

0647

**BOX:**

448

**FOLDER:**

4134

**DESCRIPTION:**

Coan, Patrick

**DATE:**

09/24/91



4134

265

Witnesses:

*Rudger Coan*

*Ed Carey 16th*

Counsel,

Filed

day of

1891

*Sept*  
*Sept 15*

Pleas,

THE PEOPLE

vs.

*Patrick Coan*

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

DE LANCEY NICOLL,

District Attorney.

*Wm. J. Berry*

Book I 200-300-1 1891  
I 100-1-1-1 1891

A TRUE BILL.

*W. J. Berry*

Foreman.

*Oct 1/91*

*Wm. J. Berry*  
*Foreman*

*Wm. J. Berry*

0649

Police Court \_\_\_\_\_ District.

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

*Bright Coan*

of No. *54<sup>th</sup> West 2<sup>nd</sup>* Street, aged: *46* years,

occupation *Rep House* being duly sworn

deposes and says, that on the *27* day of *August* 18*89* 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 rough shod, 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~~ <sup>her</sup> 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 *4<sup>th</sup>* day of *September* 18*89*

*Bright Coan*  
*mark*

*John Kelly* Police Justice.

0650

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK

*Patrick Coan* 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. *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. *No 522 West 27th 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. [Signature]*  
1897

Police Justice.

0651

New York Hospital,

GEO. P. LUDLAM,  
Superintendent.

West Fifteenth Street,

New York, *Sept 6<sup>th</sup> 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 31<sup>st</sup>* 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* 189*1*

*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 to 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. Adams*  
House Surgeon.

0656

My dear Sir,  
 I have the honor to acknowledge the receipt of your letter of the 14th inst. in relation to the matter of the late Dr. J. C. ...  
 I have the honor to inform you that the same has been forwarded to the proper authorities for their consideration.  
 I am, Sir, very respectfully,  
 Yours truly,  
 Geo. P. Ludlam, Superintendent.

New York Hospital,  
 West Fifteenth Street,  
 New York, Aug 27 1891

0657

Police Court 2 District.

City and County of New York } ss.

of No. 52 1/2 West 77<sup>th</sup> 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 home 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 by Edward Coan

Police Justice

0658

Police Court 2 District.

City and County of New York } ss.

of No. 522 West 74th Street, aged Luke Shaughnessy 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, from New York, assaulted 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 strike said Bridger one blow on the body with a large shovel which he Patrick then and there held in his hands.

Sworn to before me Luke Shaughnessy  
This 29th Day of August 1891

L. Shaughnessy  
Police Justice

0659

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT,

DISTRICT.

*John Carey*  
of No. *16 Avenue B* Street, aged \_\_\_\_\_ years,  
occupation *Police Officer* 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 *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  
of *Aug* 1891

*29*

day

*[Signature]*

NOTARY PUBLIC

0660

Police Court, 2 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Putnam Co

vs.

AFFIDAVIT

24 Aug 31<sup>st</sup>

1100g 11:00 P.M.  
4. Sept. 7. 9. A.M.

Dated, Aug 29 1891

Rogan Magistrate.

Gary Officer.

Witness, Luke Shaughnessy

522 West 27<sup>th</sup> St

Edmund Coan

522 West 27<sup>th</sup> St

Putnam Graham

2035 3<sup>rd</sup> Avenue

Disposition.....

*[Handwritten signature]*

11000 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*

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

Dated *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 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*  
*537 W. 27th St*  
*John Coan*

*A. Smith*  
*John M.*  
Officer

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

BAILED.

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Dated *Sept 7* 18*91*

*Kelly* Magistrate.

*Carry* Officer.

*16* Precinct.

Witnesses *Ruke Shughnessy*

No. *527 West 77* Street.

*John Coan*

No. *527 West 77* Street.

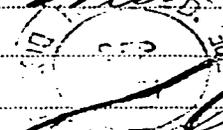
\_\_\_\_\_

No. \_\_\_\_\_ Street.

