

New York, Sept 28 1881

To Whom it may concern

This is to certify that

Edw Gordon and family have
been tenants of ours for years
and we have always found
them strictly honest, sober
and industrious

and as far as we
know of the family we are
satisfied that their son
Edw Gordon is on right track

0747

T. J. CRYAN.
J. J. CRYAN.
C. A. CRYAN.

New York, 189

Mc

BOUGHT OF CRYAN BROS.

WHOLESALE AND RETAIL

LIQUOR * DEALERS,

69 SOUTH ST.,

50 RUTGERS ST.,

587 GRAND ST.,

1802 NINTH AVE.

*To whom it may concern. Certify that
I have received from the Cryan Bros.
the sum of \$100.00 for the purchase of
the stock of the Cryan Bros. and
Honest dealing.*

0748

New York Oct 11 1891.

Dear Sir, - Being a neighbor
of James Crockett for whom
I have given I am faithfully
say I always know him to
be honest and trustworthy.

Yours Respectfully
Robert Shultz

0749

City Court of New York,
Justices Chambers City Hall,
New York, Dec 1st 1891

How James Fitzgerald
Dear Judge.

I understand you
are to sentence one
James Condon tomo-
row.

His parents are
poor and deserving
people whom I have
known for some
time. They are de-
pendent upon the
help of the young

0750

505

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

THE PEOPLE OF THE STATE OF NEW YORK

James Condon, William Wallace and William Hallisay

The Grand Jury of the City and County of New York, by this indictment, accuse
James Condon, William Wallace and William Hallisay
of the CRIME OF GRAND LARCENY IN THE *Second* DEGREE, committed
as follows:

The said *James Condon, William Wallace and William Hallisay*, both -
late of the City of New York, in the County of New York aforesaid, on the *seventh*
day of *August* in the year of our Lord one thousand eight hundred and
ninety-*one*, at the City and County aforesaid, with force and arms,

*forty - two watches of the value
of eight dollars each*

of the goods, chattels and personal property of one

Harrie Cohen

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

James Condon, William Wallace and William Hallisay
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

James Condon, William Wallace and William Hallisay, all
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,~~

forty-two watches of the value of eight dollars each

of the goods, chattels and personal property of one

Harris Cohen

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

James Condon, William Wallace and William Hallisay

~~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.

0752

BOX:

448

FOLDER:

4134

DESCRIPTION:

Connell, John

DATE:

09/09/91



4134

0753

BOX:

448

FOLDER:

4134

DESCRIPTION:

Schmidt, John

DATE:

09/09/91



4134

2. O'Callahan 22

Witnesses;

Henry M. Herriman
Off. Carrall

Counsel,
Filed 1881
Pleads, *Sept 10*

THE PEOPLE
vs.
R
John Connell
and
John Schmidt
N.D.
DE LANCEY NIGOLL.
[Sections 528, 529,
(From the Person.)
Grand Larceny, with Degree.
Penal Code].

P 3 Sept 17/91 District Attorney.
M. 2 Jans and acquitted

A True Bill.

M. J. Berry
Sept 17/91 Foreman
John J. G. G. G.
Sept 17/91
3 700 vs. M. J. G. G.

0755

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 1 DISTRICT.

James J. Farrell
 of No. Park Department Street, aged 29 years,
 occupation Policeman being duly sworn deposes and says,
 that on the 28 day of Jan 188

at the City of New York, in the County of New York, Henry W. Herriman
 is an important witness against John
 Connell and John Schmidt, charged with
 larceny from the person - As deponent fears
 that the said Henry W. Herriman will not
 appear to testify when wanted he prays that
 the said Herriman furnish bond for his
 appearance and in default thereof be com-
 mitted to the House of Detention as a witness.

James J. Farrell

Sworn to before me, this 28 day of Jan 188

of City of New York

188

Police Justice

0756

(1378)

Police Court— / District.

Affidavit—Larceny.