\$ *7.50* to answer

\_\_\_\_\_

*Coan* \_\_\_\_\_



42  
The People

Patrick Coane

Court of 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 522 West Twenty Seventh St.; the def-  
endant is my husband. I remember the  
27<sup>th</sup> 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?

0664

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. Coan live in: Did you see anything of the disturbance between them on the 27th of

0665

August of this year? All I saw 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. Moran 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 opening 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 or 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.

Edward Coan, sworn and examined, testified.

competent.

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 man's 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~~<sup>sister</sup> 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 <sup>head</sup>.

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. <sup>2</sup> 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 honor 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 16<sup>th</sup> 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 she was. 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. Coon 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 Coarey, 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

0671

When did you first see the defendant after this? About three o'clock on the 28<sup>th</sup> he was brought to the station house by two officers. What had you been doing during the afternoon of the 27<sup>th</sup> and the day of the 28<sup>th</sup> if anything in connection with this case? About four o'clock on the 27<sup>th</sup> 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 28<sup>th</sup>. I caused a general alarm to be sent out, giving the name and description and so on, and about four o'clock on the 28<sup>th</sup> 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 inquires. 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 knew 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 out 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, eh. 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. Necks. 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 assault in the second degree.

0675

Testimony in the  
case of  
Patrick Coan

filed Sept.

1891.

(2)

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

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  
John H. Hartman, ssd

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

THE PEOPLE

vs.

John B. Cooney

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

DE LAURENCE COLL  
JOHN R. FELLOWS

District Attorney

Wm. J. Berry  
Foreman

A True Bill.

Wm. J. Berry  
Sept 23/91  
Foreman

Wm. J. Berry  
Sept 23/91  
Foreman

The People  
John B. Coarey

Court of General Sessions. Part I  
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 open 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 officer 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 1<sup>st</sup> 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 20<sup>th</sup> or 21<sup>st</sup> 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 in 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 the post. 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 McQuire'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 McQuire 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 McQuire gang and he went with Joe Caspore

Joe Cosgrave 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 108 West Fifty Fourth St. I remember  
seeing the defendant on the 1<sup>st</sup> 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.

Fredrick Range sworn. I am eleven years  
old and go to school. On the 1<sup>st</sup> of August  
I was on my father's coal box at 413, <sup>413</sup> Fifty  
Fourth Street, next door to where the complainant  
lives. I saw the defendant coming out of the  
hall 108 Fifty Fourth 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.

0686

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 1<sup>st</sup> of August at 7.30 in the morning I was looking for a place. I went to my uncle's <sup>at</sup> 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 of an 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 sworn

deposes 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 dwellin

~~and in which there was at the time a number of persons~~

were BURGLARIOUSLY entered by means of forcibly

Opening  
a window leading from the hallway  
in the second floor of said premises  
into deponent's 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 by

John B. 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 Diarlett 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 when they had secured the coats and vest.

Wherefore defendant charges this defendant and said two others not arrested with being together, and negligently entering said premises, and stealing said property therefrom.

Sworn to before me, *Julius Vito*  
 this 23<sup>rd</sup> day of Aug 1891 *Mark*

*P. J. [Signature]*  
 Police Justice

Dated \_\_\_\_\_ 1891  
 I have admitted the above named to bail to answer by the undertaking hereto annexed.

Police Justice

Dated \_\_\_\_\_ 1891  
 There being no sufficient cause to believe the within named guilty of the offence within mentioned, I order he to be discharged.

Police Justice

Dated \_\_\_\_\_ 1891  
 I appear to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

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

Police Court, \_\_\_\_\_ District.

THE PEOPLE, &c.,  
 on the complaint of \_\_\_\_\_

vs.

1 \_\_\_\_\_  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_  
 4 \_\_\_\_\_

Offence—BURGLARY.

Dated \_\_\_\_\_ 1891

Magistrate.

Officer.

Clerk.

Witness.

No. \_\_\_\_\_ Street,

No. \_\_\_\_\_ Street,

No. \_\_\_\_\_ Street,

§ \_\_\_\_\_ to answer General Sessions.

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 *Julia 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* 189*8* }

*Robert Charlton*

*W. D. Madaloni*  
Police Justice.