City and County } ss.
of New York,of No. Stockton Maine Henry W. Herriman Street, aged 43 years,
occupation Sailor being duly sworn,deposes and says, that on the 28 day of August 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 night time, the following property, viz:One double case
silver watch of the value of \$12—the property of deponentand that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen from his person by George Connell and John Schmidt and carried away by

(both now here) who were acting in concert one with the other, for the reason that on the above date deponent was sitting asleep on a bench in the Battery Park. Before sleeping deponent had the above described property in the lower left hand pocket of his vest. When he awoke the said watch was missing. Deponent is informed by Park Policeman James J. Farrell that he saw the defendants sitting one on each side of the deponent and he saw the defendant Connell insert his hand in the pocket of deponent's vest. At the approach of Officer Farrell the defendants ran away. Deponent is informed by Park Policeman James King that he saw the defendants Connell and Schmidt running in Battery Park and that he

Sworn to before me, this 28 day of August 1891

Police Justice.

0757

saw the defendant Connell throw away a
watch which said Officer King picked up, and
deponent identifies the same as his property,
and charges the defendants with the larceny of the
same and prays that they may be held to answer.

Sworn to before me
this 28th day of August 1891

Henry W. Stevenson

Notary Public

0758

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 29 years, occupation James J. Farrell
Park Policeman of No. Dept. Public Parks
Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of Henry W. Heriman
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this 28
day of August 1896.

James J. Farrell

[Signature]
Police Justice.

0759

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 28 years, occupation

James King
Park Policeman of No.

Dept. Public Parks Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Henry W. Herriman

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

Sworn to before me, this

day of

28 } James King
August 1899 }

[Signature]
Police Justice.

0760

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

John Schmidt 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 Schmidt

Question. How old are you?

Answer.

29 years

Question. Where were you born?

Answer.

Germany

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

Answer.

14 Broome Street. 1 Month.

Question. What is your business or profession?

Answer.

Runner for Boarding House

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 Schmidt

Taken before me this

day of August 1891

Police Justice.

0761

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK.

District Police Court.

John Connell 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 Connell*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *218 Congress St. Brooklyn. 5 years.*

Question. What is your business or profession?

Answer. *Tin Can Maker.*

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

Answer. *I am not guilty.**John**John Connell*

Taken before me this

day of

1891

Police Justice.

0762

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

Dated August 28 1894 [Signature] 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.

0763

James H

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

Henry W. Herriman

1. John
George Connell

2. John Schmidt

3. _____

4. _____

Office of
Larceny
Theft

Dated August 28 1897
Divine Magistrate.

Francis and King
Park Precinct.

Witnesses James J. Francis
Park Police Street.

No. James King
Park Police Street.

Complainant sent to House of Detention
in default of \$100 - bail

No. _____ Street.

\$ 500 to answer L. J.
Crown

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 Connell
and
John Schmidt

The Grand Jury of the City and County of New York, by this indictment accuse
John Connell and John Schmidt
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

John Connell and John Schmidt, both
late of the City of New York, in the County of New York aforesaid, on the *28th*
day of *August* in the year of our Lord one thousand eight hundred and
~~eighty~~ *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 twelve dollars

of the goods, chattels and personal property of one
on the person of the said

Henry W. Herberman
then and there being found, from the person of the said *Henry W. Herberman*
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.

He Lancy Nicoll,
District Attorney.

0765

BOX:

448

FOLDER:

4134

DESCRIPTION:

Conover, Frank

DATE:

09/22/91



4134

0766

Witnesses:

Michael Navaroh

Counsel,

Filed 22 day of Sept 1891

Plends, *Sept 20*

THE PEOPLE

24
crim
9

vs.

Robbery, *first*
Degree. [Sections 224 and 225, Penal Code.]

Frank Conover

DR LANCEY NICOLL,

District Attorney.

A TRUE BILL.

W. J. O'Berry

Part 3 October 6/91 Forenoon.

Indict and committed -

Robbery 1st degree

with *16* *from* *travelling*

Sept 30 1891
W. J. O'Berry
Amara

0767

Police Court 2 District.