0691

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK,

*John B. Cooney* 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 B. Cooney*

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. Bronx*

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. Cooney*

Taken before me this

*21<sup>st</sup> 1911*

at *512 W. 89th St. Bronx*

*W. J. ...*

Police Justice.

0692

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

*Alfred Smith*

*guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* *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* *Aug 23* *1887,* \_\_\_\_\_ *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. Cooney*  
2  
3  
4  
Office *Langham*

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Dated Aug 23 1891

*W. E. Mahan* Magistrate.

*Robt Charlton* Officer.

22 Precinct.

Witnesses *Robt Charlton*

No. 22 Precinct Police Street.

*Wm Mertens*  
No. 408 N. 54 Street.

*Henry Mahler*  
No. 44 N. 54 Street.

*Fred R. Rapp*  
No. 715 N. 54 Street.

\$ 1500 to answer



*Langham*

**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 B. Coary*

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

*John B. Coary*

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

The said

*John B. 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.

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

*Julia Vito* —

in the dwelling house of the said

*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 Lancey*

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

169

Counsel,  
Filed 22<sup>nd</sup> day of Sept 1897  
Pleads,

Burglary in the third degree  
[Section 408, of the Penal Code]

THE PEOPLE

vs.

Joseph Collins

Dr LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*A. J. O. Berry*  
Foreman.

*Ed. J. Murphy*  
Pleads July 2, 1897

*Ed. J. Murphy*

Witnesses:  
*Julius Rockman*  
*Jacob Bergan*  
*Alf Morley*

*Read for*  
*pp per*

0599

Police Court 3rd District.

City and County } ss.:  
of New York,

of No. 174 Essex Street, aged 07 years,  
occupation Butcher & Egg being duly sworn

deposes 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 name

were **BURGLARIOUSLY** entered by means of forcibly breaking of the  
shutters of one of the rear windows  
and entering therein

on the 15th 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 dollars

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

Joseph Collins  
now here

for the reasons following, to wit: from the fact that deponent  
is informed by his son Elias Kochman  
that at about the hour of 5 o'clock  
and thirty P.M. on that of the 15th instant  
he locked and fastened the doors and  
windows in said premises and on the following  
morning at about the hour of eight o'clock  
A.M. deponent discovered that burglary  
had been committed and said property

0700

Take down and carried away by me  
further down he found and brought  
no 95 Delancey Street Department further  
said he is informed by Jacob [?]  
Charges with said [?] heard the defendant  
Collins in company with two other men  
not arrested [?] [?] [?] to said  
[?]

Given to before me this  
31<sup>st</sup> day of Aug 1891  
Julius Rodman  
Police Justice

It appearing to me by the within depositions and statements that the crime herein mentioned has been committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and he 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 within mentioned, I order he to be discharged.  
Dated \_\_\_\_\_ 1891  
Police Justice

Police Court, District, \_\_\_\_\_  
THE PEOPLE, etc.,  
on the complaint of \_\_\_\_\_  
Offense—BURGLARY.  
1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
Date \_\_\_\_\_ 1891  
Magistrate, \_\_\_\_\_  
Officer, \_\_\_\_\_  
Clerk, \_\_\_\_\_  
Witness, \_\_\_\_\_  
No. \_\_\_\_\_  
No. \_\_\_\_\_  
No. \_\_\_\_\_  
No. \_\_\_\_\_  
to answer General Sessions.

0701

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 30 years, occupation Mattress Maker of No. 95 Debaring 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 July 1899

his  
Jacob Boyer  
Sworn

[Signature]  
Police Justice.

0702

Sec. 198-200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Joseph Collins* 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.

*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

*[Signature]*

Police Justice.

0703

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 3rd DISTRICT.

of No. 99 Delancey Street, aged 30 years, occupation of a 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 now being charged with committing a Burglary Dependent being arrested and held for said Burglary Dependent further says that he found a quantity of carpets from the defendant which were subsequently discovered was stolen property wherefore Dependent says that said defendant may be held for examination in proof of the insufficiency of evidence

Sworn to before me this

1888

Police Justice

0704

267

Police Court-- District.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

*Jacob Benjamin*  
*Joseph Collins*  
*Jas. S. Delaney*

AFFIDAVIT.