City and County } ss.
of New York.

of No.
occupation
that on the

f to Present
P. Present
30 day of *August*

Henry J. Murray

Street, aged years,

being duly sworn, deposes and says,

1891, at the City of New

York, in the County of New York,

Michael Kavanagh
is a material witness in the matter
of a complaint against *Frank*
Connors for robbery. That defendant
has reason to believe that defendant
said Kavanagh will not appear
to prosecute said complaint and
defendant asks that he be required
to find surety for his appearance
as such witness

August 1891
[Signature]

Henry J. Murray

0768

Police Court-- District.

CITY AND COUNTY } ss
OF NEW YORK,

Michael Kavanagh
 of No 509 East 15th Street, Aged 37 Years
 Occupation Cement work, being duly sworn, deposes and says, that on the
 29 day of August 1881, at the 8th Ward of the City of New York,
 in the County of New York, was feloniously taken, stolen, and carried away from the person of de-
 ponent by force and violence, without his consent and against his will, the following property, viz:

good and lawful money of the
 United States, to the amount and

of the value of Twelve 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

Frank Conover, now free and
 two others not arrested. The Dependants
 came into a water closet where Deponent
 was at 536 Broome Street, and they
 took hold of Deponent, and held de-
 ponent by force while they took the
 said Twelve Dollars out of the left
 side pocket of Deponent's trousers. De-
 ponent is positive that the Dependant
 Conover is one of the men who
 committed said robbery.

Michael Kavanagh

Sworn to before me, this

30

1881

Police Justice.

0769

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK }

Frank Conover 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. *Frank Conover*

Question. How old are you?

Answer. *26 years*

Question. Where were you born?

Answer. *U. S.*

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

Answer. *9 Grand St.*

Question. What is your business or profession?

Answer. *Stellman*

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. I was*
drinking with him the greater
of an hour. and I went away
*from him before the occurred**Frank Conover*Taken before me this *30*
day of *August* 188*8*

Police Justice

0770

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.....

Frank Corns

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *100* 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 *Aug 30* 18*91* *[Signature]* 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.

0771

Complainant
Michael Flanagan
Bailed by
Thos Cunningham
602 E. 15 St

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

1146
Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Michael Flanagan
Bailed by
Thos Cunningham
2 _____
3 _____
4 _____
Offence

Dated August 30 1882
Hogan Magistrate.
Murray Officer.
Precinct.
Witnesses Case the Officer
No. _____ Street.

No. _____ Street.
No. _____ Street.
\$ 1000 to answer
Com



COURT OF GENERAL SESSIONS-Part III.

The People of the State of New York, : Before Hon. JUSTUS
: B. COWING, and a
Against :
: Jury.
FRANK CONOVER.

Indictment filed September 25th 1891.
Indicted for robbery in the 1st degree.

New York, October 6th 1891.

APPEARANCES: For the People Assistant District Attorney Wauhope Lynn.

For the defendant Mr. J. Ware.

MICHAEL KAVANAGH, a witness for the People, sworn, testified:

I live at No. 509 West 15th street in this city. I work at cement work. I was at No. 530 Broome Street on the 29th of August last. I went into the place to get a drink in company with this man Frank Conover. It was about eleven o'clock at night. While I was in this saloon I had occasion to go out to the yard to the water closet. While I was sitting down in the closet I was suddenly attacked by three men, this prisoner being one of them and robbed. They almost strangled me and took twelve dollars out of my pocket. It was the prisoner at the bar who took the money out of my pocket I had the money in the left hand pocket of my trousers; the prisoner was on the left hand side of me and I saw him distinctly put his hand into my pocket and take the money. I could

2

not be mistaken about it. There was a black man and a white man with him at the time. As soon as they took the money they ran out. When I recovered myself I went back into the store and met Officer Murray. I told him of the case and together we made search for the prisoner and found him in a other liquor saloon on the same street. I had taken five or six drinks but I was not drunk. I knew what I was doing at the time I went into this water closet. There was light enough from the hall way of the house to enable me to recognise the features of the defendant even though he is a negro.