*Wm. J. [unclear]*

Dated, *Aug 28* 188*8*

*Wm. J. [unclear]*  
Magistrate.

*J. [unclear]*  
Officer.

Witness, *[Signature]*

Disposition, *Ex. Aug 27-10 PM*  
*31-10 PM*

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.....

*Depon-ten*

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 *Am. Law*

BAILED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by *i* \_\_\_\_\_  
Residence *↓* \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Dated *Aug 31* 18 *91*

*Wm. Duff* Magistrate.  
*J. M. McKay* Officer.

Witness *Jacob Burgan*  
No. *95 Belmont* Street.

*Patricia [unclear]*  
No. *3rd St. [unclear]* Street.

No. *300* Street.  
\$ \_\_\_\_\_ to amount of \_\_\_\_\_



*Aug 31 91*  
*[Signature]*

0707

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 *Julius 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 25<sup>th</sup> day of Sept 1891  
Plends, *Algerly Oct 21/91*

Assault in the 1st Degree, Et c.  
(Sections 217 and 218, Penal Code.)

THE PEOPLE

vs.

*John Loman*

DE LANCEY NICOLI,  
District Attorney.

April 11/92  
*De L'Arment deceased*

A TRUE BILL.

*W. J. O'Leary*

Koroman.

get 5<sup>th</sup> W. L.

Nov 9 10 1/2 P

*Dr. Examination*

Witness:

*Geo. P. Edgecomb*

After a full examination into all the facts herein I am convinced that no conviction can be had. 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 while remaining to cause a wound for the sake of the complainant. There being so much doubt as to the real truth in this case in view of the fact that the complainant has no other witnesses, I therefore advise that the indictment be dismissed.

*Wauchope Lynn*

*Deot West 1891*

April 11/92

0712

George R. Lodgecomb }  
agent }  
John Cowan }  
}  
}  
} Aug 11/1891

Samuel C. Ralphy  
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 cook on the  
steamer and I saw nothing of  
him until last Friday, he  
came ashore 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  
sneering he was a dangerous  
man and might do some harm  
I pushed him away by the

0713

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 3<sup>rd</sup> time when the foreman  
succeeded him down Ed & other  
him, but I went into the office  
to attend to a business, Mr  
Gorman succeeded him down  
Gambold & Co.  
The man master

When did you find out that  
you were out?

As soon as master 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  
I could not a man's feet had done  
it?

When the ear is cut clean

0714

3

the top  
of what is your business?  
A post steward of the Mallory line  
—

Robert Matthews called  
by the people being duly  
sworn deposes & says  
of what is your business?  
A dock Superintendent Mallory  
Steamship line  
of where do you live?  
The Fulton Ferry Hotel  
where you on the wharf  
last Friday?  
Cape Iris.  
How close were you to the  
complaint?  
A Iris pretty close to him, at the  
beginning of the affair Iris  
400 feet away from him  
How relate what you saw of  
this difficulty?

0715

4

A In coming up the door  
with a private detective we  
here, and I saw the Trouble  
and I saw Edgcomb and his  
dependant and they were  
fighting, and the watchman  
in the door stopped the fight  
and tried dependant to get off  
of the door and then this other  
man came in the door and  
he was ordered off and then  
the dependant grabbed Edgcomb  
here that (showing) and put his  
hand in his pocket and grabbed  
something that turned out to  
be a juan knife and he made 3  
dashes at Edgcomb's head  
and I struck him and reversed  
him down and I said to  
Edgcomb you better go away  
if you see the knife,  
A only a little part of it  
Hope Ex  
If you were walking up the door

0716

when the men were fighting  
Ayessii  
Parby about the detente interpre  
and out mean anything about it  
beloans out for the corpo.  
go to a regular policeman  
Ayessii  
If you want see who shot first  
Ayessii



6

Michael Forman being duly  
 sworn deposes and says  
 that he does reside  
 at 36 Maxwell Street  
 of the address of  
 41 years  
 of which he was employed  
 at C. H. Malloy, pres of C. R.  
 of State what you mean of this  
 occurrence?  
 At the time Edgcomb was  
 speaking together when the  
 report was made up and  
 asked him why he stopped him  
 from getting work on the  
 boats and after some talk  
 he was taken to Edgcomb, and  
 Edgcomb showed him and  
 showed him out and saw  
 the other man crossing in  
 on the other side and showed  
 him out of the other gate  
 and as I looked around  
 I saw Edgcomb and the

0718

9

dependant elicited, together  
and I saw Edgemo's cup  
and I struck him

Cape Ex

gave him his <sup>cup</sup> blackened  
his eye ?

A short man

gave you men him ?

A rasi

gave you men him down ?

A rasi

gave you men him down ?

eyes I moved him down

gave us down down <sup>hair</sup>

you men him ?

A rasi

gave anybody men him ?

A rasi that I saw

gave the other man moved  
down ?

eyes

gave moved him down ?

A rasi

Revised 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 were  
manning on that dock?  
About 500.

Many policemen on that dock  
A radio in front of store in  
Prof. Ex.

If you saw no wife did you  
know it?

—

9

John Comman dependant  
 being duly sworn deposes  
 says  
 Great Examination

of those your side of the City  
 A Subject to ask Mr. [unclear] [unclear]  
 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. [unclear] and  
 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 do you come here last  
 Saturday get a warrant?  
 Ay yes and I was told there  
 were no warrants raised  
 it was half past 11 o'clock  
 and I came here to day and  
 got summons and the

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

Q You didn't mean they had a  
warrant out for you?  
A No Sir

Q Did you have any knife that  
day?

A No Sir I had no knife on at  
all.

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

Q Yes Sir

Q Don't forget that you never  
saw this man the complaint  
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

Carissimi  
after this disturbance will be with  
you go away but return again  
I wish your friends &  
C. G. Rossi

11

0723

14

Proves Martin being duly  
found departed and says  
I asked you reside  
at 309 W. 1st Street

I asked are you employed?  
A Has been employed on the  
Masonry line

I you are not employed there  
now?

A No Sir

I were you present at the  
turning of the gun well on the  
dock?

A Was not exactly on the dock  
Come 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 are 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 and  
 Gorman knocked me down  
 and my hat went over board  
 and I got a race to get it out  
 and when I came through  
 the door Gorman knocked  
 me down again  
 Did it yourself a my knife in  
 McCann's hands?  
 Aye Sir  
 If he had any wound you  
 have seen it  
 Ayes Sir  
 Capt Ey.  
 If you met him in Fulton Street  
 What morning?  
 Ayes Sir  
 Did you say to him that you  
 would get over with him

0725

14

a something of that kind  
A Japsu' I asked him why I could  
not go on the deck and I  
paid you send me to the  
Steward and the Steward told  
me to you  
If I had nothing to do with the  
flight had it  
A Japsu'

0726

11

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  
 I can't get work on the dock  
 and I say it is the 3<sup>d</sup> time  
 I told you <sup>that</sup> we had some  
 job and he said he was  
 got me of my job -  
 I mentioned all that  
 I will be said you had not  
 heard the last of this  
 I know after the fight was over  
 and they return to the dock  
 again

Very Sir

Yours truly

Defendant held to bail in  
 sum of 500 for General Sessions

0727

Police Court— District

City and County } ss.:  
of New York,

George R. Edgcomb  
of No. Pennington Street, aged 32 years,  
occupation Steward being duly sworn

deposes 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 Corson

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

John Corson

Do hereby Police Justice.

0728

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*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

*11*

day of *August* 1891

*P. J. McLaughlin*  
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 East 10th* Street, that on the *7* day of *August*  
*1887* at the City of New York, in the County of New York,

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

**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 *7th* day of *August* 188*7*  
*J. C. Edgcomb* POLICE JUSTICE.

0730

Police Court.....District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-A. & B.

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

49  
W  
No D  
Cook  
M  
Yes  
464 Canal  
St

The within named

Dated Aug 10 1889

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 - 1889

This Warrant may be executed on Sunday or at night.