CROSS EXAMINATION:

The yard into which I went was the yard of a tenement house. I had never been in it before in my life. I was in that neighborhood because I had seen a friend home and was about to go home myself. I saw the defendant in another saloon first and he volunteered to accompany me to this saloon. I left him standing at the bar when I went into the back yard. I was not many minutes in the back yard before I saw him and two other men come out and attack me. I recognised this man particularly because I saw him and drank with him at the bar. The closets may have been at the side of the yard. All I know is that there was light enough in there for me to see the men as they came near me. The closet was about five or six feet in length to the best of my judgment. I am certain there was a light shining into that closet from the hall. I met the defendant about hour previous to the time I was robbed and was with him all that time. In the last saloon we were in he introduced me to two other men

and I treated them. I was paid off on that afternoon and it was part of my weeks wages that was taken from me. I earned thirteen dollars and fifty cents that week. I had some drinks with friends on Statens Island before coming to New York. I am certain I was not drunk. I left my friend at his house in Leroy Street and wandered into several saloons before I met the defendant. I did not drink so much that I did not know what I was doing. I am certain twelve dollars was the amount stolen from me.

HENRY T. MURRAY, a witness for the People, sworn, testified:

I am a police officer in this city attached to the 8th precinct. I made the arrest in this case. I arrested him at about quarter after twelve on the night in question. He was in a saloon at the corner of Thompson and Broome Street. The complainant had previously informed me that he had been robbed. He gave me a description of the men who had robbed him and it was in pursuance of that description that I arrested this defendant. I told the defendant he was wanted for robbing a man and he made no answer to me at all. I brought the complainant up to him and he positively identified the defendant as one of the men who robbed him, and as the man who put his hands in his pocket and took the money. He said he was one of three men.

No Cross Examination.

D E F E N D E N T .

FRANK CONOVER, a witness for the defendant, sworn, testified)

I remember meeting the complainant on the night in question. I met him first at the corner of Grand and Thompson Streets at about ten o'clock. I never saw him before he entered the saloon I was in. He was standing by the bar all alone drinking and there was a fellow came in there and was dancing. The complainant treated the fellow who was dancing and others in the saloon. He asked me to have a drink with him. I said "Certainly I don't care". I had a drink. He treated again and some of the other fellows treated and I treated. He went out side and as he was going out he asked me if I was acquainted with the town. I told him I was not that I had only been here about a week. He asked me to take a walk with him and I went along with him. When we reached the saloon spoken of by him he suggested that we go in there and have a drink. I went in with him. He wanted to have some dancing and singing in there. After a short time he excused himself and asked me to wait a minute and I said "All right". I saw that he went out towards the back part of the saloon. I paid for the drinks then and went out on the corner and met my wife there. She told me to come on and go home. I walked with her as far as the corner of Thompson and Grand Street and asked her to home and I would follow her. She went away and I went again into the saloon where I first met the complainant.

5

I was in there a short time when the officer came in with the complainant and I was arrested as being one of the men who robbed the complainant. I did not rob him. I was not out in that water closet. I left that saloon just as soon as he went out to the back yard and I did not return to it at all. The man is mistaken when he says he saw me out there and that I put my hand into his pockets. I have never been arrested before in my life for any crime. I did not take anything at any time from the complainant.

CROSS EXAMINATION:

There was dancing and singing in the saloon where I met the complainant. He did not get robbed in the first saloon in which he was. It was in the next saloon we went to. The saloon I was arrested in was the first one we were in. The reason I left the man in the saloon was because my wife came to the door and called me out.

JENNIE McDONALD, a witness for the People, in rebuttal, testified:

I was in the liquor store at the corner of Broome and Thompson Street on the night spoken of. I saw the complainant in that liquor store on that night. I also saw the defendant in that saloon on that night. I saw the complainant and the prisoner get out of the front door together. I did not see them in the other saloon. This was about eleven o'clock when I saw them.

The Jury returned a verdict of guilty of Robbery in the first degree.

0777

Indictment filed Sept. 25-1891

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

FRANK CONOVER.

Abstract of testimony on

trial New York, October 6th

1891.

OF THE CITY AND COUNTY OF NEW YORK.

against

Franka Romero,

Franka Romero

The said Franka Fournon,

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of Two hundred dollars

S. Jancyrniell,
~~Attorney~~

0779

BOX:

448

FOLDER:

4134

DESCRIPTION:

Cushing, George

DATE:

09/20/91



4134

323

Hooper

Counsel,

189

Filed (day of

Pleas, *Magally* 30

28 THE PEOPLE

Robertson vs.

609 E. 155th

609 A. 9. City of New York

Grand Larceny, [Sections 528, 534, 550 Penal Code]

DE LANCEY NICOLL,

District Attorney.

Court II

Oct. 6

A TRUE BILL.

W. J. Berry

Foreman.

Oct 2 - Oct. 6, 1891

Tried and convicted of

1st Degree

Ed. J. of N. Oct. 9

Witnesses:

August Held.

W. J. Berry

0781

Police Court—6th District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 581 East 149th August Heald Street, aged 28 years,
 occupation Seam Maker being duly sworn
 deposes and says, that on the 13th day of September 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 night time, the following property viz:

One gold watch of the value of thirty
dollars, with plate chain attached
same chain being of the value of
five dollars, and five one hundred
money of the amount of thirty dollars
in all of the amount and value
of seventy-five 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 George Cushing (now here) from
 the fact that deponent was in company
 with said defendants on said night
 that said watch was contained in the
 left hand side vest pocket of the vest then
 + then worn by deponent with said chain
 attached, and the money was contained in
 a pocket book in the right hand pocket
 of the said trousers then + then worn by
 deponent. That the said defendants left deponent
 shortly after 2 O'clock AM on said date, and deponent
 then missed said property. That said said time
 to wit: on the 13th September 1891. The said defendants
 were arrested and in their possession was found the
 watch and chain above described, which watch and
 chain deponent fully identifies as his property
August Heald

Sworn to before me, this

14

day

of

September

1891

Charles J. [Signature]
 Notary Public

0782

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.6th District Police Court.

George Bushing 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 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. *George Bushing*

Question. How old are you?

Answer. *28 years*

Question. Where were you born?

Answer. *Melrose*

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

Answer. *609 E 155 St 3 years*

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 of the charge*

George Bushing

Taken before me this

14

day of September, 1891

John W. Lee
Police Justice

0783

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

Dated Sept 14 1897 Chambers 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.

0784

Police Court--- 6th District. 1202

THE PEOPLE, &c.,
ON THE COMPLAINT OF

August Heide
581-2149 St
George Leubing

Office Lawrence

Dated September 14 1891

Meade Magistrate.

William B. Lockwood Officer.

33 Precinct.

Witnesses Said Officer

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ 10.00 to answer for



Am 9x1 person money to

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0785

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

.....

The People,

vs.

GEORGE CUSHING.

)

) Before

)

) HON. JAMES FITZGERALD,

)

) and a Jury.

)

.....

Tried October 2th, 1891.

Indicted for GRAND LARCENY IN THE FIRST DEGREE.

Indictment filed September 29, 1891.

APPEARANCES:

Assistant District Attorney Macdonald,

For The People.

George H. Hooper, Esq.,

For The Defense.