Ja. J. Bell Police Justice.

Police Justice

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 Byrdland

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. Russell Police Justice.

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

Dated Aug 12 18 91 Do J. C. Russell 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

*George R. Edgerton*  
*Pil 20 E. R.*  
*John Conner*  
1  
2  
3  
4  
Office *John Conner*

BAILED.

No. 1, by *Margaret Willbrook*  
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* Street.  
*Pil 20 E. R.*  
*Michael J. Conner*  
No. *Pil 20 E. R.* Street.

No. .....  
\$ *5.00* to answer *R. 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 Coman

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

John Coman

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

The said John Coman

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. Edgcombe in the peace of the said People then and there being, feloniously did make an assault and him the said George R. Edgcombe with a certain knife

which the said John Coman 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 him the said George R. Edgcombe 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 Coman of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows :

The said John Coman

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. Edgcombe 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. Edgcombe with a certain knife

which the said John Coman 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

186  
L. F. H. K.

Counsel,  
Filed *[Signature]* 189  
day of *Sept*  
Pleads, *[Signature]* 28

Grand Larceny, Second Degree,  
[Sections 82, 83, 570 Penal Code.]

THE PEOPLE

vs.

*James Conroy,*  
*William Wallace*  
*and*  
*William Halliday*

DE LANCEY NICOLI,  
District Attorney.

*[Signature]*  
A TRUE BILL.

*W. J. Berry*  
Sept 28 - 1891  
41st St  
New York

*[Signature]*  
Sept 28 - 1891  
41st St  
New York

1892  
*[Signature]*

Witness:

*[Signature]*

*the city of New York, from an evidence  
that the testimony that can  
be produced, I am of opinion  
that no case can be made  
out of the facts. Halliday  
is a person of the highest  
reputation of the witness  
and is a person of the highest  
reputation of the witness.*

0738

Police Court

3rd

District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

Harris Cohen

of No. 40 Division Jeweler Street, aged 45 years,

deposes and says, that on the 7th 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 following 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 Halligan (all now 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 there and carry away the aforesaid property from a show case within store. Deponent further says he is informed by Officer George Arken of the 11th Precinct Police that they arrested the defendants together on Canal Street and the defendants, Gordon and Wallace

Sworn to before me this 11th day of August 1891  
Police Justice

0739

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

I swore to before me

this 7<sup>th</sup> day of August 1911

Harrie Cohen

J. H. [Signature]

Police Justice

0740

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 37 years, occupation Police Officer of No. 112

112 Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Farris W. Ocha

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

Sworn to before me, this 2<sup>nd</sup> day of August 1896, } George L. Allen

[Signature]  
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 Murray 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 OF NEW YORK, ss.

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  
Wm. Wallace

Taken before me this  
day of

*[Signature]*

Police Justice.

0743

3

District Police Court.

Sec. 198-260.

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 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 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

*[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 John Smith

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

Dated Aug 7 1891 [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*  
*James London*  
*William Wallace*  
*William Halliday*

*in case*  
*felony*  
Offence

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*

*Wm. H. [unclear]* Magistrate.

*George C. [unclear]* Officer.

*11* Precinct.

Witnesses *Call the Officer*

No. \_\_\_\_\_ Street.

*Isaac Goldstein*

No. *32 Division* Street.

No. \_\_\_\_\_ Street.

\$ *1000* each to answer.

*Wm. H. [unclear]*

0746

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

New York, Sept 28, 1881

Not known if you know

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

No \_\_\_\_\_

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: I hereby certify that I have received from the above named firm a check for the sum of \$33.00 found to be the property of my parents to the amount of \$33.00 honest money.*

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 have kind to  
his honest and industrious

Yours Respectfully  
Robert Spulley

0749

City Court of New York,  
Justices Chambers City Hall,  
New York, Dec 1<sup>st</sup> 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 courts

0750

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 Halliday*

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

The said *James Condon, William Wallace and William Halliday*, 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