0786

2

AUGUST HEID, the COMPLAINANT, testified that he was a cigar maker, and lived at 140th Street and Elton Avenue. At about 12 o'clock on the morning of September 15th he saw the defendant in Cortlandt Avenue at 140th Street. When he first saw the defendant it was a little after 12 o'clock. He had seen the defendant before that night but had never spoken to him. The defendant asked him the complainant if he wanted to go down to the Harlem Bridge with him. He the complainant asked the defendant if he knew a friend of his the complainant's named Kauffman. The defendant said that Kauffman was a very good friend of his. He the complainant and the defendant walked down to the Bridge and then went to a saloon on the corner of 129th Street--the Northwest corner of 3rd Avenue and 129th Street. They had a drink there he the complainant taking a pony of beer and then he the complainant left the defendant in the saloon and went into a restaurant in 3rd Avenue between 129th and 130th Streets, on the

0787

3

East side of the Avenue, and had something to eat. When the complainant came out of the saloon, the defendant was standing at the door. He the complainant said to the defendant, "Well, are you here again?" He the defendant then walked up the Avenue with the complainant. It was then about half-past 1 or 2 o'clock. He the complainant said to the defendant, "Come, let us go up the Avenue and go home." At 140th Street and 3rd Avenue he the complainant sat down on a stool, because his legs were tired and he fell asleep. He had his watch and pocketbook in his possession then. His pocketbook was in his trousers pocket. Before he fell asleep he saw the defendant and another man standing on the corner of 140th Street and 3rd Avenue. They were standing close to him the complainant. In his pocketbook he had \$45. He wore his watch in his left vest pocket, and it was attached to his vest by a chain. He slept for about 15 minutes on the stool, and when he woke up Cashing was gone. His the complainant's watch and money were also gone. He had

0788

4

seen his watch since. Cushing had it in his possession when he the complainant saw Cushing in the station house after his arrest. When he saw the watch in the station house it was broken, and one of the covers was gone. In the station house he the complainant complained to the officer, Officer Lockwood, who had the defendant in his custody, that the case of the watch was missing, and the officer asked the defendant where the case was, and the defendant said he did not know, and then the officer searched the defendant and found the case in his pocket. It was the top case of the watch. The watch was worth about \$50 with the chain. He the complainant had never recovered any of his \$45.

In

C r o s s - E x a m i n a t i o n,
the complainant testified that he bought the watch five or six years before it was stolen, in 9th Avenue. He the complainant had drunk about five times with the defendant on the night when he lost his

watch. He the complainant drank only small beers. He the complainant was working on that day and stopped work at 5 o'clock. After he had had his supper he went to his brother-in-law's saloon in Cortlandt Avenue, between 148th and 150th Street, and helped his brother-in-law tend bar until about midnight. He did not see the defendant in his brother-in-law's saloon that night. He met him after he left his brother-in-law's saloon. He the complainant was working at that time in Weiner's Cigar Factory. He had also worked in the same week for his brother-in-law who manufactured cigars also.

OFFICER WILLIAM J. LOCKWOOD testified that he was connected with the 33rd Precinct, and he arrested the defendant on September 13th, in 155th Street and Cortlandt Avenue, near where he lived, at about 3 o'clock in the evening. It was Sunday.. He sent

0790

3

the complainant and a friend of the complainant's who knew the defendant very well, to the defendant's house to see if he was there. He then arrested the defendant when they reported. He told the defendant what he was charged with--stealing the complainant's watch and money, and the defendant said, "I don't know anything about his watch or money." He said to the defendant you had better give this man back his watch and money, if you have it," and the defendant said again, "I haven't got it." He the officer again said to the defendant that he had better give up the watch and save himself any trouble, and then the defendant said, "Well, I'll give him his watch." And he put his hand into his pocket and pulled out the watch and handed it to him the witness." The defendant said, "There's his watch. I don't know anything at all about the money; but there is his watch." The complainant was present at the time. It was in 115th Street, on the way to the station. The complainant identified the watch and said, "Well, that's my watch. but

but there is no cover on it." And the officer said to the defendant, "Where is that cover?" The defendant said, "I don't know. That's the way I got it." In the station house the witness searched the defendant and found in his pockets \$2.08 and the cover of the complainant's watch. He found the cover in the defendant's left-hand vest pocket. He the witness said to the defendant "I thought you said you did not know where that cover was?" and the defendant made no reply.

In

Cross - Examination,
the witness said that he had forgotten to say that the defendant when he handed the complainant's watch to him the witness said that the complainant wanted to go with some lady, and wanted him the defendant to take care of his watch, and gave it to him the defendant. When he arrested the defendant he was sitting on his own door step. It was in the evening. The defendant tried to run into his hall-

S

way, but either the complainant or his friend ran into the hallway and pulled the defendant out, and he the officer arrested him. He had known the defendant to have been arrested for disorderly conduct and but not for any crime.

GEORGE CUSHING, the DEFENDANT, testified that he had known the complainant about a year. He had met him first in 137th Street and Cortlandt Avenue. After he first met him he met him in his brother-in-law's saloon on an average about once a week and generally on Saturday evenings. On the evening of September 12th before midnight he met him on the corner of 149th Street. The defendant was standing on the corner of 149th Street with a friend when the complainant came along and asked him the defendant where he was going and he the defendant said he was going down to the Harlem Bridge and the complainant said he would like to accompany him the defendant

and his friend. On the way across the Harlem Bridge his the defendant's friend recognized two girls who spoke to him, and then he left him the defendant and the complainant and followed the two girls. He the defendant and the complainant had several drinks in the saloon at 12th Street and 3rd Avenue, and then the complainant said that he wanted to go away with some girls and asked him the defendant to take care of his watch. The complainant said that he knew what kind of girls they were, and they would steal it from him. He the defendant wanted to get something to eat in Sullivan's restaurant near there and he told the complainant that he would wait there for him. He waited an hour and five minutes, and then he the defendant concluding that the complainant was going to stay all night with the girls, went home. It was about half-past 12 when he started for his home. He got on a car right in front of the restaurant. He the defendant did not see the complainant again until the following evening when he the complainant came around to his house

with Officer Lockwood. His the defendant's friend Henry Kauffman came first to the stool where the defendant was sitting and Kauffman seized hold of him the defendant and the defendant asked Kauffman what was the matter. Kauffman said, "You'll find out," and then the complainant and Kauffman dragged him the defendant to the sidewalk and Officer Lockwood arrested him. In the station house the defendant was asked where the complainant's watch was and the defendant replied, "I've got the man's watch and I am keeping it for him." He the defendant said he did not know anything about the complainant's money, and that he did not see any money in the possession of the complainant. He the defendant broke the watch by accident. He was jumping off a car at 3rd Avenue and 13th Street when he fell against an Elevated Railway pillar and was knocked out into the street. He the defendant pulled out the watch to look at it and the cover was off. He the defendant had been employed in the electric lighting company. He had been an electrician for

0795

11

about eight years. He had worked four years for J. H. Bonnell & Co. He the defendant lived with his mother. His father was dead. His father was formerly a circus man. He the defendant was his mother's only support. He had never been arrested for anything else besides intoxication.

0796

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

George Cushing

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *George Cushing*

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

The said

George Cushing,

A 40. a
late of the City of New York in the County of New York aforesaid, on the *13th* day of
September in the year of our Lord one thousand eight hundred and ninety-*one*
at the City and County aforesaid, with force and arms, in the *night* - time of said day,
divers promissory notes for the payment of money, being then and there due and unsatisfied (and of
the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury
aforesaid unknown, for the payment of and of the value of *forty*

dollars; divers other promissory notes for the payment of money, being then and there due and un-
satisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury
aforesaid unknown, for the payment of and of the value of *forty*

dollars; divers United States Silver Certificates, of a number and denomination to the Grand Jury
aforesaid unknown, of the value of *forty*

dollars; divers United States Gold Certificates, of a number and denomination to the Grand Jury
aforesaid unknown, of the value of *forty*

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of
the value of *forty dollars, one watch of*

the value of thirty dollars and
one chain of the value of
five dollars,

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

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Second COUNT:—

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

George Cushing

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

The said

George Cushing

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

August Held

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

August Held

unlawfully and unjustly, did feloniously receive and have;

he

the said

George Cushing

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.