*Harris 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

*Harris Cohen*

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:**

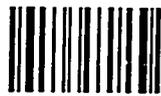
4134

**DESCRIPTION:**

Connell, John

**DATE:**

09/09/91



4134

0753

**BOX:**

448

**FOLDER:**

4134

**DESCRIPTION:**

Schmidt, John

**DATE:**

09/09/91



4134

0754

2. O'Callahan 22

Witnesses;

Henry M. Morrison  
Off. Maxwell

Counsel,  
Filed  
Pleads,  
1889  
Sept 10

THE PEOPLE  
vs.  
John Cornell  
and  
John Schmidt  
N.P.  
DE LANCEY NIGOLL.  
JOHN R. MELLON

Grand Larceny, 3rd Degree.  
(From the Person.)  
[Sections 528, 529  
Penal Code].

23 Sept 1891 District Attorney.  
M. J. Jones and acquitted

A True Bill.

M. J. Berry  
Foreman  
John  
Charles J. Brady  
370 St. Louis St. N.Y.

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

of August 1891

[Signature]

Police Justice

Police Court— / District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

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:

silver watch of the value One double case  
of \$12-

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 Connell and John Schmidt (both now here) who were acting in concert 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 28<sup>th</sup> day of August 1891

Henry W. Spencer

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. Herriman

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 28  
day of August 1899 } James King

[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 *29* day of *August* 1891  
Police Justice

0761

Sec. 108-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

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

1897

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

Dated *August 28* 18*97* ..... *[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--- 1 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Henry W. Herriman*

vs.  
1. *John*  
*George Connell*

2. *John Schmidt*

3. \_\_\_\_\_

4. \_\_\_\_\_

*Offence*  
*Larceny*  
*Felony*

Dated *August 28* 189*9*

*Divin* Magistrate.

*Frankell and King* Officers  
*Park* Precinct.

Witnesses *James J. Frankell*  
*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.S.*

*Con*  
*9/1*  
*new*

0764

**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 *28<sup>th</sup>* day of *August* in the year of our Lord one thousand eight hundred and *eighty-nine*, 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 *Henry W. Herberman* 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

200

Witnesses:  
Michael Starnach

Counsel,  
Filed 22 day of Sept 1891  
Plends, *Starnach*

THE PEOPLE  
*24* vs.  
*9*  
Frank Conover

Robbery, Degree, *first*  
[Sections 224 and 228, Penal Code]

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*W. J. O'Berry*  
Part 3 October 6/91 Forenoon.  
Jury and admitted -  
Robbery (1st deg)  
Sept 30/91  
New York  
*Starnach*

0767

Police Court 2 District.

City and County of New York } ss.

Henry J. Murray

of No. 5th Precinct Street, aged \_\_\_\_\_ years,  
occupation 5th Precinct being duly sworn, deposes and says,  
that on the 30 day of August 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  
deposed that he is required  
to find surety for his appearance  
as such witness

August 1891  
*[Signature]*

Henry J. Murray

0768

Police Court-- 2 District.

CITY AND COUNTY }  
OF NEW YORK, } ss

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 1887, at the 8 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:

gold and silver 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 dead) and  
two others not arrested. The deponent  
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 deponent  
Conover is one of the men who  
committed said robbery.

Michael Kavanagh

*[Signature]*  
Sworn to before me, this

30

1887

Police Justice.

0769

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

*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.

*2 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.

*Stableman*

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 three quarters of an hour and I went away from him before the occurred*

*Frank Conover*

Taken before me this  
day of August 1882

*30*

Police Justice

*[Signature]*

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 Cornwell*

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 *July 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.

07771

1146

Police Court--- 2 District:

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

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

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

Dated August 30 1888  
Hogan Magistrate.  
Murray Officer.  
Precinct.

Witnesses Call the Officer  
No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.  
\$ 1000 to answer Guilty



Com

COURT OF GENERAL SESSIONS-Part III.

-----x  
 The People of the State of New York, : Before Hon. HENRY  
 against : B. COWING, and a  
 F R A N K C O N O V E R . : Jury.  
 -----x

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

New York , October 6th 1891.

APPEARANCES: For the People Assistant District Atto  
 torney 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 Staten 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.

0775

4

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 case 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 gain into the saloon where I first met the complainant.

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 COMOVER.

Abstract of testimony on

trial New York, October 6th

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

Franka Romaner

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

Franka Romaner

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

The said Franka Romaner,

late of the City of New York, in the County of New York aforesaid, on the twenty-first day of August, in the year of our Lord one thousand eight hundred and ninety-one, in the time of the said day, at the City and County aforesaid, with force and arms, in and upon one Michael Kavanagh, in the peace of the said People then and there being, feloniously did make an assault, and 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 Twelve

dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (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 Twelve

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

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

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

of the goods, chattels and personal property of the said Michael Kavanagh, from the person of the said Michael Kavanagh, against the will and by violence to the person of the said Michael Kavanagh, then and there violently and feloniously did rob, steal, take and carry away, the said

Franka Romaner being then and there aided by an accomplice actually present, whose name is to the Grand Jury aforesaid as yet unknown; against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Edmund G. ... Attorney

0779

**BOX:**

448

**FOLDER:**

4134

**DESCRIPTION:**

Cushing, George

**DATE:**

09/20/91



4134

323

*Hooper*

Counsel,

Filed *Sept. 1891*

Pleas, *Magally Co*

THE PEOPLE

Grand Larceny, 520 [Sections 528, 584, 520 Penal Code]

*28*  
*Electrician*  
*609 E. 155th*  
*609 A. 91. City of Chicago*  
*George Bushing*

DE LANCEY NICOLL,

District Attorney.

*Cork II*

*Oct. 6*  
A TRUE BILL.

*W. J. Berry*  
Foreman.

*Oct 2 - Oct. 6, 1891*

*Trial and convicted G. d.*  
*pt. degree*

*Ed. J. of J. Oct. 9*  
*Oct. 9*

Witnesses:

*August Held*

*W. J. Berry*

0781

Police Court 6<sup>th</sup> District.

Affidavit—Larceny.

City and County of New York, } ss.

of No. 581 East 149<sup>th</sup> August Heald Street, aged 28 years, occupation Sign Maker being duly sworn deposes and says, that on the 13<sup>th</sup> 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 and of deponent, in the night time, the following property viz :

One gold watch of the value of thirty dollars, with platinum chain attached same chain being of the value of five dollars, and one one hundred money of the amount of fifty 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 Leubing (now here) from the fact that deponent was in company with some defendants on some night that same watch was contained in the left hand side vest pocket of the vest then & there worn by deponent with same chain attached, and the money was contained in a pocket book in the right hand pocket of the said vest then & there worn by deponent. That the same defendants left deponent shortly after 2 O'clock AM on some date, and deponent then returned same property. That some time later on the 13<sup>th</sup> September 1891 the same 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<sup>th</sup> day of September 1891  
Edmond J. [Signature]  
Police Justice

0782

Sec. 198-200.

6<sup>th</sup>

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*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

*W. H. ...*  
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 Alfred [unclear]

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 [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.

0784

1202

Police Court--- 6<sup>th</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

August Hoeld  
75 8<sup>th</sup> - E 149<sup>th</sup>  
George Leubing

Office of January

Dated September 14 1891

Maude Magistrate.

William B. Lockwood Officer.

33 - Precinct.

Witnesses "Said Officer"

No. Street.

No. Street.

No. Street.

\$ 1000 to answer



Am 9x1  
Keweenaw  
money to

BAILED.

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

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 8th Avenue. He the complainant had drunk about five times with the defendant on the night when he lost his

0789

5

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 149th 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 135th Street and Cortlandt Avenue, near where he lives, 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 a 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

0791

7

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-

0792

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

0793

9

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 127th 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 some thing 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

0794

10

with Officer Lockwood. His the defendant's friend Henry Kaffman came first to the stoop where the defendant was sitting and Kaffman seized hold of him the defendant and the defendant asked Kaffman what was the matter. Kaffman said, "You'll find out," and took the complainant's watch. Kaffman 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 15th 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

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.

523

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*

late of the City of New York in the County of New York aforesaid, on the *13<sup>th</sup>* 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.

*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.*